

**Subject:** FW: Follow-up questions, re: Dow Constantine Citizen Action Notice

**Description:**

**From:** Phil Lloyd

**Sent:** Monday, June 19, 2017 4:38 PM

**To:** 'Perkins, Tony (ATG)'

**Subject:** RE: Follow-up questions, re: Dow Constantine Citizen Action Notice

Thanks for your email.

With respect to the debt reporting, we have reviewed each expenditure made during the cycle. Attached is a listing of those transactions. Of these, 20 were credit card processing fees, an issue that we have previously addressed in our response. Most of the remaining expenses were cases where either we did not have an invoice or it was unclear whether we had a reportable debt at the time that the C4 report was prepared. Attached is a list of these expenses, showing the date they were incurred and paid and when they were first reported as debts on our C4 filings. Each of these disbursements was reported timely on the committee's subsequent C4 reports. For the 3/31/15 disbursement of \$431.59 to Bank of America with an explanation of "Unknown", it appears to have been received and paid prior to filing the monthly C4 report and was not listed as a debt but it is not clear why it was not listed. Note also that the last entry, to NWP Consulting, the amount due for February consulting was not determined until their contract was finalized in March. As was stated in our earlier response, we have instituted more thorough procedures to track and report our debts. Once these debts were reported as disbursements on C4 reports, we did not see that amending the earlier reports to include the debts would have further served the public interest so we did not do so.

With respect to the consultant payments, Gina Topp provides general management and strategy consulting, GreenC3 LLC provided communication consulting, Novsky and Associates provided communications consulting, Newman Partners provides strategy and fundraising consulting, GPS impact provides media consulting and NWP Consulting provides general strategy and media consulting. Blue State Digital is an electronic fundraising platform and should not have been listed as "consulting". We will amend the April report to correct this.

With respect to Northwest Progressive Institute, I mistakenly referred to subsequent payments made to NWPI from campaign funds in my earlier reply. The 2014 payment was from surplus funds early in the 2017 cycle so the decision was made to treat that sponsorship payment as a donation and the subsequent payments in 2015 and 2016 as primarily an advertising expense.

**From:** Perkins, Tony (ATG) [<mailto:TonyP@ATG.WA.GOV>]

**Sent:** Wednesday, June 14, 2017 11:37 AM

**To:** Phil Lloyd

**Subject:** Follow-up questions, re: Dow Constantine Citizen Action Notice

**Importance:** High

Phil,

Thank you for your responses to the May 1, 2017 citizen action notice that Glen Morgan filed against Dow Constantine. As we continue our review of the notice and your May 5 and 17, 2017 and June 7, 2017 responses, we have the following questions:

1. The notice alleges that the 2017 Constantine campaign failed to disclose 199 expenses totaling \$470,517 as reportable debts. The campaign responds that “the great majority” of the expenses either involved no debt reporting requirement, or were in fact reported as debts. Please identify any expenses that were not reported as debts, despite being paid in a different reporting period than the period in which they were incurred. Please identify the date that these expenses were first incurred.
2. The attached query results from the PDC’s expenditures database (“*Chart-20170614-ConstantineConsultingExpend.xlsx*”) indicate that as of today, the 2017 Dow Constantine campaign has disclosed \$244,060.36 in expenditures for a purpose described only as “consulting.” If any of these payments involve more specific consulting services (e.g. fundraising, ad production), please identify the services provided.
3. The notice identifies a \$500 payment Mr. Constantine’s surplus funds account paid to the Northwest Progressive Institute (NPI) on 6/1/15 for the listed purpose of “event sponsorship.” (The relevant surplus funds C-4 is attached for your reference.) Mr. Constantine’s response states that the expense created a benefit for his campaign, suggesting that the expense was either a campaign expense paid inappropriately from the surplus account, or paid from campaign funds and reported in error as a surplus expense. Please clarify the nature of this expense, and whether it was paid and reported appropriately.

Recognizing that the 45-day notice period for this matter expires tomorrow, Thursday June 15, 2017, I would appreciate a response as soon as is practicable. Please reply to this email to confirm receipt, and to let me know when you expect to provide a substantive response. Thanks.

