Complaint Description

Iknowshayna (Mon, 6 Aug at 3:58 PM)

Mychal Schwartz is running to be a District Court Judge in King Co. NE/Snohomish Co. It's extremely worrisome that someone who is vying to be a Judge, has such flagrant disregard for the laws that govern elections in Washington state. Mr. Schwartz has repeatedly violated multiple sections of the law, despite running on his experience as an attorney, judge pro tempore, and Industrial Appeals Judge. Public confidence in the judiciary can not be maintained when judicial candidates see themselves as above the law and do not follow the rules established for candidates to ensure transparency in campaign spending.

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

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

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.

Violations

1. FAILURE TO FILE AN ACCURATE, TIMELY C4 IN THE 21 DAYS BEFORE A PRIMARY (Violation of RCW 42.17A.235)

State law requires that candidates regularly file reports to the Public Disclosure Commission (PDC) that include details for all contributions (monetary and in-kind), expenditures, loans, and debts. RCW 42.17A.235 explicitly lays out the requirements for this:

- "(2) Each treasurer of a candidate or political committee or incidental committee required to file a statement of organization under this chapter shall file with the commission a report containing the information required by RCW 42.17A.240 at the following intervals:
- (a) On the twenty-first day and the seventh day immediately preceding the date on which the election is held;"

Mr. Schwartz has failed to submit timely C4 reports to the PDC, despite running for District Court Judge on his experience as an attorney and having previously run for public office in Washington. In doing so, he has obfuscated the public's right to know how he is spending campaign money in the critical time period before the 2018 primary election.

Mr. Schwartz failed to file a C4 covering the period of 6/1/18 to 7/16/18/ by the legal deadline of 7/17/18. He filed report #100846349 on 7/22/18, five days after the deadline.

(Exhibit I)

2. FAILURE TO FILE AN ACCURATE, TIMELY C4 (Violation of RCW 42.17A.235)

RCW 42.17A.235)(c) requires that reports of expenditures and contributions are due "On the tenth day of each month in which no other reports are required to be filed under this section."

Mr. Schwartz failed to file the C4 covering the time period of 03/14/2018 to 03/31/2018 by the legal deadline of 4/10/18. He submitted C4 report #100826407 on April 20th, meaning that this report was ten days overdue.

(Exhibit II)

3. FAILURE TO FILE AN ACCURATE, TIMELY C4 ON THE SEVENTH (7TH) DAY BEFORE A PRIMARY (Violation of RCW 42.17A.235)

Willfully neglecting the required deadline for the second report in a row and for the third time of this campaign cycle, Mr. Schwartz failed to file a C4 covering the period of 7/17/18 to 7/30/18/ by the legal deadline of 7/31/18.

(Exhibit III)

4. FAILURE TO PROPERLY BREAK DOWN, DESCRIBE EXPENSES (Violation of RCW 42.17A.235, RCW 42.17A.240 see WAC 390- 16-037)

In order to keep citizens informed of how candidates are spending campaign contributions, state law requires that candidates and their committees must report the purpose of an expenditure and describe in detail the goods and/or services to be provided by the recipient of the expenditure. WAC 390-16-037 explicitly outlines and gives an example of how campaigns must describe in detail what kind of printed materials were purchased, their quantity, alongside the vendor and amount.

On his C4 report # 100827545 submitted on 5/2/18, Mr. Schwartz listed an expense of "Printed Items" at the cost of \$400.10 to Trade Printery on 4/30/18. "Printed items" is not specific enough to meet the threshold of the statute since the purpose and quantity are not stated.

Mychal Schwartz illegally failed to break down the purpose and quantity of items printed as required for the C4 report.

(Exhibit IV)

5. FAILURE TO REPORT DEBT Violation of RCW 42.17A.235, 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. WAC 390-05-295 expands the definition of expenditures to add that ""promise" or "promise to pay" 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."

On July 11, Mr. Schwartz's campaign ordered 250 yards from Overnight Printing in Seattle, WA. Overnight Printing's union bug as well as "Paid for by the Committee to Elect Mychal Schwartz" are clearly displayed toward the center bottom of the yard signs that have been distributed across east King County, seen on the street as early July 19th.

Overnight Printing's owner, David Seo, confirmed by phone that Mr. Schwartz's campaign ordered the yard signs on July 11th, 2018 but did not pay for the signs until July 18th, 2018. Since the yard signs were an obligation of more than \$50, they needed to be reported. Mr. Schwartz failed to report an obligation for yard signs on the C4 that covered the time period of 6/1/18 to 7/16/18/ and was due on 7/17/18.

