

File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) reported 9 hours ago (Tue, 21 Feb at 11:04 PM) via Portal Meta

To Whom it May Concern --

It has come to my attention that the PAC "EMS Saves Lives" has violated numerous provisions of RCW 42.17A in its campaign for passage of a levy in Whatcom County.

1) Failure to properly break down expenses. (Violation of RCW 42.17A.235, see WAC 390-16-205)

State law requires that expenditures made on behalf of a candidate or political committee by any person, agency, firm, organization, etc. employed or retained for the purpose of organizing, directing, managing or assisting the candidate or committee's efforts shall be deemed expenditures by the candidate or committee. In accordance with **WAC 390-16-037**, such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly.

The committee illegally failed to break down the following 14 expenses:

Vendor	Date	Amount	City	Description
JENSEN KURT	2016-08-15		80 FERNDALE	WEBSITE DEVELOP
PAYCHEX	2016-09-06	563.71	KENT	PAYROLL WITHOLDI
CAPITOL CITY PRESS	2016-09-20	379.31	TUMWATER	POSTAGE FOR MAIL
MICHAEL A. SNYDEER	2016-10-17	1000	SEATTLE	TARGETING AND LIS
WHATCOM MARKETING	2016-10-24	150	FERNDALE	ON LINE ADVERTISI
GOOGLE ADVERTISING	2016-10-25	350	SANTA CLARA	ON LINE ADVERTISI
CAPITOL CITY PRESS	2016-10-26	5787.56	TUMWATER	POSTAGE

CAPITOL CITY PRESS	2016-10-27	8324.81	TUMWATER	POSTAGE
GOOGLE ADVERTISING	2016-10-28	500	SANTA CLARA	ON LINE ADVERTISI
GOOGLE ADVERTISING	2016-10-28	200	SANTA CLARA	ON LINE ADVERTISI
GOOGLE ADVERTISING	2016-11-01	500	SANTA CLARA	GOOGLE ADVERTIS
PAYCHEX	2016-11-07	2745.52	KENT	PAYROLL
PAYCHEX	2016-11-07	785.95	KENT	PAYROLL WITHOLDI

2) Failure to accurately describe expenses. (Violation of RCW 42.17A.235, 42.17A.240)

State law requires that campaigns regularly file reports that include the name and address of each person to whom an expenditure during the period covered by the report, the amount, date, and purpose of each expenditure, and the total sum of all expenditures.

The PDC also requires that "Expenditures for media buys must be broken down by date, amount paid, run dates of the ad, and each media outlet (newspaper, radio or TV station, billboard company, etc.).

It is absolutely critical that campaigns transparently the true purpose of each expenditure made.

Unfortunately, the EMS Levy campaign illegally failed to accurately describe expenses for the following 13 expenditures:

Vendor	Date	Amount	City	Description
DEPARTMENT OF REVENUE	2016-08-22		64 BELLINGHAM	BUSINESS L
HERZ GALEN	2016-09-02	1737.26	BELLINGHAM	PAY FOR AU
MEEP DESIGN	2016-10-14	467.5	BELLINGHAM	GRAPHIC DE
MEEP DESIGN	2016-10-14	340	BELLINGHAM	GRAPHIC DE
MEEP DESIGN	2016-10-26	297.5	BELLINGHAM	GRAPHIC DE
KGMI	2016-10-28	4000	BELLINGHAM	RADIO ADDS

GOOGLE ADVERTISING	2016-10-28	500	SANTA CLARA	ON LINE AD'
GOOGLE ADVERTISING	2016-10-28	200	SANTA CLARA	ON LINE AD'
FACEBOOK	2016-10-31	500.84	MENLO PARK	FACEBOOK
GOOGLE ADVERTISING	2016-11-01	500	SANTA CLARA	GOOGLE AD
KGMI	2016-11-03	800	BELLINGHAM	RADIO ADVE
KGMI	2016-11-04	520	BELLINGHAM	RADIO ADVE
FACEBOOK	2016-11-08	750.08	MENLO PARK	FACEBOOK

3) Failure to report expenditure/in-kind contribution for professional photography. (Violation of RCW 42.17A.235)

The Committee failed to report expenditures/in-kind contribution for professional photography. You can find examples of this professional photography on their website (www.EMSSavesLives.com).

The source (and value) of these pieces of professional photography must be reported.

4) Failure to timely file C3 contribution reports. (Violation of RCW 42.17A.235 (1))

State law requires that committees -- on the same day that they file their statement of organization with the PDC -- must file reports containing all campaign contributions incurred prior to that time.

The purpose of this provision in state law is to give the public timely access to information about campaign contributions. This requirement serves a vital public purpose.