Sincerely,

**Tony Perkins**

Investigator, Campaign Finance Unit

Washington Attorney General’s Office

Desk 360.570.3402 | Mobile 360.485.3368 | Email [tonyp@atg.wa.gov](mailto:tonyp@atg.wa.gov)

**Friends of Dow Constantine**  
**Transaction Report**  
 January 2014 through April 2017

04/23/2014	Dow Constantine	Reimburse Expenses	-579.83	04/23/2014	10/30/2013-4/14/2014	NA	Received notice on or around date of payment
05/14/2014	EMPS	Credit Card Processing	-559.85	05/14/2014	4/30/2014	NA	Monthly Credit Card Processing From Prev. Month
05/16/2014	Overnight Printing	Printing	-1,500.94	05/16/2014	4/23/2014	NA	Invoice Received on or Around Date of Payment
06/12/2014	EMPS	Credit Card Processing	-1,422.45	06/12/2014	5/31/2014	NA	Monthly Credit Card Processing From Prev. Month
06/30/2014	Washington State Convention Center	Event Catering	-2,073.72	06/30/2014	5/30/2014	NA	Invoice Received on or Around Date of Payment
07/10/2014	EMPS	Credit Card Processing	-327.97	07/10/2014	6/30/2014	NA	Monthly Credit Card Processing From Prev. Month
07/14/2014	Dow Constantine	Reimburse Expenses	-374.84	07/14/2014	4/24-7/10/2014	NA	Received notice on or around date of payment
08/14/2014	Overnight Printing	Printing	-596.12	08/14/2014	6/6/2014	NA	Invoice Received on or Around Date of Payment
10/06/2014	Dow Constantine	Reimburse Expenses	-506.48	10/06/2014	7/19-9/2/2014	NA	Received notice on or around date of payment
10/16/2014	GreenC3, LLC	Consulting	-11,000.00	10/16/2014	8/31/2014	NA	Invoice Received on or Around Date of Payment
11/11/2014	EMPS	Credit Card Processing	-635.74	11/11/2014	10/31/2014	NA	Monthly Credit Card Processing From Prev. Month
12/11/2014	EMPS	Credit Card Processing	-569.23	12/11/2014	11/30/2014	NA	Monthly Credit Card Processing From Prev. Month
01/05/2015	GreenC3, LLC	Consulting	-11,000.00	01/05/2015	11/30/2014	12/31/2014	Invoice Received on or Around Date of Payment
01/23/2015	GreenC3, LLC	Consulting	-5,500.00	01/23/2015	12/31/2014	NA	Invoice Received on or Around Date of Payment
02/13/2015	Overnight Printing	Printing	-197.85	02/13/2015	12/1/2014	NA	Invoice Received on or Around Date of Payment
03/06/2015	Dow Constantine	Reimburse Expenses	-225.28	03/06/2015	11/5/2014-1/16/2015	NA	Received notice on or around date of payment
03/27/2015	GreenC3, LLC	Consulting	-5,500.00	03/27/2015	1/31/2015	NA	Invoice Received on or Around Date of Payment
04/06/2015	Bank of America	Credit Card Payment	-431.59	04/06/2015	3/31/2015	NA	Unknown
04/09/2015	Katherine Woods	Reimburse Expenses	-264.06	04/09/2015	3/21/2015	NA	Received notice on or around date of payment
05/12/2015	EMPS	Credit Card Processing	-841.54	05/12/2015	4/30/2015	NA	Monthly Credit Card Processing From Prev. Month
06/09/2015	EMPS	Credit Card Processing	-1,884.24	06/09/2015	5/31/2015	NA	Monthly Credit Card Processing From Prev. Month
06/17/2015	Overnight Printing	Printing	-2,441.91	06/17/2015	4/27/2015	NA	Invoice Received on or Around Date of Payment
06/26/2015	Dow Constantine	Reimburse Expenses	-148.57	06/26/2015	4/29-6/11/2015	NA	Received notice on or around date of payment
07/10/2015	EMPS	Credit Card Processing	-827.96	07/10/2015	6/30/2015	NA	Monthly Credit Card Processing From Prev. Month
07/15/2015	Washington State Convention Center	Event Catering	-6,782.11	07/15/2015	5/31/2015	NA	Invoice Received on or Around Date of Payment
08/03/2015	GreenC3, LLC	Consulting	-5,500.00	08/03/2015	6/30/2015	7/31/2015	Invoice Received on or Around Date of Payment
08/13/2015	Jessica Frahs	Reimburse Expenses	-173.12	08/13/2015	5/15-6/6/2015	NA	Received notice on or around date of payment
08/26/2015	Dow Constantine	Reimburse Expenses	-121.45	08/26/2015	6/30-8/18/2015	NA	Received notice on or around date of payment
08/27/2015	Novsky and Associates LLC	Consulting	-750.00	08/27/2015	7/23/2015	NA	Invoice Received on or Around Date of Payment
09/10/2015	EMPS	Credit Card Processing	-344.92	09/10/2015	8/31/2015	NA	Monthly Credit Card Processing From Prev. Month
09/22/2015	GreenC3, LLC	Consulting	-11,000.00	09/22/2015	8/31/2015	NA	Invoice Received on or Around Date of Payment
10/09/2015	EMPS	Credit Card Processing	-349.24	10/09/2015	9/30/2015	NA	Monthly Credit Card Processing From Prev. Month
10/26/2015	Overnight Printing	Printing	-2,347.10	10/26/2015	5/15/2015	NA	Invoice Received on or Around Date of Payment
11/06/2015	Verizon Wireless	Telephone	-294.35	11/06/2015	10/23/2015	NA	Invoice Received on or Around Date of Payment
11/12/2015	EMPS	Credit Card Processing	-857.02	11/12/2015	10/31/2015	NA	Monthly Credit Card Processing From Prev. Month
11/20/2015	Dow Constantine	Reimburse Expenses	-436.74	11/20/2015	9/30-11/12/2015	NA	Received notice on or around date of payment
11/30/2015	GreenC3, LLC	Consulting	-11,000.00	11/30/2015	9/30 & 10/31/2015	NA	Invoice Received on or Around Date of Payment
12/07/2015	EMPS	Credit Card Processing	-1,283.60	12/07/2015	11/30/2015	NA	Monthly Credit Card Processing From Prev. Month
01/06/2016	EMPS	Credit Card Processing	-407.50	01/06/2016	12/31/2015	NA	Monthly Credit Card Processing From Prev. Month
01/19/2016	Overnight Printing	Printing	-78.91	01/19/2016	11/12/2015	NA	Invoice Received on or Around Date of Payment
02/02/2016	GreenC3, LLC	Consulting	-9,000.00	02/02/2016	12/31/2016	1/31/2016	Invoice Received on or Around Date of Payment
03/28/2016	GreenC3, LLC	Consulting	-9,000.00	03/28/2016	1/31 & 2/29/2016	NA	Invoice Received on or Around Date of Payment
04/11/2016	EMPS	Credit Card Processing	-373.14	04/11/2016	3/31/2016	NA	Monthly Credit Card Processing From Prev. Month
05/09/2016	EMPS	Credit Card Processing	-1,440.53	05/09/2016	4/30/2016	NA	Monthly Credit Card Processing From Prev. Month
06/01/2016	Overnight Printing	Printing	-3,410.50	06/01/2016	4/13-5/19/2016	5/31/2016	Invoice Received on or Around Date of Payment
06/10/2016	EMPS	Credit Card Processing	-2,791.68	06/10/2016	5/31/2016	NA	Monthly Credit Card Processing From Prev. Month
06/13/2016	Northwest Progressive Institute	Advertising	-500.00	06/13/2016	4/1/2016	NA	Received notice on or around date of payment
06/13/2016	Dow Constantine	Reimburse Expenses	-639.27	06/13/2016	2/16-5/20/2016	NA	Received notice on or around date of payment
07/03/2016	EMPS	Credit Card Processing	-385.72	07/03/2016	6/30/2016	NA	Monthly Credit Card Processing From Prev. Month
07/13/2016	Washington State Convention Center	Event Catering	-2,143.63	07/13/2016	5/26/2016	NA	Invoice Received on or Around Date of Payment
08/15/2016	Verizon Wireless	Telephone	-365.31	08/15/2016	7/23/2016	NA	Invoice Received on or Around Date of Payment
08/26/2016	Overnight Printing	Printing	-2,096.26	08/26/2016	6/17/2016	NA	Invoice Received on or Around Date of Payment