(Exhibit V)

6. FAILURE TO INCLUDE SPONSOR ID ON WEBSITE Violation of RCW 42.17A.320(1)

State law requires that the sponsor's name and address be included on all written political advertising to inform citizens of who is paying for advertisements. Websites are included in the statutory definition of written political advertising; therefore, they are required display sponsor identification and address.

Mr. Schwartz maintains a website, an online donation page, and a Facebook page for his campaign. Sponsor identification is not included on any of these three pages with the accurate name of his committee. Mr. Schwartz's campaign name, as declared on his C1, is "Committee to Elect Mychal Schwartz." Furthermore, he does not include the require language "Paid for by" on any of these three pages. Lastly, he did not share the address of his campaign committee on his website, donation page, or Facebook page.

Mr. Schwartz has repeatedly violated provisions of the sponsor ID requirement—1. 'Paid for by' language 2. The proper name of his committee 3. Address for his committee—on his website at https://www.schwartzforjudge.org/, his donation page at www.schwartzforjudge.org/donate, and his campaign Facebook page at https://www.facebook.com/schwartzforjudge/.

(Exhibits VI, VII, VIII)

7. FAILURE TO INCLUDE SPONSOR ID ON ADVERTISEMENTS (Violation of RCW 42.17A.320)

RCW 42.17A.320(1) could not be more clear: "All written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address."

Mr. Schwartz took out two ads on Facebook for his campaign than ran between July 21st and July 30th and an additional ad for Neither advertisement included the sponsor ID, as required by WAC 390-05-290. Facebook removed the ads for not having a "Paid for by" disclaimer.

By not having the proper sponsor identification, Mr. Schwartz failed to follow the laws governing political advertisements.

(Exhibit IX)

8. LATE REPORTING OF EXPENDITURES, IN-KIND CONTRIBUTIONS, DEBT. (Violation of RCW 42.17A.235, .240)

Mr. Schwartz reported in-kind contributions from himself to his campaign for a haircut (\$29) and a tie (\$19.77), specifically listing the date of 3/14/18. However, he did not report photography services until 7/05/18 in the amount of \$214.50 on his C4 100846349. If Mr. Schwartz actually took campaign photos close in time to the in-kind contribution of a haircut and tie, he reported the expenditure for photographs approximately 120 days late.

(Exhibits X, XI)

9. FAILURE TO PROPERLY BREAK DOWN, DESCRIBE EXPENSES (Violation of RCW 42.17A.235, RCW 42.17A.240 see WAC 390- 16-037)

By state law, candidates and their committees must report the purpose of an expenditure and describe in detail the goods and/or services to be provided by the recipient of the expenditure. WAC 390-16-037 explicitly outlines and gives an example of how campaigns must describe in detail what kind of printed materials were purchased, their quantity, alongside the vendor and amount.

On his C4 report # 100849679 submitted on 8/1/18, Mr. Schwartz listed two expenses paid to Overnight Printing:

Printing Fee \$1,651.50 07/20/18

Printing \$1,121.85 7/19/18

"Printing Fee" and "Printing" do not meet the standard set by Washington state law for reporting because the expenses are not described and do not list a quantity.

Mychal Schwartz failed to break down the purpose and quantity of items printed as required for the C4 report.

(Exhibit XII)

10. LATE REPORTING OF EXPENDITURES, IN-KIND CONTRIBUTIONS, DEBT. (Violation of RCW 42.17A.235, .240)

Mr. Schwartz has a number of items that appear to have been professionally designed, yet has failed to report expenditures or in-kind contributions many items that cost money or have value from a professional designer's time and skill that should be reported, even if they were done by volunteers as an in-kind donation. Oftentimes, these things are done by campaign staff, however Mr. Schwartz has not reported having paid or volunteer staff at any point. Additionally, treasury services require professional help that must be reported, even if it is done as an in-kind donation.

The following items have not been reported:

- -cost of designing and updating his website
- -cost of the graphic design for his logo
- -cost of graphic design for what appears to be a walk card
- -cost of treasury services performed by the treasurer on his C1, Rick Foster

(Exhibits XIII, XIV)

10. LATE REPORTING OF EXPENDITURES, IN-KIND CONTRIBUTIONS, DEBT. (Violation of RCW 42.17A.235, .240)

Mr. Schwartz placed two ads from his Facebook page that have not been reported on any C4 report. Facebook does not show the exact amount that was spent, but does note that the ads were both under \$100 and removed for not having a proper "Paid for by" disclaimer. Money spent on online advertising must be reported under Washington state law. Mr. Schwartz failed to report expenditures on two advertisements from July 2018 on his C4 report.

