

File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) (Mon, 18 Dec, 2017 at 1:42 PM) via Portal Meta
To Whom it May Concern --

It has come to my attention that Rebecca Saldana, State Senator from the 37th Legislative District 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.

1) Failure to file accurate, timely C3 and C4 reports. (Violation of RCW 42.17A.235)

State law requires that candidates and committees file frequent, accurate reports of contributions, expenditures, in-kind contributions, and debt. Unfortunately, Rebecca Saldana has failed on numerous occasions to do this. (See **Exhibits A - "Illegally late reported C3 and C4 reports"**)

Additionally, the Rebecca Saldana failed to report the following in-kind contributions:

- a) Photography – see examples on website: <http://www.rebeccasaldana.com/>
- b) Videography – examples can be found here: https://www.facebook.com/pg/RebeccaSaldanaforLD37/videos/?ref=page_internal
- c) Mailing List – Saldana sent out mailers but failed to disclose source of mailing list.
- d) Website – Purchase of domain name that was made on 2016-09-17 - <https://www.whois.com/whois/rebeccasaldana.com>

2) Failure to accurately, timely report debt. (Violation of RCW 42.17A.240 (8), see 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 be reported on form C4. Per **WAC 390-05-295**, this 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.

Rebecca Saldana illegally failed to report the following debts: (See **Exhibit B - "Illegal failure to timely report debts"**).

3) Failure to properly break down, describe expenses. (Violation of RCW 42.17A.235, see WAC 390-16-205, WAC 390-16-037)

State law requires that expenditures made on behalf of a candidate or political committee by any person, agency, firm, organization, etc. employed or retained for the purpose of organizing, directing, managing or assisting the candidate's or committee's efforts shall be deemed expenditures by the candidate or committee. In accordance with **WAC 390-16-037** and **WAC 390-16-205**, such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly. Additionally, in accordance with **WAC 390-16-037**, the exact purpose of the expenditure, the quantity of items printed, and the individual value of broadcast ads distributed on various media outlets must be disclosed on form C4. Additionally, a political committee that makes in-kind contributions (which includes staff time) to a candidate or political committee totaling more than \$50 in the aggregate during a reporting period must identify the recipient and the amount of the contribution as part of its C-4 report covering that period. **WAC 390-16-207(6)**. Furthermore, state law requires that political committees identify any candidate(s) or ballot proposition(s) that are supported or opposed by their expenditures (which includes staff time) on form C4. **WAC 390-16-037**.

Rebecca Saldana Committee illegally failed to break down the following expenses/in-kind contributions. (See **Exhibit C - "Illegal failure to break down expenditures"**)

4) Failure to timely file C1/C1-pc. (Violation of RCW 42.17A.205)

State law requires that candidates/committees file their C1/C1-pc statement of organization within 2 weeks of accepting contributions or making expenditures, whichever is sooner.

Saldana purchased the domain on 9/17/2016, but did not file her C1 until 12/12/2016, **well past the statutory deadline.**

5) Failure to file reports of contributions received and expenditures made prior to filing of C1 on the same day that C1 is filed. (Violation of RCW 42.17A.205)

State law requires that – on the day the C1/C1-pc is filed – that the candidate or committee file reports containing contributions received or expenditures made prior to registration.

Unfortunately, Saldana failed to report the above mentioned domain name purchase on the day she filed her C1.

6) Failure to list committee officers. (Violation of RCW 42.17A.205 (2)(c), see WAC 390-05-245)

Rebecca Saldana failed to list all committee officers on form C-1/C1-pc, which is required by **RCW 42.17A.205(2)(c).**

On information and belief, unlisted officers of Saldana's campaign include (but are not limited to): Moxie Media, Raven McShane, and Ayla Kadah.

The committee is required to list all individuals who, in conjunction with others, likely made, directed, or authorized expenditures, strategic or policy decisions on behalf of the committee.

WAC 390-05-245 defines committee officer as: "...any person designated by the committee as an officer on the C-1 or C-1pc registration statement and 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" .

Please note that **RCW 42.17A.005 (35)** defines "person" as: "...an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized."

7) Illegal unauthorized expenditure of funds by an individual not listed as an officer on form C-1/C1-pc. (Violation of RCW 42.17A.425)

State law requires that no expenditures may be made or incurred by any candidate or political committee unless authorized by the candidate or the person or persons named on the candidate's or committee's registration form.

On information and belief, Moxie Media, Raven McShane, Ayla Kadah and potentially others have made illegal expenditures on the committee's behalf.

