

**Subject:** Addendum to Dow Constantine Complaint #17442

**Description:**

To whom it may concern:

This should be considered an addendum to the PDC complaint filed against Dow Constantine (**PDC Tracking #17442**).

Upon receipt of the response to the original complaint submitted by Dow Constantine dated May 5th, I want to be certain that the original attachments provided to the PDC were provided to Mr. Constantine with the original complaint. I have resubmitted them here:

- A. "Constantine Illegally disguised secret expenses"
- B. "Constantine Illegal Personal Use of Campaign Funds"
- C. "Constantine Illegally Hidden Surplus Funds expenditures"

For clarification of Allegation #1 (**Failure to timely file C3 & C4 reports on day C1 is filed. (Violation of RCW 42.17A.235(1))**)

The PDC record clearly shows the C1 was filed as a new C1. It was not an "amended" C1 as claimed by Constantine in his response. If it had been simply an "amended" C1 as claimed in the response as stated, it would appear so in the PDC database, which it does not. This is a weak response to a clear violation

For further clarification of Allegation #6 **Illegal donation to Washington State Democratic Party, Spokane County Democratic Party (Violation of RCW 42.17A.430 (8))**

Constantine clearly admits to an illegal expenditure to the Washington State Democratic Party as an "admission" fee. While it would have been perfectly appropriate for Constantine to pay this "admission" fee from his personal funds, it is very clearly not appropriate for Constantine to pay this "admission" fee from his campaign funds as the amount of the fee in excess of actual costs for the event would be considered an illegal donation to a political party.

The Attorney General clearly agrees with this assessment, and is in current litigation on this **EXACT** issue right now - See Thurston County Superior Court Case #16-2-04960-34 (State of Washington vs Jim Cooper)

This fact and case history is also applicable to allegation #10 **Illegal use of surplus campaign funds. (Violation of RCW 42.17A.430)** and the same violations recently identified by the Attorney General in the Washington v. Jim Cooper case apply here as well. Constantine's own admission confirm these facts and support these allegations.

In allegation #11 **Failure to properly break down expenses. (Violation of RCW 42.17A.235, see WAC 390-16-205)** the Constantine response is sadly lacking in attention to either the statute or the WAC. In fact, the **EXACT** example of a violation of this statute as provided in WAC 390-16-205 by the PDC is the violation committed by the Constantine campaign. It is clear that the Constantine campaign had no intention of complying with this statute or WAC and the response attempts to ignore the very examples provided as violations in the WAC itself.

In allegation #14 **Failure to disclose offices held. (Violation of RCW 42.17A.700, .710 see WAC 390-24-010, 150)** clearly and unambiguously applies to the Constantine F1 filings.

**RCW 42.17A.710(g)** clearly states“(g) The name of **any corporation**, partnership, joint venture, association, union, or **other entity** in which is held **any office...**” (emphasis added).

Regardless how convoluted the definition of what Sound Transit has become, it can not be defined as something that is not an “entity” of some kind. Also, being on the board of that “entity” called Sound Transit, even if board membership is required by law - this does not exempt Constantine or any other board member from complying with the public disclosure rules. Clearly, the board membership on this multi-billion dollar “Entity” is required to be a discloseable fact on Dow Constantine’s Financial Affairs Statement. Sound Transit spends billions of taxpayer dollars on exceptionally questionable and controversial actions, and it is unambiguously clear that full transparency for those expenditures is required under this statute if the statute is to have any meaning whatsoever. It is also clearly to the public’s benefit that full disclosure of Sound Transit be provided on these forms as required by **RCW 42.17A.710(g)**

Additionally, to provide further support to allegation #14 and provide an additional clear example of Dow Constantine attempting to avoid disclosure requirements or to comply with this statute, it isn’t only Constantine’s Sound Transit affiliation which is hidden from public disclosure, but also Constantine’s board membership in the for-profit entity Forterra Strong Communities Fund Manager, LLC:

According to Forterra's website, Dow Constantine serves as an officer for this corporation. (Exhibit A - Forterra attachment)

Forterra Strong Communities Fund Manager, LLC, is a for-profit corporation that is quietly amassing land holdings throughout King County. (Exhibit B - Forterra attachment) It is unclear how much Constantine has personally profited from his role on this corporate board and his position as the King County Executive. Regardless, this needs to be disclosed to King County voters and the Public Disclosure Commission immediately.

Constantine must not only list the fact that he is an officer of this organization (please note in Exhibit B- Forterra attachment - **Dow Constantine is officially listed as a "Governor" of this corporation as defined under RCW 23.95.105(12)**) but also all the additional financial information about the organization that he is required to disclose per state law.

I hope this helps provide some clarity to the Constantine response attempt to avoid full disclosure or compliance with the law.

Best Regards,

Glen Morgan

# Exhibit A

## FORTERRA STRONG COMMUNITIES FUND BOARD

Forterra launched the Forterra Strong Communities Fund in 2016—a tool to accelerate the strengthening of our communities by pooling, leveraging and directing social investment capital.

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### FORTERRA STRONG COMMUNITIES FUND BOARD

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Maggie Walker, Chair CIVIC LEADER

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Stanley Savage, Vice Chair PRESIDENT & CEO, THE COMMERCE BANK

OF WASHINGTON

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Gene Duvernoy, President PRESIDENT, FORTERRA

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Joshua Anderson, Secretary/Treasurer COO, THE ROSEVIEW GROUP

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Teresita Batayola CEO, INTERNATIONAL COMMUNITY HEALTH

SERVICES

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Dana Behar OWNER, DISCOVERY BAY INVESTMENTS

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Dow Constantine KING COUNTY EXECUTIVE

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Maud Daudon PRESIDENT & CEO, SEATTLE METROPOLITAN CHAMBER

OF COMMERCE

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John Hempelmann CHAIRMAN, CAIRNCROSS & HEMPELMANN

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Gerry Johnson PARTNER, PACIFICA LAW GROUP

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De'Sean Quinn COUNCILMEMBER, CITY OF TUKWILA

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# Exhibit B

## Corporations Division - Registration Data Search

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### FORTERRA STRONG COMMUNITIES FUND MANAGER, LLC

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UBI Number	603615035
Category	LLC
Active/Inactive	Active
State Of Incorporation	WA
WA Filing Date	05/05/2016
Expiration Date	05/31/2017
Inactive Date	
Duration	Perpetual
<b>Registered Agent Information</b>	
Agent Name	FORTERRA NW
Address	901 5TH AVE STE 2200
City	SEATTLE
State	WA
ZIP	981642091
<b>Special Address Information</b>	
Address	
City	
State	
Zip	

#### Governing Persons (as defined in RCW 23.95.105 (12))

Title	Name	Address
Governor	ANDERSON, JOSHUA P	.
Governor	BATAYOLA, TERESITA	.
Governor	BEHAR, DANA	.
Governor	CONSTANTINE, DOW	.
Governor	DAUDON, MAUD	.
Governor	ADDITIONAL NAMES ON FILE, *	.

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#### Governing Persons Address Information

Governing person addresses are not available for the following entity types: WA Association under Fish Marketing Act, Miscellaneous and Mutual, Public Benefit Corporation, Non-profit Corporation, Non-Profit Professional Service Corporation, Bank Corporation, Limited Liability Company, Professional Limited Liability Company, Unregistered Corporation, Limited Liability Partnership, Corporation Sole, Credit Union, Fraternal Building Association, Fraternal Society, Grange, Military Corporation, Savings and Loan Association, Joint Municipal Utility Service, Limited Partnership, Insurance Company, Limited Liability Limited Partnership.