(Exhibits XV, XVI)

Evidence

Exhibit I – C4 due on 7/17/18 was submitted late on 7/22/18

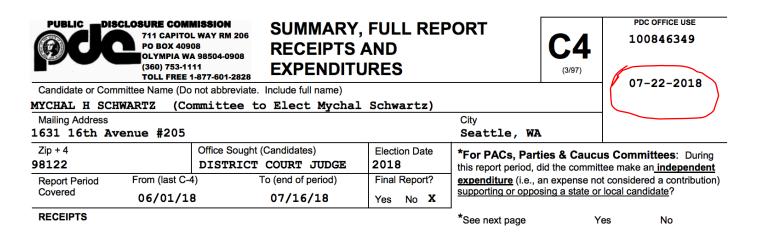


Exhibit II - C4 due on 4/10/18 was submitted late on 4/20/18

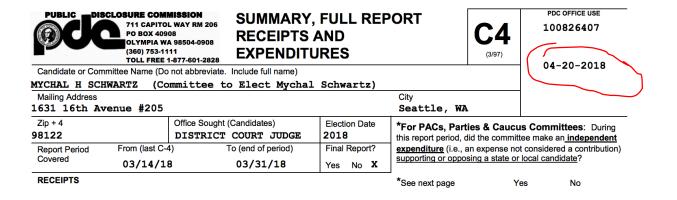


Exhibit III - C4 due on 7/31/18 was submitted late on 8/1/18

PUBLIC	PO BOX 4090 OLYMPIA WA (360) 753-11	. WAY RM 206 08 1 98504-0908	UMMARY, ECEIPTS A XPENDITU	AND	EP	ORT	C4 (3/97)	PDC OFFICE USE 100849679 08-01-2018
Candidate or Con	nmittee Name (Do	not abbreviate. Inclu	ide full name)					08-01-2018
MYCHAL H SC	HWARTZ (Co	mmittee to El	lect Mychal	Schwartz)			
Mailing Address						City		1
1631 16th A	venue #205					Seattle, WA	.	
Zip + 4		Office Sought (Cand	didates)	Election Date	е	*For PACs Part	lies & Cauci	us Committees: During
98122		DISTRICT COL	JRT JUDGE	2018				tee make an independent
Report Period	From (last C-4	To (er	nd of period)	Final Report	?			t considered a contribution)
Covered	07/17/18 07/30/1		/30/18	Yes No X supporting or oppo			sing a state or	local candidate?

\$0.33

\$3.20

\$400.10

Exhibit IV – Expenses not properly broken down or described on April 2018 C4.

CASH R	RECEIPTS AN	ND EXPENDIT	URE	SCHEDULE to C4	A	2
Candidate or Co	mmittee Name (Do not ab	breviate. Use full name.)				Report Date
		ee to Elect Mycha			04/01/18	
		ch have been reported on C3			24 report was submitte	
Date of deposit	Amount	Date of deposit	Amour	Date of deposit	Amount	Total deposits
04/18/201	8 \$1.00					
04/24/201	8 \$100.00					
2. TOTAL CAS	H RECEIPTS	•		Enter	also on line 2 of C4	\$ \$101.0
2) When repo 3) If expendit petition	ittee, identify the candidate orting payments to vendors tures are made directly or n, use code "V" and provid	ked contributions to a candic e or committee in the Descrips s for travel expenses, identify indirectly to compensate a pe le the following information or porting period, and cumulative	tion block; the traveler erson or entit n an attached	and travel purpose in the for soliciting signatures sheet: name and addre	e Description block; an s on a statewide initiativess of each person/ent	d ve or referendum
C	DEFINITIONS L DN NEXT PAGE B N O	Contributions (monetary, ir Independent Expenditures Literature, Brochures, Print Broadcast Advertising (Rat Newspaper and Periodical Other Advertising (yard sig Voter Signature Gathering	ing dio, TV) Advertising	S - F - T - M - etc.) W -	Postage, Mailing Perm Surveys and Polls Fundraising Event Exp Travel, Accommodatio Management/Consulti Wages, Salaries, Ben General Operation and	enses ns, Meals ng Services efits
amour b) Itemize c) For ea	ditures of \$50 or less, inclust column on the first line be each expenditure of monich payment to a candidate of receipts/invoices suppose.	e than \$50 by date paid, name, campaign worker, PR firm, orting the payment.	ne and addre	s of vendor, code/descr gency or credit card cor	ription, and amount. npany, attach a list of o	
Date Paid		or Recipient nd Address)	Code	Purpose of I and/or Des		Amount

