

File a Formal Complaint - Glen Morgan

Glenmorgan89 reported 9 hours ago (Tue, 7 Feb at 12:02 AM) via Portal Meta

To Whom it May Concern (and it should concern us all)--

It has come to my attention that Sharlaine LaClair has violated RCW 42.17A on numerous occasions during her 2016 bid for the state House of Representatives.

1) Failure to report in-kind contribution/expenditure for filing fee with Secretary of State's office. (Violation of RCW 42.17A.235)

On 5/20/2016, LaClair filed for the office of State Representative with the Secretary of State's office. The cost of this filing was \$454.74.

Because the filing fee was a campaign-related expense, it must have been reported to the public. This is clearly required by state law.

In fact, Attorney General Slade Gorton rendered an official AG opinion on this exact matter in 1974, when he wrote, in part:

"In simplest terms, this payment (in those cases in which it is required) is a necessary part of the candidate's financial outlay if he is to have his name appear on the ballot and, in that manner, become eligible to be elected to the office he is seeking. Moreover, the payment is very clearly a transfer of something of value and it cannot be doubted that it is for the purpose of assisting the candidate and furthering his election campaign. Payment of the filing fee is thus precisely within the broad definition of "expenditure" as set forth above." -- AGO 1974 No. 16 - July 29, 1974

LaClair failed to report this expenditure/in-kind contribution on her C4 form for the relevant time period, and thus clearly violated state law.

2) Illegal personal use of campaign funds (Violation of RCW 42.17A.445, RCW 42.17A.235 see WAC 390-16-238 (1))

State law prohibits the use of campaign funds for personal purposes. Per PDC regulations, any expenditure of a candidate's campaign funds that is not directly related to the candidate's election campaign is a personal use of campaign funds prohibited under **RCW 42.17A.445**.

RCW 42.17A.445 also requires that: "lost earnings shall be verifiable as unpaid salary, or when the individual is not salaried, as an amount not to exceed income received by the individual for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record shall be maintained by the candidate or the candidate's authorized committee in accordance with RCW "

Furthermore, the PDC requires that: "When reporting payments to agents of the committee to offset salaries or wages lost as a result of campaigning, include a description that explains how the amount paid was calculated." (see: <https://www.pdc.wa.gov/learn/publications/political-committee-instructions/expenditures-debts/expenditures-require>)

LaClair's campaign failed to include the required description/calculation for the following expenditures allegedly for "lost wages":

LACLAIR SHARLAINE M	11/10/2016	\$2,585.60	BELLINGHAM	WA	98226	REIMBURSE DUE TO LOST WAGES
---------------------	------------	------------	------------	----	-------	-----------------------------

Unless she can provide the required documentation showing how this amount was calculated, LaClair should be required to personally reimburse this amount to her campaign.

It is important to note that LaClair did not reimburse herself for "lost wages" until after the election had already been held. This is likely an illegal expenditure (an attempt by the candidate to direct remaining campaign funds to herself) should be further investigated by PDC staff.

3) 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 LaClair campaign illegally failed to break down the following expenses:

Vendor	Date	Amount	City	State	Description	Violation (Failure to properly break down expenses)
WIN POWER STRATEGIES	2016-11-03	10788.03	SEATTLE	WA	MAIL PIECE	Failure to identify vendor that did printing of mailpiece.
WIN POWER STRATEGIES	2016-11-29	4400	SEATTLE	WA	ONLINE ADVERTISING SERVICES	Failure to identify vendor that performed online advertising services.
WIN POWER STRATEGIES	2016-07-14	3270.72	SEATTLE	WA	INTRODUCTION MAILERS	Failure to identify vendor that did printing of introduction mailer.
WIN POWER STRATEGIES	2016-07-12	2375	SEATTLE	WA	PRINTING FOR WALK PIECE AND STICKERS	Failure to identify vendor that did printing of walk piece and stickers.
WIN POWER STRATEGIES	2016-10-19	1800	SEATTLE	WA	PRINTING SERVICES	Failure to identify vendor that performed printing services.
WIN POWER STRATEGIES	2016-11-07	1800	SEATTLE	WA	WALK PIECE	Failure to identify vendor that did printing of walk piece.