8) Failure to timely update C1. (Violation of RCW 42.17A.205(4))

On information and belief, Saldana failed to timely update her C1 to include changes in officers as required by state law.

9) State law requires that the committee treasurer preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred. (Violation of RCW 42.17A.235 (6)).

On information and belief, Saldana has failed to do this.

10) Failure to record loan by written instrument. (Violation of RCW 42.17A.465(2), RCW 42.17A.240)

On information and belief, the loans that Saldana made to her campaign were not done by written instrument -- as required by state law.

11) Failure to include sponsor ID. (Violation of RCW 42.17A.320)

State law requires that all political advertisement/independent expenditures contain sponsor identification, which includes the sponsor's name and address. Mediums defined as political advertisement that are required to contain sponsor ID include Facebook pages and advertisements per **WAC 390-05-290**.

On information and belief, Saldana failed to include the proper sponsor ID on her Facebook page (amongst other forms of political advertising) in violation of state law.

12) Failure to timely submit accurate F1. (Violation of RCW 42.17A.700, .710)

Rebecca Saldana failed to submit an accurate F1 containing all the information required by state law within 14 days allowed by state law from the start of her campaign.

It is my contention that Saldana was required to file within 14 days of 9/17/2017.

Saldana was also appointed to the State Senate on 12/12/2016. As such, she definitely required to submit her F1 by 12/26/2016. Despite this requirement, she did not submit her F1 until 4/17/2017, well past the statutory deadline.

13) Failure to disclose offices held. (Violation of RCW 42.17A.710(1)(g), see WAC 390-24-010, 150)

State law requires that elected officials disclose the offices that they hold on corporations. Saldana is a board member of the Rainier Beach Action Coalition (according to her voter guide statement). Yet she didn't disclose this on her F1A.

The PDC should investigate the possibility that Rebecca Saldana committed the above violations maliciously, 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.

Please note that spreadsheet exhibits are provided in both PDF and Excel formats for staff convenience.

Best Regards,

Glen Morgan

Exhibit A -- Illegally Late filed C3 and C4 reports

Approximate Cumulative Days Late -- 760

Violation #	Report #	Report Type	Due Date	Day Reported	Approximate Days Late
1	100751069	C4	1/10/2017	3/6/2017	55
2	100751070	C4	2/10/2017	3/6/2017	24
3	100755449	C4	3/10/2017	4/10/2017	31
4	100777907	C4	7/11/2017	7/25/2017	14
5	100777839	C4	5/10/2017	7/25/2017	76
6	100777840	C4	6/12/2017	7/25/2017	43
7	100777773	C4	3/10/2017	7/25/2017	137
8	100777771	C4	2/10/2017	7/25/2017	165
9	100792546	C4	9/11/2017	10/16/2017	35
10	100795968	C4	10/17/2017	10/26/2017	9
11	100798098	C4	10/31/2017	11/1/2017	1
12	100802232	C4	10/31/2017	12/4/2017	34
13	100802228	C4	9/11/2017	12/4/2017	84
14	100802230	C4	10/17/2017	12/4/2017	48
15	100774224	C3	7/10/2017	7/11/2017	1
16	100785185	C3	9/4/2017	9/5/2017	1
17	100785186	C3	9/4/2017	9/5/2017	1
18	100785184	C3	9/4/2017	9/5/2017	1