N/A

Contribution Collection and Deposit Fee

Printed Items

Exhibit V-Y ard sign spotted on July 19^{th}

Expenses of \$50 or less

NATION BUILDER 520 S. Grand Ave 2nd Floor Los Angeles, CA 90071

TRADE PRINTERY 317 S. Bennett St Seattle, WA 98108



N/A

04/24/18

04/30/18

Exhibit VI – No sponsor ID on website

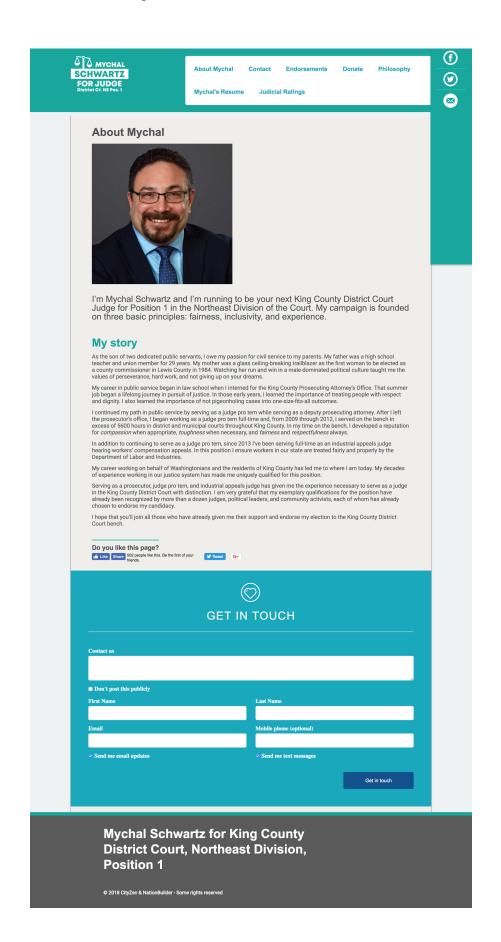


Exhibit VII – No sponsor ID on donation page



Mychal Schwartz for King County
District Court, Northeast Division,
Position 1

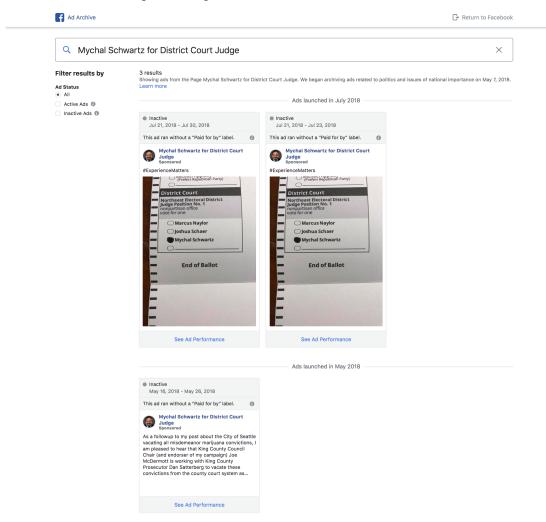
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Sign in with Facebook, Twitter or email.
Created with NationBuilder - Theme by Tectonica

Exhibit VIII – No sponsorship identification on Facebook page



Exhibit IX – No sponsorship identification on Facebook Ads



IN KIND CONTRIBUTIONS, PLEDGES, ORDERS, DEBTS, OBLIGATIONS

SCHEDULE TO C4 **B**(11/93)

3

Candidate or Committee Name (Do not abbreviate. Use full name.)
MYCHAL H SCHWARTZ (Committee to Elect Mychal Schwartz)

Report Date 03/14/18 03/31/18

1.	IN KIND	CONTRIBUTIONS RECEIVED	(goods, services,	discounts, etc.	.)
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Date Received	Contributor's Name and Address	Description of Contribution	Fair Market Value	Aggregate Total	P R I	G E N	If total over \$100, Employer Name, City, State & Occup
03/14/18	MYCHAL H SCHWARTZ P.O. Box 1044 Mercer Island, WA 98040	Hair Cut for Campaign Photos	\$29.00	\$1,402.94	x		
03/14/18	MYCHAL H SCHWARTZ P.O. Box 1044 Mercer Island, WA 98040	Tie For Campaign Photo	\$19.77	\$1,402.94	х		
03/14/18	MYCHAL H SCHWARTZ P.O. Box 1044 Mercer Island, WA 98040	Tmobile Charges	\$67.00	\$1,402.94	x		
03/14/18	MYCHAL H SCHWARTZ P.O. Box 1044 Mercer Island, WA 98040	Gmail Domain Reg 1 Year	\$8.17	\$1,402.94	x		
03/27/18	MYCHAL H SCHWARTZ P.O. Box 1044 Mercer Island, WA 98040	NationBuilder Fee	\$29.00	\$1,402.94	x		