4) Failure to accurately, timely report debt. (Violation of RCW 42.17A.240 (8), see WAC 390-05-295)

State law requires that the name and address of any person and the amount owed for any debt, obligation, note, unpaid loan, or other liability in the amount of more than two hundred fifty dollars or in the amount of more than fifty dollars that has been outstanding for over thirty days. Per **WAC 390-05-295**, this includes any oral or written order placed, debt or obligation to purchase goods or services or anything of value, or any offer to purchase advertising space, broadcast time or other advertising related product or service.

The LaClair campaign illegally failed to report the following 21 debts on preceding C4s:

Vendor	Date	Amount	City	State	Description	Violation
WIN POWER STRATEGIES	2016-07-12	2375	SEATTLE	WA	PRINTING FOR WALK PIECE AND STICKERS	This expenditure should have been reported as debt well before the C4 covering the time period of 7/12 to 7/25. These walking pieces were used for most of the pre-primary portion of LaClair's campaign, from roughly 6/1 to 7/12 - it appears.
WIN POWER STRATEGIES	2016-07-14	3270.72	SEATTLE	WA	INTRODUCTION MAILERS	I believe this expenditure should have been reported as debt on the C4 period of 6/1 to 7/12
SANGSTER ALAN	2016-08-05	3000	BLAINE	WA	CAMPAIGN MANAGEMENT	LaClair had an ongoing contract (oral/implied or written) with Alan Sangster for work on the 2016 campaign. Her campaign's obligation to pay Sangster was legally required to have been reported as debt on preceding C4 reports.
LAWRENCE SEAN	2016-08-11	500	BELLINGHAM	WA	CAMPAIGN TREASURER SERVICES	LaClair had an ongoing contract (oral/implied or written) with Sean Lawrence for work on the 2016 campaign. Her campaign's obligation to pay Lawrence was legally required to have been reported as debt on preceding C4 reports.
MCSHANE RAVEN	2016-08-26	1250	SEATTLE	WA	FUNDRAISING CONSULTING	LaClair had an ongoing contract (oral/implied or written) with Raven McShane for work on the 2016 campaign. Her campaign's obligation to pay McShane was legally required to have been reported as debt on preceding C4 reports.
MCSHANE RAVEN	2016-08-26	1250	SEATTLE	WA	FUNDRAISING CONSULTING	LaClair had an ongoing contract (oral/implied or written) with Raven McShane for work on the 2016 campaign. Her campaign's obligation to pay McShane was legally required to have been reported as debt on preceding C4 reports.
SANGSTER ALAN	2016-09-07	2000	BLAINE	WA	CAMPAIGN MANAGEMENT	LaClair had an ongoing contract (oral/implied or written) with Alan Sangster for work on the 2016 campaign. Her campaign's obligation to pay Sangster was legally required to have been reported as debt on preceding C4 reports.
MCSHANE RAVEN	2016-10-05	1250	SEATTLE	WA	CAMPAIGN CONSULTING	LaClair had an ongoing contract (oral/implied or written) with Raven McShane for work on the 2016 campaign. Her campaign's obligation to pay McShane was legally required to have been reported as debt on preceding C4 reports.
SANGSTER ALAN	2016-10-06	2000	BLAINE	WA	CAMPAIGN MANAGEMENT	LaClair had an ongoing contract (oral/implied or written) with Alan Sangster for work on the 2016 campaign. Her campaign's obligation to pay

Sangster was legally required to have been reported as debt on preceding C4 reports.

WIN POWER STRATEGIES 2016-10-19 1800 SEATTLE WA PRINTING SERVICES This expenditure should have been reported as debt on the previous C4.

