

File a Formal Complaint - Walter Smith (Complaint submitted on behalf of Karen Hardy)

[Walter](#) reported (Tue, 17 Oct at 11:44 AM) via Portal [Meta](#)

To whom it may concern,

I write on behalf of my client, Karen Hardy, to notify you that there is good reason to believe several violations of chapter 42.17A RCW, Washington State's campaign finance law, have been committed by State Representative Joel Kretz (the "Respondent"), between 2015 and the present. My client has requested that you treat this filing as a complaint to the Public Disclosure Commission as provided by RCW 42.17A.105(5). A related citizen action notice was sent to the Attorney General's Office and county authorities on October 13, 2017.

This notice and the attached spreadsheet detail fifty-five apparent violations of various provisions of Washington's campaign finance law by the Respondent committed in his campaign for the State House of Representatives in 2016. The cumulative days late for all of the apparently untimely reporting included in this notice is 2,142 days. The Respondent has apparently violated chapter 42.17A RCW as follows:

A. Failure to timely deposit contributions and file Public Disclosure Commission form C-3 and C-4 reports ("Summary, Full Report Receipts and Expenditures" and "Cash Receipts Monetary Contributions") (Fifty-Three Violations)

The Respondent filed a large volume of late reporting of deposits of contributions and of expenditures on forms C-3 and C-4 between 2015 and 2017. The attached spreadsheet identifies 53 apparent violations of the law requiring timely deposit and reporting during this period. RCW 42.17A.235, .240. Notably, six contributions due to be deposited prior to the 2016 primary election were not deposited until much later; an additional two contributions were due before the 2016 general election but deposited later.

TOTAL DAYS LATE / REPORTS (2016) 77
TOTAL DAYS LATE / DEPOSITS (2016) 2,065
TOTAL DOLLAR VALUE LATE (2016) \$58,142

B. Unlawful transfers of candidate's authorized committee funds (Two Apparent Violations)

By law, contributions to political committees are not permitted from authorized committee funds although they may be made using surplus funds. RCW 42.17A.430(8). In his 2016 campaign, Respondent reported making two expenditures totaling \$600 in value from his authorized committee's funds that apparently benefited other political committees' fundraising events. To the extent these transfers represented a contribution to the other committees from authorized committee funds, see RCW 42.17A.005(13)(a)(iv) and WAC 390-05-205 (contribution excludes costs of consumables furnished at fundraising event), they violated the prohibitions on making contributions from authorized committee funds to other political committees. The activity at issue includes:

- a. Expenditure dated 6/24/16 for "Contribution" from campaign funds to MTM Spokane (\$500);
- b. Expenditure dated 6/1/16 for "Contribution" to Stevens County Republican Party from campaign funds (\$100).

Please advise if you should have any question about this complaint, and please let me know if the Commission schedules any hearing, or Commission staff takes enforcement action or issues any other final action about the allegations listed above.

Sincerely,

Walter Smith