EMS Saves Lives filed their C1PC statement of organization report on 7/11/2016. Unfortunately, the Committee failed to report the following contribution until 7/18/17, well past the statutory deadline:

KENT FIREFIGHTERS IAFF LOCAL 1747 7/8/2016 \$1,000.00 N KENT WA 98035

5) Failure to accurately report debt. (Violation of RCW 42.17A.240, see WAC 390-05-295)

The Committee failed to accurately report the following 26 expenses as debt on C4s covering preceding reporting periods:

Vendor	Date	Amount	City	D
CITY MAC	2016-08-03	1868.55	BELLINGHAM	R
BELLINGHAM GOLF AND COUNTRY CLUB	2016-08-03	240.01	BELLINGHAM	C E
COMCAST	2016-08-23	365.2	SEATTLE	S BI
MCSHANE LISA	2016-09-02	3000	BELLINGHAM	C
HERZ GALEN	2016-09-02	1737.26	BELLINGHAM	P
BORUCK PRINTING AND SILK SCREENING	2016-09-02	917.9	SEATTLE	Y
PAYCHEX	2016-09-06	563.71	KENT	P
PAYCHEX	2016-09-06	95	KENT	M
AMS	2016-09-16	81.53	BLAINE	W
CAPITOL CITY PRESS	2016-09-20	1765.83	TUMWATER	C
MCSHANE LISA	2016-09-20	600	BELLINGHAM	C

COMCAST	2016-10-08	166.2	SEATTLE	IN
CALLFIRE	2016-10-19	125	SANTA MONICA	C
CAPITOL CITY PRESS	2016-10-26	5787.56	TUMWATER	P
MEEP DESIGN	2016-10-26	297.5	BELLINGHAM	G
PAYCHEX	2016-11-07	2745.52	KENT	P
PAYCHEX	2016-11-07	785.95	KENT	P
BURDICK LUCAS	2016-11-08	625		P
OLIVER LEAH	2016-11-08	625		P
BICKFORD TAYLOR	2016-11-08	375		P
GILMAN KAELAN	2016-11-08	375		P
PEREZ IGNACIO	2016-11-08	250	BELLINGHAM	IN
COMCAST	2016-11-08	166.2	SEATTLE	IN
PAYCHEX	2016-11-08	100.4	KENT	P
ECKELS ANDREW	2016-11-08	100	BELLINGHAM	B
HERZ GALEN	2016-11-08	100	BELLINGHAM	B

6) Failure to list addresses of expenditure recipients. (Violation of RCW 42.17A.240)

RCW 42.17A.240 (6) requires that the following information is included in C4 expenditure reports:

"The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by this report"

Sadly, the Committee failed to include the address for the following individuals:

Vendor	Date	Amount	City	State	Zip	Description
BURDICK LUCAS	2016-11-08	625		WA		PAID INTERN
OLIVER LEAH	2016-11-08	625		WA		PAID INTERN
BICKFORD TAYLOR	2016-11-08	375		WA		PAID INTERN
GILMAN KAELAN	2016-11-08	375		WA		PAID INTERN

7) Failure to report last-minute contributions. (Violation of RCW 42.17A.265)

The committee failed to report last-minute contributions (@ aggregate of \$1000 or higher) from the following groups within the 48 hour time limit on an LMC or C3 form, as required by law:

General Election (21 Days -- 10/18/2016 to 11/8/2016)

INSTITUTE FOR EMERGENCY MEDICAL EDUCATION	10/31/2016	\$500.00 (Aggregate of \$1500)	N
BELLINGHAM WA 98225 (Not reported until 11/5)			

8) Failure to accurately file contribution report (C3) by deadline. (Violation of RCW 42.17A.235)

According to the PDC, the accurate report of contributions (C3) for the period between 9/5/2016 to 9/11/2016 was due on 9/12/2016.

Unfortunately, the EMS Saves Lives campaign failed to file an accurate report containing the accurate report of all contributions before the deadline. Namely, the Committee original C3 for this period (Ref. #100719704 -- filed on 9/10/2016) failed to include the accurate name of a contributor.

It identified "Marysville Professional" as the contributor of \$500, when in reality, the contributor's name was "Skagit County Paramedic".

The Committee failed to file an accurate report until 9/20/2016, when they submitted an amended C3 that included the accurate name. This is well past the statutory deadline.

9) Failure to list Lisa McShane and Erica Littlewood Work as committee officers. (Violation of RCW 42.17A.205 (2)(c), see WAC 390-05-245)

The Committee failed to list Lisa McShane and Erica Littlewood Work as officers on their C1PC form, which is required by **RCW 42.17A.205(2)(c)**. Lisa McShane was the consultant for the campaign and Erica Littlewood Work was the campaign chair.

I believe that Lisa McShane and Erica Littlewood Work should have been listed as committee officers, because they, in conjunction with others, made, directed, or authorized expenditures, strategic or policy decisions on behalf of the committee.

WAC 390-05-245 defines committee officer as: "...any person designated by the committee as an officer on the C-1 or C-1pc registration statement and any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee."

10) Illegal unauthorized expenditure of funds by an individual not listed as an officer on C1 form. (Violation of RCW 42.17A.425)

State law requires that: "No expenditures may be made or incurred by any candidate or political committee unless authorized by the candidate or the person or persons named on the candidate's or committee's registration form..."

Despite serving as officers for the Committee, neither Lisa McShane nor Erica Work appear as officers on the Committee's C1PC form. In their roles as consultant and campaign chair respectively, these two individuals doubtlessly made illegal expenditures for the Committee.

Unfortunately, McShane and Work both illegally made expenditures for the Committee, in violation of state law.

It should be noted that this Political Action Committee was successful, barely, in achieving their goals in passing this levy, by the slimmest of election margins. 60% was needed to win, and the measure barely passed with 60.04%. 107,019 votes

were cast - a 40 vote margin to win. Failure to follow campaign finance laws and a failure to follow the rules may have had an impact in this election.

I urge the PDC to investigate these claims immediately.

Best Regards,