MCSHANE RAVEN 2016-10-26 1250 SEATTLE WA CAMPAIGN CONSULTING LaClair had an ongoing contract (oral/implied or written) with Raven McShane for work on the 2016 campaign. Her campaign's obligation to pay McShane was legally required to have been reported as debt on preceding C4 reports.

CAPITOL CITY PRESS 2016-11-01 5511.87 TUMWATER WA POSTAGE This expenditure should have been reported as debt on the previous C4.

SANGSTER ALAN 2016-11-01 2000 BLAINE WA CAMPAIGN MANAGEMENT SERVICES LaClair had an ongoing contract (oral/implied or written) with Alan Sangster for work on the 2016 campaign. Her campaign's obligation to pay Sangster was legally required to have been reported as debt on preceding C4 reports.

LAWRENCE SEAN 2016-11-01 1000 BELLINGHAM WA CAMPAIGN TREASURER SERVICES LaClair had an ongoing contract (oral/implied or written) with Sean Lawrence for work on the 2016 campaign. Her campaign's obligation to pay Lawrence was legally required to have been reported as debt on preceding C4 reports.

WIN POWER STRATEGIES 2016-11-03 10788.03 SEATTLE WA MAIL PIECE This expenditure should have been reported as debt on the previous C4.

WIN POWER STRATEGIES 2016-11-07 1800 SEATTLE WA WALK PIECE This expenditure should have been reported as debt on the previous C4.

LACLAIR SHARLAINE M 2016-11-09 601 BELLINGHAM WA REIMBURSEMENT FROM CAMPAIGN CELEBRATION MEAL This expenditure (which may be illegal per RCW 42.17A.445) should have been reported as debt on the previous C4.

LACLAIR SHARLAINE M 2016-11-10 2585.6 BELLINGHAM WA REIMBURSE DUE TO LOST WAGES This expenditure (which may be illegal per RCW 42.17A.445) should have been reported as debt on the previous C4.

SANGSTER ALAN 2016-11-14 533.28 BLAINE WA CAMPAIGN MANAGEMENT SERVICES LaClair had an ongoing contract (oral/implied or written) with Alan Sangster for work on the 2016 campaign. Her campaign's obligation to pay Sangster was legally required to have been reported as debt on preceding C4 reports.

MCSHANE RAVEN 2016-11-18 1612.02 SEATTLE WA CAMPAIGN CONSULTING LaClair had an ongoing contract (oral/implied or written) with Raven McShane for work on the 2016 campaign. Her campaign's obligation to pay McShane was legally required to have been reported as debt on preceding C4 reports.

WIN POWER STRATEGIES 2016-11-29 4400 SEATTLE WA ONLINE ADVERTISING SERVICES This expenditure should have been reported as debt on the previous C4.

6) Failure to list committee officers. (Violation of RCW 42.17A.205 (2)(c), see WAC 390-05-245)

LaClair failed to list Win Power Strategies, Alan Sangster, Raven McShane, as committee officers, which is required by RCW 42.17A.205(2)(c).

Win Power Strategies, Alan Sangster, Raven McShane should have been listed as a 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" .

Please note that RCW 42.17A.005 (35) defines "person" as: "...an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized."

7) Illegal unauthorized expenditure of funds by an individual not listed as an officer on C-1 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 making many expenditures for the LaClair campaign, Win Power Strategies, Alan Sangster, Raven McShane did not appear as officers on LaClair's C1 form.

I believe that Win Power Strategies, Alan Sangster, and Raven McShane illegally made expenditures for the LaClair campaign, in violation of state law.