**Friends of Dow Constantine  
Transaction Report  
January 2014 through April 2017**

09/09/2016	Dow Constantine	Reimburse Expenses	-1,008.20	09/09/2016	6/20/2016	NA	Received notice on or around date of payment
09/09/2016	Dylan Ordnez	Reimburse Expenses	-1,099.49	09/09/2016	6/20-8/23/2016	NA	Received notice on or around date of payment
09/09/2016	Jenny Huston	Reimburse Expenses	-3,387.39	09/09/2016	6/24-7/27/2016	NA	Received notice on or around date of payment
11/02/2016	EMPS	Credit Card Processing	-891.14	11/02/2016	10/31/2016	NA	Monthly Credit Card Processing From Prev. Month
11/14/2016	Susan Picatti Design	Literature Design	-325.00	11/14/2016	6/23/2016	NA	Invoice Received on or Around Date of Payment
11/28/2016	Sarah Dickmeyer	Reimburse Expenses	-328.80	11/28/2016	9/28-11/16/2016	NA	Received notice on or around date of payment
11/30/2016	Pro-Mail Associates	Printing	-1,250.02	11/30/2016	10/27/2016	NA	Invoice Received on or Around Date of Payment
12/05/2016	EMPS	Credit Card Processing	-1,297.86	12/05/2016	11/30/2016	NA	Monthly Credit Card Processing From Prev. Month
01/04/2017	EMPS	Credit Card Processing	-299.80	01/04/2017	12/31/2017	NA	Monthly Credit Card Processing From Prev. Month
03/29/2017	NWP Consulting	Consulting	-6,320.00	03/29/2017	2/28 & 3/31/2017	NA	Contract Not Final Until mid-march, Included February Fees