

Complaint Description

[Glen Morgan](#) (Tue, 5 Feb 2019 at 4:56 PM)

To Whom it May Concern --

It has come to my attention, once again, that the Pierce County Democratic Central Committee (hereafter collectively referred to as "respondent") has habitually and willfully committed frequent and multiple violations of **RCW 42.17A**. Additionally, I have reason to believe that other violations of this chapter have occurred beyond what I have identified below.

Please note, these violations are particularly troubling because the Pierce County Democratic Central Committee recently settled a lawsuit in a civil action brought by the Washington State Attorney General against the Pierce County Democrats last year (see settlement – **Thurston County Court Case # 17-2-04616-34 attached dated October 27, 2017**). The Pierce County Democrats are still in the critical probationary four year period covered by that settlement (see part 2a,b of the attached settlement agreement) and have clearly violated the terms of that settlement, once again, by failing to file timely contribution reports. According to the terms of this settlement, if the PDC confirms these violations to be accurate (and they are), then the Pierce County Democratic Central Committee will have 30 days to pay the suspended portion of the settlement fine which is \$15, 890.

Please also note, I have already detailed other violations of the statute, which have been committed AFTER the AG settlement detailed above in my previous PDC Complaint filed on October 23, 2018 (**PDC Case #42704**), and in my previous PDC complaint filed on January 3, 2019 (**PDC Case #44695**). For these violations, the **PDC issued a warning letter** to this committee (see attached). However, this additional violation is just shockingly sloppy and willful. It almost appears that this committee is just mocking the PDC with these serial violations. Recently I filed another complaint about this committee also failing to disclose for 99 days a large \$863 contribution (**PDC Case#46474**). Unfortunately, this complaint details additional violations which I believed had been committed, but which I detail in any previous complaints.

As mentioned before, I will reiterate again for the record, the PDC must not be providing special treatment to any organization or political group just because they are closely affiliated with previous PDC senior staff. Specifically, the Pierce County Democratic Central Committee has used former Public Disclosure Commission Executive Director Evelyn Lopez for legal counsel (see the final page of the AG settlement dated October 27, 2017). Lopez also provided free advice to this committee for some time after that settlement. Despite (or perhaps In Spite of) this expert help and free legal assistance, this organization still fails to comply with the Fair Campaign Practices Act.

Frankly, this continual pattern of violating the law is mystifying and a bit irrational. **What will it take for this committee to take the law seriously and comply with it?** At this point, nobody can answer this question.

1) Failure to timely report debt (Violation of RCW 42.17A.240 (8)(a)-(b))

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 seven hundred fifty dollars.

Per **RCW 42.17A.240 (8)(a)** this would include “The name and address of any person and the amount owed for any debt with a value of more than seven hundred fifty dollars that has not been paid for any invoices submitted, goods received, or services performed, within five business days during the period within thirty days before an election, or within ten business days during any other period.” Please note that each payment to the State of Washington via the AG’s settlement plan is \$3000, which greatly exceeds the statutory threshold in this case. Additionally, the suspended portion of this fine (\$15,890 – see attached judgment) should be listed as a debt, particularly since it appears this committee is such a frequent violator of the terms of their probation that it appears nearly certain they will need to pay this soon. Regardless – it needs to be disclosed in their reports to the PDC.

Unfortunately, the Pierce County Democratic Central Committee **has been concealing the debt for many months related to the fines, and payment plan imposed by the Washington State’s Attorney General’s office (see attached judgement)** This is an extremely significant failure to be transparent because the public (and potential donors) have a right to know that substantial percentages of this political committee’s resources must be reserved to pay these debts, and the failure to disclose them in any of their filings in 2018 demonstrate a willful effort to deceive both the public and potential donors to this committee. There is no excuse for this failure to comply with Washington State campaign finance law, particularly considering the AG settlement, the probationary period under which this committee is operating, and the recent warning letter sent to this committee by the PDC last month.

Since compliance with the law seems to be such a difficult task for this committee, PDC staff should also consider asking this committee to reveal the other, currently hidden violations which this committee is committing right now in order to save the serial investigations that seem to be so frequently necessary for this committee. It is hardly prophetic to predict that this committee needs some expert advice and guidance for this committee to become compliant with the statute.

The PDC should seriously investigate the possibility that the respondent committed the above violations maliciously (an effort to deceive potential donors and hide the legal liabilities from them?), which would be a class C felony per **RCW 42.17A.750 (2)(c)**. If the PDC determines that is the case, they should refer the case to the Attorney General’s office for criminal prosecution immediately.

Please don't hesitate to contact me if you need any additional information.

Best Regards,

Glen Morgan

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

The Pierce County Democratic Central Committee is a serial violator of Washington State’s campaign finance laws, with a recent lawsuit filed by the Washington State Attorney General’s office to prove this fact, and a generous settlement finalized October 27, 2017. However slightly more than a year after that settlement and generous payment plan was arranged by the former Director of the PDC herself representing the Pierce County Democrats, this committee still has chosen to violate not just the state’s campaign finance laws but also the terms of the settlement itself. The public has a right to know the significant liabilities this organization has created for itself, and under which it labors as it is raising money from the public. The public has a right to know the debt and payment plans which this organization has for then next three years. It is dishonest for this committee to hide this from the public.

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

The original 2017 AG settlement is attached for reference, please note the payment plan schedule detailing the amounts and dates, which must be revealed to the public by this committee in their regular reports to the PDC

List of potential witnesses with contact information to reach them.

Last year's officers and treasurer should be interviewed. This year's treasurer and officers should at least be notified.

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.