

File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) reported (Wed, 25 Oct at 10:24 PM) via Portal [Meta](#)

To Whom it May Concern --

It has come to my attention that Mukilteo for All 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 report pledges, loans, concealment of true source of contributions/expenditures. (Violation of RCW 42.17A.235, .240, .435)

RCW 42.17A.435 provides in relevant part that "[n]o contribution shall be made and no expenditure shall be incurred, directly or indirectly,... by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the contribution or in any other manner so as to effect concealment."

As of 10/24/2017, Mukilteo For All has incurred \$24,146.85 in debt for various electioneering expenditures to oppose a local candidate for office - Peter Zieve in his bid for Mukilteo City Council.

To date, the committee has only reported having received \$3241 in cash contributions from various donors.

On information and belief, the committee has failed to disclose pledges from individuals who plan on sending money to the committee or paying off its debts (loan). As such, Mukilteo voters have been maliciously and willfully prevented by the committee from seeing who is actually going to be paying for the committee's activity.

The citizens of Mukilteo have a right under RCW 42.17A to see who is funding this campaign against Mr. Zieve **BEFORE** the election is held.

The Mukilteo for All PAC must immediately disclose their pledges, loans, and other contributors. Failure to do so constitutes a serious violation of **RCW 42.17A.235, .240, and .435.**

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, Mukilteo for All has failed on numerous occasions to do this.

a) In-kind Contributions

i) The committee has failed to disclose the in-kind contribution of a PO Box.

On their website “Mukilteoforall.org” on the donate page, it is stated that “Checks can be made out to **Mukilteo For All**, and mailed to: P.O. Box 27113, Seattle, WA 98165.”

The source and value of this in-kind contribution must be reported immediately.

3) Failure to list top 5 contributors. (Violation of RCW 42.17A.320(2)(b))

On both their Youtube advertisement (<https://www.youtube.com/watch?v=kq1eS08y7bQ>, published 10/13/2017), and a postcard that was sent en masse to Mukilteo voters, Mukilteo for All (sent about 10/17/2017), the Committee failed to include the top 5 contributors, as required by state law.

This is a serious violation of state law. Mukilteo voters have a right to know who is funding these communications.

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

According to their website, "Mukilteo For All is guided by a steering committee of Mukilteoresidents:Glen Pickus resident, city planner, Paul Kramer resident, home renovation & repair, Liza Patchen-Short resident, children mental health liaison, Vinaya Chepuri resident, cardiologist, Riaz Khan, resident, Islamic Center of Mukilteo – President, Kimberlee Kramer, resident, teacher.

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" .

This list of individuals should have been listed as committee officers on Mukilteo for All's C1-PC form, however they were not. This is a violation of state law.

5) Illegal sponsorship of false and libelous statements intended to defame a candidate for public office. (Violation of RCW 42.17A.335)

State law prohibits candidates and committees from sponsoring statements constituting libel or defamation.

Additionally, making false statements of material fact about a candidate for public office are prohibited. For the purposes of interpreting this section, "libel or defamation per se" means statements that tend (a) to expose a living person to hatred, contempt, ridicule, or obloquy, or to deprive him or her of the benefit of public confidence or social intercourse, or to injure him or her in his or her business or occupation, or (b) to injure any person, corporation, or association in his, her, or its business or occupation.

Despite this requirement in state law, statements from Mukilteo for All consist of almost entirely libelous or defamatory statements about Peter Zieve that meet the above definition. No evidence or proof is provided. See attached postcard.

6) Failure to timely file form C6 reporting independent expenditure within 5 days. (Violation of RCW 42.17A.255(2))

State law requires that independent expenditures must be reported to the PDC in a timely fashion. The form for disclosing independent expenditures is identified as form C6 according to the PDC. A Youtube video was made available to the public on 10/13/2017 (see link above).

The C6 in this instance is due within 48 hours of when the ad is presented to the public. This means it should have been submitted no later than 10/15/2017. Unfortunately, this C6 was not submitted until 10/24/2017, **well past the statutory deadline.**

The PDC should investigate the possibility that Mukilteo for All 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.

Best Regards,

Glen Morgan

1 Attachme