Exhibit B -- Illegal failure to timely report Debt

Violation #	Vendor	Date	Amount	Description	As of -- 12/18/2017	Debt that was illegally not reported.	Approx. days late
1	KADAHAYLA	3/31/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of February 2017.	283
2	KADAHAYLA	4/15/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of March 2017.	252
3	KADAHAYLA	4/30/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of March 2017.	252
4	LARSEN DARCI	4/6/2017	\$ 1,500.00	DARCI LARSEN, WEBSITE DESIGN		This should have been reported as debt on the C4 covering the time period of March 2017.	252
5	KADAHAYLA	5/15/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of April 2017.	222
6	KADAHAYLA	5/31/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of April 2017.	222
7	INTERNAL REVENUE SERVICE	8/1/2017	\$ 333.20	PAYROLL TAXES		This should have been reported as debt on the C4 covering the time period of April 2017.	222
8	KADAHAYLA	6/15/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of May 2017.	191
9	KADAHAYLA	6/30/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of May 2017.	191
10	KADAHAYLA	7/15/2017	\$ 381.81	CAMPAIGN MANAGEMENT		This should have been reported as debt on the C4 covering the time period of May 2017.	191
11	KADAHAYLA	7/31/2017	\$ 1,113.01	CAMPAIGN MANAGEMENT		This should have been reported as debt on the 21 day pre-primary C4.	160
12	INTERNAL REVENUE SERVICE	7/31/2017	\$ 438.62	PAYROLL TAXES		This should have been reported as debt on the 7-day pre-primary C4.	146
13	MCSHANE RAVEN	8/1/2017	\$ 710.00	JULY FUNDRAISING		This should have been reported as debt on the 7-day pre-primary C4.	146
14	OVERNIGHT PRINTING & GRAPHICS	7/31/2017	\$ 376.55	622 LETTERS		This should have been reported as debt on the 7-day pre-primary C4.	146
15	KADAHAYLA	8/15/2017	\$ 1,290.54	CAMPAIGN MANAGEMENT		This should have been reported as debt on the 7-day pre-primary C4.	146
16	MOXIE MEDIA	8/1/2017	\$ 2,500.00	CAMPAIGN CONSULTING		This should have been reported as debt on the 7-day pre-primary C4.	146
17	MOXIE MEDIA	8/1/2017	\$ 500.00	TRADE PRINTERY (SEATTLE) - 500 SLIM JMS		This should have been reported as debt on the 7-day pre-primary C4.	146
18	MOXIE MEDIA	8/1/2017	\$ 350.00	TRADE PRINTERY (SEATTLE) - 500 REMITS		This should have been reported as debt on the 7-day pre-primary C4.	146
19	MOXIE MEDIA	8/1/2017	\$ 500.00	TRADE PRINTERY (SEATTLE) - 500 STATIONERY SETS		This should have been reported as debt on the 7-day pre-primary C4.	146
20	MOXIE MEDIA	8/1/2017	\$ 375.00	TRADE PRINTERY (SEATTLE) - 250 PLACARDS		This should have been reported as debt on the 7-day pre-primary C4.	146
21	KADAHAYLA	8/31/2017	\$ 1,290.54	CAMPAIGN MANAGEMENT		This should have been reported as debt on the 7-day pre-primary C4.	146
22	INTERNAL REVENUE SERVICE	8/31/2017	\$ 853.60	PAYROLL TAXES		This should have been reported as debt on the 7-day pre-primary C4.	146
23	MOXIE MEDIA	8/1/2017	\$ 375.00	MORELINK (PORTLAND, OR) - 1K STICKERS		This should have been reported as debt on the 7-day pre-primary C4.	146
24	KADAHAYLA	9/15/2017	\$ 1,290.54	CAMPAIGN MANAGEMENT		This should have been reported on the post-primary C4.	98
25	INTERNAL REVENUE SERVICE	9/25/2017	\$ 426.80	PAYROLL TAXES		This should have been reported on the post-primary C4.	98
26	MCSHANE RAVEN	10/5/2017	\$ 2,000.00	SEPT FUNDRAISING		This should have been reported on the post-primary C4.	98
27	LILY'S SALVADOREAN CATERING	10/9/2017	\$ 685.00	CATERING FOR EVENT		This should have been reported on the post-primary C4.	98
28	CASA LATINA	10/9/2017	\$ 540.00	TICKETS FOR EVENT		This should have been reported on the post-primary C4.	98
29	INTERNATIONAL EXAMINER	10/12/2017	\$ 800.00	ONLINE & PRINT ADS 10/18-10/31		This should have been reported on the post-primary C4.	98
30	MOXIE MEDIA	9/15/2017	\$ 2,500.00	CAMPAIGN CONSULTING		This should have been reported on the post-primary C4.	98
31	MOXIE MEDIA	10/12/2017	\$ 1,275.00	AD DESIGN		This should have been reported on the post-primary C4.	98
32	THE SEATTLE MEDIUM	10/12/2017	\$ 375.00	ONLINE ADS 10/9-11/7		This should have been reported on the post-primary C4.	98
33	THE SEATTLE GLOBALIST	10/16/2017	\$ 650.00	ONLINE ADS 10/9-11/6		This should have been reported on the post-primary C4.	98
			Total	\$ 26,102.88			

Exhibit C-- Illegal Failure to breakdown expenditures/ in-kind contributions

Violation #	Vendor	Approximate Cumulative Days Late --	Date	Amount	Description	As of --	Violation	Report #	Approx. days late as of today
1	SALDANA REBECCA	191	5/10/2017	\$1.50	CAMPAIGN PARKING	12/18/2017	Failure to identify subvendor.	100777840	191