

Andrew Saturn (Fri, 2 Nov 2018 at 4:42 PM)

Additions:

On the C1PC creating the PAC "Up for Thurston," unknown individuals (since the PAC lists no committee) indicated that they were in direct support of a single candidate, Linda Oosterman. Puget Sound Energy then contributed \$13,000 to a PAC dedicated to one candidate, making it an earmarked contribution, and \$12,000 over the legal limit to contribute to a candidate. This is a very clear violation of RCW 42.17A.270, .460, 405, and 410 as defined in WAC 390-16-240.

Puget Sound Energy donated 90% of the funds for the PAC, which means the disclaimer line on their mailer should have read "Paid for by Up for Thurston PAC, sponsored by Puget Sound Energy." This is a clear violation of the rule that says contributors giving over 80% are the primary sponsor, per RCW 42.17A.005(46)(b)(i).

Puget Sound Energy made their over-limit contribution on the same day the PAC was formed, on 10/15/2018. "Up for Thurston" had 10 days to change the sponsorship labels to be printed on mailers, and did not do this. This is a clear violation of RCW 42.17A.205(4).

Andrew Saturn (Wed, 7 Nov 2018 at 10:53 AM)

Addition:

According to Rodney Anderson of Capitol City Press, on or around October 15, 2018, the same day that Up for Thurston County PAC was registered and received a \$13,000 cash contribution from Puget Sound Energy, Paul Berendt, registered lobbyist (<https://accesshub.pdc.wa.gov/node/17996>) and known local representative for Puget Sound Energy as Senior VP of Strategies 360 (<https://www.strategies360.com/team/paul-berendt-2/>), the lobbying firm for Puget Sound Energy, delivered artwork and signed off on an invoice for printing and postage for Pro-Linda Oosterman electioneering communications mailers sent by Up for Thurston County PAC.

According to the definition in WAC 390-05-245 ("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") Paul Berendt is a non-ministerial executive committee member for Up for Thurston County PAC. However, **Paul Berendt is not listed as a committee member for the PAC.**

Paul Berendt and Strategies 360 / Puget Sound Energy also has a history of direct involvement in Linda Oosterman's election campaigns. In 2012, Paul Berendt organized Linda Oosterman's campaign events and fundraising. Here's one

example: <http://www.thurstondemocrats.org/content/linda-oosterman-fundraiser>

Puget Sound Energy's PAC, "Alliance to Protect Thurston Power," in 2012 spent nearly \$9,000 on Linda Oosterman

mailers: https://www.pdc.wa.gov/reports/ie_by_sponsors_download?filer_id=OOSTL%20%20506&first_name=LINDA&last_name=OOSTERMAN&election_year=2012&sponsor_id=657

While 2012 printing records are no longer available, it is plausible to assume that as Paul Berendt was the lobbyist for PSE at the time, and a resident of Olympia, Paul Berendt was also directly involved with the aforementioned 2012 independent expenditure from Puget Sound Energy's PAC.

This year, at the Thurston County Democrats endorsement meeting on August 27, 2018, according to official meeting minutes, party sign-in sheet, and multiple witnesses, Paul Berendt spoke on behalf of Linda Oosterman's campaign, implying he had authority to make official statements on behalf of the campaign, and represent the campaign in an official capacity. Paul Berendt also solicited campaign contributions from TCD members and guests, providing copies of a solicitation letter signed by Linda Oosterman, demonstrating he arranged for and facilitated direct contributions to Linda Oosterman's campaign. This also fits the definition of a non-ministerial executive committee member under WAC 390-05-245. However, **Paul Berendt is not listed as a committee member for Linda Oosterman's campaign.**

Additionally, according to their official Facebook page (<https://www.facebook.com/ThurstonCountyYoungDemocrats>), as well as multiple witness statements, on or around June 19, 2018, Thurston County Young Democrats held an endorsement meeting where another registered lobbyist for Puget Sound Energy (<https://accesshub.pdc.wa.gov/node/39496>), Kelsey Hulse, represented and spoke on behalf of the Linda Oosterman campaign, making official statements for the campaign, arranging and accepting campaign contributions, and sharing official campaign strategy. This also meets the definition under WAC 390-05-245, and **Kelsey Hulse is also not reported as a committee member for Linda Oosterman's campaign.**

This preponderance of evidence demonstrates that Paul Berendt and/or Kelsey Hulse, acting on behalf of Strategies 360 and/or Puget Sound Energy, made, directed, or authorized contributions, expenditures, strategic or policy decisions, as non-ministerial executive committee members for both Up for Thurston County PAC and for Linda Oosterman's campaign. This coordination ("sharing of information from or about one of the campaigns with the other campaign") is both illegal and an unreported contribution, as its "fair market value" would be over the \$1,000 limit for an earmarked contribution (per RCW 42.17A.270, .460, 405, and 410 as defined in WAC 390-16-240), or a regular campaign contribution for a Thurston County PUD Commissioner campaign. **Both committees' contribution statements and committee registrations were not reported and/or amended to reflect these facts within the time allowed.**

In summary: **Linda Oosterman's campaign and Up For Thurston PAC violated RCW in sharing information, strategy, etc. via shared executive committee members, those committee members were not included in the committees' filings, and those committee members' "contributions" made to the two committees were not reported by either committee as contributions. These committee members are also registered lobbyists for a billion dollar corporation in direct competition the public office in this election. No reports were amended to correct these violations within the time allowed. No lobbying by Paul Berendt, Kelsey Hulse, Strategies 360, or Puget Sound Energy is reported in this time period.**

It is my belief that the seriousness of these allegations, combined with the previously reported allegations, demonstrates more than three repeated cases of lobbying violations in this calendar year alone.

Additionally, while these are just campaign violations, many documented criminal acts also occurred in connection with the Linda Oosterman campaign and its supporters, including physical assault, threats, harassment, theft, attempted bribery, and defamation.

This demonstrated malicious intent by registered lobbyists to deceive voters and usurp a democratic election, and in turn install a corporate representative to an elected seat in local government, is alarming, and warrants a criminal investigation by the Washington State Attorney General's office.

Attached:

"Up for Thurston PAC" printing invoice with notes written by Rodney Anderson of Capitol City Press
Thurston County Democrats minutes and other documents showing Paul Berendt as a representative
of Linda Oosterman's campaign