

## File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) (Sun, 10 Dec at 10:54 PM) via Portal [Meta](#)  
To Whom it May Concern --

It has come to my attention that the Island County Democratic Central Committee, as well as current & past officers Scott Chaplin, Janet St. Clair, Jerry Hill, Merri Huffine, Angie Homola, Steve DeHaven, Arthur Huffine, Brea Wetzel, Melody Risner, Gary McIntyre, Carolyn Tamler, and Sue Tingstad have 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.

*By way of this complaint, I am alleging that the committee officers listed above also violated RCW 42.17A in the ways outlined in **PDC Complaint #21332**.*

### **1) Illegal dissolution of political committee. (Violation of RCW 42.17A.235(8))**

State law prohibits political committees from dissolving until they have discharged all debts & obligations and ceased all activity & functions.

The Island County Democratic Central Committee was unable to dissolve as it was legally obligated to file a response in a court case where they were a named respondent. As such, their dissolution is illegal and invalid.

Despite this requirement in state law, the officers of the Island County Democratic Central Committee chose to dissolve their committee on November 3, 2017 after being sued by the State of Washington for habitual, frequent, and serious violations of **RCW 42.17A**. *See **Thurston Co. Case No. 17-2-04836-36***.

The charges levied against the committee were serious, and – by the committee’s own admission in its response to the PDC– it was largely guilty of the violations initially identified in the initial complaint.

Yet, rather than face the consequences of their actions and pay a penalty for violating state law as other committees have done, **the Island County Democratic Central Committee opted to engage in a fraudulent conveyance scheme**. On the same day they dissolved their committee, they transferred the \$10,635 of remaining committee funds to their law firm (\$5635.39) and to the Washington State Democratic Central Committee (\$5000).

Pursuant to **Superior Court Civil Rule 12**, all defendants must provide an answer within 20 days of service. They were provided service of the amended complaint on 10/16/2017 and were required to submit an answer by 11/5/2017, but dissolved two days prior to that deadline.

The required answer and all other legal work on the case would constitute reportable activity (either as an expenditure/in-kind contribution/debt)that would have to be filed on form C4. As such, it is simply not possible for a political committee to dissolve itself during pending litigation.

Moreover, under **the absurdity doctrine**, U.S. courts have always interpreted statutes contrary to their plain meaning to avoid absurd results. If the PDC or the judicial system were to hold that committees could dissolve themselves mid litigation to escape liability, the result would be that political committees would simply dissolve in response to any substantive complaint. There would be no purpose in having any campaign finance laws as there would be no meaningful way to hold political committees accountable for their violations.

Please note that per **RCW 42.17A.904**, the provisions of **RCW 42.17A** are to be construed liberally to effectuate the policies and purposes of that statute.

## **2) 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, the respondents have failed on numerous occasions to do this. *See final page.*

Furthermore, the political committee and its officers have failed to list how its remaining assets have been disposed of. This includes, but is not limited to, the money paid to its law firm.

It is unclear what work, if any, their law firm has performed for the committee beyond generating the attached form letter. \$5635.39 is an unreasonable price to pay for this work.

In addition, **PDC Report #100798573** was not filed correctly. Specifically, the following reported expenditure is not acceptable as a description for missing funds:

MATH CORRECTION 11/3/2017 \$78.86 OAK HARBOR WA 98277 MATH CORRECTION OF HISTORICAL DATA

If the balance of the bank account is off, the committee must identify the discrepancy and amend their reports to show accurate information.

## **3) 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, I believe that Island County Democratic Central Committee and its officers have failed to abide by this requirement.

Their actions in this matter to date indicate an unwillingness to behave within the confines of the law. It is highly likely that they have engaged in intentional spoliation of evidence. They should immediately be instructed to preserve all financial records in accordance with state law.

The PDC should investigate the near certainty that the Island County Democratic Central Committee and its officers committed the above violations maliciously, willfully, in concert with others all of 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