Exhibit XI – Late expenses

EXPENDITURES CONTINUATION SHEET (Attachment to Schedule A)

			F	age 3					
Candidate or 0	Candidate or Committee Name (Do not abbreviate. Use full name.) Report Date								
MYCHAL H	SCHWARTZ (Committee to Elect Mych	al Schwartz)	06/01/18	07/16/18					
Date Paid	Vendor or Recipient (Name and Address)	Purpose of Code and/or Des		Amount					
06/28/18	NATION BUILDER 520 S. Grand Ave 2nd Floor Los Angeles, CA 90071	Donation Proces	sing Fee	\$3.20					
06/29/18	KEY BANK 2500 1st Ave Seattle, WA 98121	Paper Statement	Fee	\$3.00					
07/02/18	WASHINGTON STATE DEMOCRATS PO Box 4027 Seattle, WA 98194	Vote Builder		\$100.00					
07/05/18	VAKKER PORTRAITS LLC 14341 NE 21st St Suite A-B Bellevue, WA 98007	Portrait Servic	es	\$214.50					

CASH RECI	EIPTS AN	ND EXPENDIT	URE	SCHEDULE to C4	A			2	
Candidate or Committee	Name (Do not ab	breviate. Use full name.)					Repo	rt Date	
MYCHAL H SCHWART	rz (Committe	ee to Elect Mycha	l Schwart	z)	07	/17/18	}	07/30/18	j
1. CASH RECEIPTS (Contributions) whic	h have been reported on C3	 List each dep 	osit made since last C4	report was	submitte	d.		
Date of deposit	Amount	Date of deposit	Amount	Date of deposit	,	Amount	-	Total deposits	
07/17/2018	\$25.00								
2. TOTAL CASH RECE	EIPTS			Enter a	lso on line	2 of C4	\$	\$25	0

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are:

- If expenditures are in-kind or earmarked contributions to a candidate or committee or independent expenditures that benefit a candidate or
- committee, identify the candidate or committee in the Description block;
 When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information on an attached sheet: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

CODE DEFINITIONS ON NEXT PAGE

- C Contributions (monetary, in-kind & transfers)
- I Independent Expenditures L Literature, Brochures, Printing
- B Broadcast Advertising (Radio, TV)
- N Newspaper and Periodical Advertising O Other Advertising (yard signs, buttons, etc.) V Voter Signature Gathering

- P Postage, Mailing Permits
- S Surveys and Polls F Fundraising Event Expenses T Travel, Accommodations, Meals
- M Management/Consulting Services
- W Wages, Salaries, Benefits

3. EXPENDITURES

- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below...
- Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	
07/18/18	COSTCO 4401 4TH Ave S. Seattle, WA 98134		Gas	\$71.74
07/19/18	LAZ PARKING 110 Stewart St Seattle, WA 98101		Parking	\$10.00
07/19/18	OVERNIGHT PRINT 2412 1st Ave S Seattle, WA 98134		Printing Fee	\$1,651.50
07/20/18	OVERNIGHT PRINT 2412 1st Ave S Seattle, WA 98134		Printing	\$1,121.85
07/27/18	NATION BUILDER 520 S. Grand Ave 2nd Floor Los Angeles, CA 90071		Mothly Fee for Donation Processing Service	\$29.00
			Total from attached pages	\$ \$0.00
4. TOTAL CA	ASH EXPENDITURES		Enter also on line 11 of C4	\$ \$2,884.09

Exhibit XIII – Late reporting of expenditures; graphic design for "walk card" posted on 7/11/18



Exhibit XIV - Late reporting of expenditures; graphic design for logo used since March 2018



Exhibit XV – Late reporting of expenditures; Facebook ad run from 7/21-7/30/18

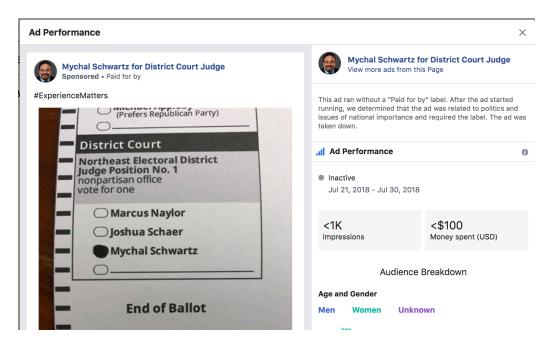


Exhibit XVI – Late reporting of expenditures; Facebook ad run from 7/21-7/30/18