8) 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)

QUINAULT INDIAN NATION	11/1/2016	\$1,000.00	G	TAHOLAH WA	98587		(Rec'd on 11/1, not reported until 11/7)
SWINOMISH TRIBAL COMMUNITY	11/1/2016	\$1,000.00	G	LA CONNER WA	98257		(Rec'd on 11/1, not reported until 11/7)
PUYALLUP TRIBE OF INDIANS	10/28/2016	\$1,000.00	G	TACOMA WA	98404		(Rec'd on 10/28, not reported until 10/31)
TULALIP TRIBES	10/21/2016	\$1000.00 (aggregate)	P	TULALIP WA	98271		(Rec'd on 10/21, not reported until 10/24)
SWIFT JAMES	10/18/2016	\$1,000.00	G	BELLINGHAM WA	98225	SELF	FOOD SERVICE (Rec'd on 10/18, not reported until 10/24)

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

LaClair failed to report expenditures/in-kind contribution for professional photography. You can find examples of this professional photography on her mailers (attached), in addition to her website. (<http://sharlainelaclair.nationbuilder.com/> -- see sliding images at the top of the webpage)

LaClair also failed to report an expenditure/in-kind contribution for a professional website. (Link is above -- purchase of domain name was made on 5/19/16, and not properly reported/broken down)

The source (and value) of these expenditures/in-kind contributions must be reported.

10) Failure to accurately file contribution report (C4) by deadline. (Violation of RCW 42.17A.235)

According to the PDC, the accurate report of expenditures (C4) for the month of November 2016 was due on 12/12/2016.

Unfortunately, LaClair's campaign failed to file an accurate report containing all expenditures before the deadline. Namely, LaClair's original C4 for the month of November 2016 (Ref. #100738640) failed to report an expenditure to Sharlaine LaClair of \$601.00 made on 11/9/16.

LaClair's campaign failed to file an accurate report until 1/14/2017, when they submitted an amended C4 that included expenditure. This was is well past the statutory deadline.

Additionally, the PDC should investigate this expenditure to LaClair. It appears that when the campaign was over she made multiple expenditures to herself, allegedly reimbursements. It is probable that she tried claimed a false purpose for expenditure, when in reality she was just trying to transfer leftover campaign funds to herself, in violation of state law.

11) Failure to timely file C4 expenditure form. (Violation of RCW 42.17A.235, 42.17A.240)

a) The C4 covering the time period of 6/1/16 to 7/11/16 should have been filed by the LaClair campaign on 7/12/16.

Unfortunately, it was not submitted until 7/18/16, well past the statutory deadline.

b) The C4 covering the time period of 10/18/16 to 10/31/16 was due on 11/1/16.

Unfortunately, it was not submitted until 11/2/16, past the statutory deadline. Additionally, as mentioned above, that report was also inaccurate.

12) Failure to include sponsor ID on a mailer. (Violation of RCW 42.17A.320)

LaClair's primary election mailer (see attachment) failed to include a "paid for by" statement, as required by state law.

Best Regards,

Glen Morgan

2 Attachments

PDF [primarymaile...](#)
(609 KB)

PDF [genmailerlac...](#)
(1.62 MB)

Experience to
strengthen
our schools,
protect our lands,
create jobs,
& ensure fiscal
accountability
in our state
legislature.

sharlaineclair.com

Serving our community
& the Lummi Nation
for over a decade.



SHARLAINE
LaClair

For State Representative • 42nd District • D

Sharlaine LaClair

Ensuring Job Creation

No one in this race has more experience in job creation than Sharlaine LaClair. Whether it's working with small businesses, streamlining permitting, or recruiting new businesses to Whatcoma County, Sharlaine knows that family wage jobs create opportunity for everyone.

Strengthening Our Schools

Four years ago, the Supreme Court demanded our legislature make public education a top priority in the budget. Four years later, nothing has changed. As a mom, I find this unacceptable. As a legislator, I want to make sure that all of our kids have access to the best education and opportunity.

Ensuring Fiscal Accountability

Olympia has given away too much in tax breaks that do not bring jobs or build our economy. It's time to ensure each tax break is working or put that money back in taxpayer's wallets.



Protecting Our Environment

Washington is home to diverse landscapes and waterways that we depend upon for our livelihood. We must protect, enhance, conserve and use resources wisely so that current and future generations can enjoy the abundance our great state has to offer.



