

NOV 16 2011

Office Use Only: No. _____

Public Disclosure Commission



WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION COMPLAINT FORM

(See instructions on the last page.)

Description of Complaint

1. RESPONDENT:

Identify who you are filing a complaint against and provide all contact information you have for them. Give names and titles, if any, for individuals, and the full name of any organization. Please note that the PDC does not enforce federal campaign finance laws or local ordinances.

YES ON PROP 1 COMMITTEE PO BOX 3107, Federal Way, WA 98063

6208 S 300th St, Auburn WA 98001, 206-849-6252

Issue placed on the August 17, 2010 ballot

Scott Ervin, Manager, Joel Barrett, Treasurer 253-380-3842 Yesprop1@hotmail.com

2. ALLEGED VIOLATIONS:

Explain how and when you believe the people/entities you are filing a complaint against violated RCW 42.17 or Title 390 WAC. Be as detailed as possible about dates, times, places and acts. If you can, cite which specific laws or rules you believe were violated. Attach additional pages if needed.

Violation of RCW 42.17.080(1c) paragraph 2 - "When there is no outstanding debt or obligation, and the campaign fund is closed, and the campaign is concluded in all respects, and in the case of a political committee, the committee has ceased to function and has dissolved, the treasurer shall file a final report". This campaign committee was recorded as a single election year committee on May 14, 2010. The election for the supported proposition was held on the August 17, 2010 primary ballot. There was no measure on the November 2, 2010 general ballot associated with Prop 1 and South King Fire & Rescue, the purpose of the creation of the identified YES ON PROP 1 COMMITTEE.

The C-4 record filed on August 31, 2010 with the Public Disclosure Commission clearly shows, by being marked NO in the box identified as Final Report, that this is not a final report and no such final report has been properly or timely filed.

Violation of RCW 42.17.080(1) "On the day the treasurer is designated, each candidate or political committee shall file with the commission, in addition to any statement of organization required under RCW 42.17.040 or 42.17.050, a report of all contributions received and expenditures made prior to that date, if any."

The C-4 record filed on August 31, 2010 with the Public Disclosure Commission also shows the disappearance of \$948.34 in campaign funds and an inaccurate balance of \$4,852.34.

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The C-4 filed on August 11, 2010 shows on line 17 total cash and in-kind contributions for the campaign as \$28,618.95. This is the number which should have been entered on line 10 of the C-4 filed on August 31, 2010. Instead, a mysterious disappearance of \$948.34 in unrecorded and unidentified expenditures has occurred with an expenditure entry on line 10 of \$29,567.29.

If all other expenditures have been accurately recorded, the balance shown on the C-4 filed on August 31, 2010, line 20, should have been \$5,800.68.

In violation of the law, there appears nowhere on any document filed with the PDC accurate information to arrive at the \$4,852.34 ending balance for the campaign.

As evidenced by the lack of proper documentation that might exist on Schedule B to C-4, and absence of any entry on line 19 of the C-4 filed on August 3, 2011, there are no outstanding loans or debts.

Three questions: What became of the \$948.34 missing from the August 31, 2010 C-4 report? and; Lacking a final report, what was the disposition of the final balance, whether it be \$5,800.68 or \$4,852.34? and; Why was there no Final Report filed as required by RCW 42.17.080(1c)?

YES ON PROP 1 COMMITTEE is in violation of the state laws for campaign receipts and expenditures and this violation is in excess of one full year after the measure appeared on the ballot.

Evidence and Witnesses

3. EVIDENCE:

List the documents or other evidence you have that support your complaint, if any, and attach copies to this form. If you do not have copies, provide any information you have about where you believe the documents or evidence can be found and how to obtain it. Attach additional pages if needed.

YES ON PROP 1 COMMITTEE filed C-1, C-3 and C-4 documents with the Washington State Public Disclosure Commission starting on May 14, 2010 and ending on August 31, 2010. All evidence to support the allegations are in those documents and available on the Public Disclosure Commission website.

Additional records may exist at Sterling Savings Bank, 1700 S 320th St., Federal Way, WA

4. WITNESSES:

List the names and contact information, if known, of any witnesses or other persons who have knowledge of facts that support your complaint. Attach additional pages if needed.

YES ON PROP 1 COMMITTEE members Scott Ervin, Campaign Manager, Joel Barrett, Treasurer, and Ryan Herrera and Ed Plumlee, co-chairs, are all named on the C-1 filed for this committee and are all witnesses to the incomplete and inaccurate filings of these documents with the PDC.

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Certification	Public Disclosure Commission
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In signing this complaint:

- I have provided all information, documents and other evidence of which I am aware;
- If I become aware of additional information, documents or evidence related to my complaint, I will promptly provide it to the PDC; and,
- I am providing the PDC current information on how to contact me, and will promptly update that information if it changes.

Your name (print or type) Jerry GallandStreet address: 4503 South 346th StCity, state and zip code: Auburn, Washington, 98001Telephone number (including area code) 253-838-8690E-mail address (optional) cuttinglight@comcast.net

Oath

Required for complaints against elected officials or candidates for elective office:

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

Your signature _____

Date signed November 15, 2011

Place signed (city and county)

Unincorporated King County near Auburn Washington

City

County

Attachments

Check here if you are attaching copies of documentary evidence or extra pages explaining your complaint.

**RCW 9A.72.040 says that "(1) A person is guilty of false swearing if he makes a false statement which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."*

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Washington State Public Disclosure Commission
Instructions for Filing a Formal Complaint

When to use the formal complaint form:

While this form is not required, its use is recommended when you want to file formal allegations of a violation of the Public Disclosure Commission (PDC) statutes or rules. You can find the PDC statutes and rules on the PDC website at www.pdc.wa.gov.

If you have information or concerns about a possible violation but do not wish to file a complaint, please contact the PDC office directly.

How to submit your complaint form to the PDC:

- Complete all sections. If you do not have some information, please write "unknown" instead of leaving a blank space.
- Attach copies of any evidence you have - we'll contact you if we need originals.
- Sign the oath if your complaint is against an elected official or a candidate for elective office.
- Mail, fax, or email your complaint and all attachments to the PDC.

If you have more questions:

If you have more questions about filing a complaint, see the "Frequently Asked Questions about Filing a Complaint" guide available on the PDC's website at www.pdc.wa.gov under "Enforcement and Compliance." You may also contact the PDC directly.

PDC Contact Information

MAILING ADDRESS: Washington State Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

EMAIL ADDRESS: pdc@pdc.wa.gov

PHONE: 1-877-601-2828 (toll free)

FAX: (360) 753-1112

HOURS: Monday-Friday, 8:00 a.m. – 5:00 p.m., closed on state holidays.