

## Complaint Description

### File a Formal Complaint - Tallman Trask

[Tallman Trask](#) reported (Thu, 25 Oct at 3:58 PM) via Portal Meta Send A Message PAC, Mr. Morgan, and Mr. Wells have purposefully and intentionally concealed the source of their funding by creating what amounts to a pass-through PAC for a related committee. As Mr. Morgan is an officer of and contributor to both committees in question, and Mr. Wells is the treasurer of both committees, it would follow that they are aware of the actual source of the funds and yet still failed to disclose the source.

### What impact does the alleged violation(s) have on the public?

The intentional actions of the committees, along with Mr. Morgan and Mr. Wells, have made it difficult for the public to determine the true source of funding for their political advertisements.

### List of attached evidence or contact information where evidence may be found.

Complaint based on PDC filings of the committees in question and widely publicized mailings, examples of which are here:  
<https://www.fusewashington.org/news/fuse-response-dirty-and-deceptive-mail-pieces>

### List of potential witnesses with contact information to reach them.

### Complaint Certification:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

Public Disclosure Commission  
711 Capital Way South, #206  
Olympia, WA 98504  
October 25, 2018

To Whom It May Concern:

While recent mailings by the committee "Conscience of the Progressives Sponsored by Send A Message PAC" have come under scrutiny, it appears that the Public Disclosure Commission is yet to receive or make public a complaint related to a broader, underlying issue with the committees formed by Glen Morgan and Orin Wells to pay for and support those mailings. Such a complaint is included below and the core of it appears to be central to understanding the true impact of the actions of Mr. Morgan and particularly Mr. Wells, who has tried to evade Washington's campaign finance disclosure requirements not simply alongside Mr. Morgan, but through the same trick with at least two additional committees ("Shall Not Be Infringed" and "Stop 1639 – Sponsor Shall Not Be Infringed").

In the process of sending the well-publicized mailers, the committee "Send A Message PAC," along with officers Glen Morgan and Orin Wells, acted in violation of RCW 42.17A.435 and RCW 42.17A.442.

#### **1. Violation of RCW 42.17A.435**

"Send A Message PAC" and "Conscience of the Progressives Sponsored by Send A Message PAC" were formed at approximately the same time. The two committees share a mailing address, phone number, email address, treasurer, and manager.

It appears that this is the case as "Send A Message PAC" exists for the purpose of purposefully and intentionally concealing the true source of contributions to "Conscience of the Progressives Sponsored by Send A Message PAC," a violation of RCW 42.17A.435's requirement that "[n]o contribution shall be made . . . in such a manner as to conceal the identity of the source of the contribution."

As evidence of this, nearly all contributions to "Conscience of the Progressives Sponsored by Send A Message PAC" have been funneled through "Send A Message PAC." Of the \$21,270.71 in contributions reported to date by "Conscience of the Progressives Sponsored by Send A Message PAC," \$21,125.00 has come from "Send A Message PAC;" the remaining funds are cash and in-kind contributions from the committee's manager, Glen Morgan.

Additionally, "Send A Message PAC" expenditures, to date, consist exclusively of cash contributions to "Conscience of the Progressives Sponsored by Send A Message PAC;" there is, in fact, no evidence that it exists for any purpose other than to make these contributions and cover the tracks of Peter Zieve of Mukilteo, Joe Wilson of Bellingham, and Mr. Morgan himself, as the law would require "Send A Message PAC" to disclose funding from these three individuals as its "Top Five Contributors" if the committee were to have directly purchase the widely publicized mailers rather than funnel that purchase through "Conscience of the Progressives Sponsored by Send A Message PAC."

It cannot even be assumed that this concealment was simply unintentional, or that Mr. Morgan and Mr. Wells were unaware for the true source of the contributions to "Conscience of the Progressives

Sponsored by Send A Message PAC” from “Send A Message PAC;” the two are, after all, officers of both committees, with Mr. Wells acting as treasurer for both, and at least \$10,000 of the funds funneled through “Send A Message PAC” came, in the form of a loan, from Mr. Morgan himself.

The only logical reason Mr. Morgan and Mr. Wells would design such a scheme, with one committee accepting contributions while the other makes expenditures, is to avoid the clear disclosure requirements in RCW 42.17A. It is even the case that the two made more work from themselves in creating ways to avoid disclosure laws than they would have had they simply followed the law.

## **2. Violation of RCW 42.17A.442**

“Send A Message PAC” has contributed tens of thousands of dollars to the related committee, “Conscience of the Progressives Sponsored by Send A Message PAC,” but has only disclosed contributions of at least ten dollars from three registered Washington voters, in clear violation of RCW 42.17A.442.

## **3. Additional Violation of RCW 42.17A.240 or 42.17A.435**

As a direct result of the above actions by Mr. Morgan and Mr. Wells, “Conscience of the Progressives Sponsored by Send A Message PAC” is accused of violating RCW 42.17A.435.

Should the Public Disclosure Commission agree that “Send A Message PAC” has acted in such a manner as to conceal the true source of the contributions to “Conscience of the Progressives Sponsored by Send A Message PAC,” it would follow that “Conscience of the Progressives Sponsored by Send A Message PAC” has knowingly accepted contributions made in such a manner, and has failed to appropriately identify the actual contributors despite knowing the identity of these individuals, including Glen Morgan, the campaign manager and a contributor to both committees. Knowingly and intentionally disclosing incorrect information about actual contributors would appear to be a violation of either RCW 42.17A.240, RCW 42.17A.435, or both.

The effect of the actions of Mr. Morgan and Mr. Wells should not be understated; should committee officers be allowed to simply file a second committee for the purpose of concealing the true source of contributions, the ability of voters to determine the actual sponsor of political ads is irrevocably harmed. Washington voters are, as is made clear in RCW 42.17A, entitled to know the source of funding for political ads in the state. Mr. Morgan and Mr. Wells purposefully undermined the ability of the voters of this state to easily determine that information, and did so to further their attempts to trick voters using mailings which have been widely and rightly derided as deceitful.

The “antiseptic sunshine” which Washington’s campaign finance laws use to discourage corrupt practices cannot shine on advertisements when the true identity of the sponsor is hidden from public view by the kind of slight-of-hand pass-throughs that Mr. Morgan and Mr. Wells are attempting to pull off.

Thank you for your consideration in this important matter,

Tallman Trask