As the Executive Director for the Lummi Nation Service Organization, Sharlaine LaClair promotes prosperity through job creation, entrepreneurship, and strengthening families.

As a Planning & Budget Commissioner she leads in developing infrastructure for community and economic vitality, fiscal responsibility, and bring community voices and values to the table.



PSRST STD
US POSTAGE
PAID
BPTOL CITY
PRESS

8

10703

21

-1

*"The land and waters of
Whatcom County have
allowed my family to prosper
here since time immemorial.*

*As stewards of our
hometown, my inherent
values reflect a deep sense
of responsibility to honor all
people and to give back.*

*I will work to ensure all
children receive a quality
education and all residents
have opportunities to thrive.*

- Sharlaine LaClair

sharlaineclair.com



SHARLAINE LaClair

For State Representative • 42nd District • D

Endorsed by:

US Representative Rick Larsen
Bellingham City Councilor Roxanne Murphy
Ferndale City Councilor Teresa Taylor
Whatcom County Councilor Barry Buchanan
Whatcom County Councilor Rud Browne
Whatcom County Councilor Todd Donovan
Whatcom County Councilor Satpal Sidhu
Washington Conservation Voters
Planned Parenthood Votes Northwest and Hawaii
NARAL Pro-Choice Washington
Washington State Labor Council, AFL-CIO
Washington Federation of Democratic Women
Whatcom Democrats
Whatcom County Young Democrats
Whatcom County Democratic Women's Club
WA Teamsters Joint Council
Association of Machinists and Aerospace Workers 2379
42nd LD Democrats
Washington Housing Alliance Action Fund
...and many, many more...



About Sharlaine

Sharlaine LaClair has spent most of her life in Everson, WA, and her family has lived in Whatcom County, WA, for over 100 years. She is currently the Executive Director for the Lummi Nation Service Organization, a non-profit organization that focuses on job creation, entrepreneurship, and community development. She has a background in planning, business, and economic development. She is currently serving on the Planning & Budget Committee of the Whatcom County Board of Commissioners, where she is primarily responsible for the county's long-term economic and infrastructure plans. She has a passion for public service and is committed to making a difference in her community.

Paid for by People for
Sharlaine LaClair
PO Box 1245
Ferndale, WA 98248



PRSR1 STD
US Postage
PAID
Capitol City
Press



Strengthening our schools

Four years ago, the Supreme Court demanded our legislature make public education a top priority in the budget. Four years later, nothing has changed. It's time for action in Olympia.

Let's improve graduation rates, reduce the academic opportunity gap, reduce class size and retain high-quality teachers.



Keeping Whatcom beautiful

Washington is home to diverse landscapes and waterways that we depend upon for our livelihood. We must protect, enhance, conserve and use resources wisely so that current and future generations can enjoy the abundance our great state has to offer. Olympia has given away too much money in tax breaks that do not bring jobs or build our economy. It's time to ensure each tax break is working or put that money back in taxpayer's wallets.

sharlainelaclair.com



Creating jobs

No one in this race has more experience in job creation than Sharlaine LaClair. Whether it's working with small businesses, enhancing Infrastructure, streamlining permitting, or recruiting new businesses to Whatcom County, Sharlaine knows that family wage jobs create opportunity for everyone.



Ensuring a family-friendly economy.

We have work to do to make sure the state government is helping working families. Women make up half the workforce today, but our workplace policies do not make it easy for women to balance their jobs and family responsibilities. Women make only 78 cents to the dollar men earn. Wages are just the beginning. Only 13% of Americans have access to paid family leave. Only 37% can take medical leave. We can do better.

The first step is a minimum wage that helps struggling families make ends meet and it doesn't end there. We need to provide improved economic opportunity. We need to ensure that low wage workers get paid fairly, women receive equal pay for equal work and that we help parents stay home with loved ones when they are sick or facing other emergencies.

Vote LaClair November 8th!