

Fwd: Citizen Action Notice Complaint - Request for Response

[Clark4olympia](#) (Sun, 22 Jul at 1:15 PM)

Please find attached my response to PDC Case 26330, initiated by Glen Morgan asserting deficiencies in my campaign filings for the Nov 2017 election campaign.

Clark Gilman

Committee to Retain Clark Gilman – Olympia City Council

120 State Ave NE #124

Olympia WA 98501

(360) 401-5489

clark4olympia@gmail.com

----- Forwarded message -----

From: **Clark Gilman** <clark4olympia@gmail.com>

Date: Mon, Nov 13, 2017 at 3:44 PM

Subject: Re: Citizen Action Notice Complaint - Request for Response

To: Perkins, Tony (ATG) <TonyP@atg.wa.gov>

13 November 2017

Tony Perkins

Investigator, Campaign Finance Unit

Washington Attorney General's Office

via email tonyp@atg.wa.gov

Mr. Perkins,

This letter is a response to allegations by Mr. Glen Morgan that I, in the conduct of my campaign to retain my position on Olympia City Council, engaged in intentional and malicious acts designed to misrepresent my election campaign finances.

I am proud of my campaign for Olympia City Council. We worked hard to maintain accurate and timely records both to satisfy the law and to respect the many people who made small donations to fund this election effort. I believe in and have successfully followed similar requirements as a union official. I successfully led my Local Union, as elected Financial Secretary, through both Department of Labor and Internal Revenue Service audits with no negative findings.

In my campaign for Olympia City Council I made every effort to comply with all Washington State Public Disclosure Commission requirements and to follow best practices for accounting and banking. Early in the campaign I received advice from parties allied with Mr. Morgan regarding best practices for PDC reports. We did our best to heed that advice. We also consulted with other people who have long experience serving as campaign treasurers. It has consistently been my intention to file accurate and timely reports to create a transparent public record of my campaign activity.

Some of Mr. Morgan's complaints are, to the best of my understanding, erroneous. Others I feel are easily explained and corrected and do not suggest intention or malice. I remain willing to provide whatever additional documentation and explanations are required to clear up this matter.

For example, Mr. Morgan claims that we were 84 days late in filing C4 report 100765266. It is accurate to say that we made three amendments in our efforts to best comply with reporting requirements. The initial filing for February 5 through February 26th was filed in a timely fashion on March 2. Amendments were made on March 12th, May 8, and June 2. The C4 for this time period was not 84 days late.

02/05/2017 - 02/28/2017	100765266		6/2/2017	C4
02/05/2017 - 02/28/2017	100758935 100758935 (Amended by: 100765266)		5/8/2017	C4
02/05/2017 - 02/28/2017	100752460 100752460 (Amended by: 100758935)		3/12/2017	C4
02/05/2017 - 02/28/2017	100750473 (Amended by: 100752460)		3/2/2017	C4

Regarding assertions that I illegally failed to timely report debt, I am well aware of the practice of “encumbering” funds when a commitment is made. I don’t believe it was realistic or practical to expect that we would have submitted the expenses in question earlier than we did. The two expenses for printing at Capital City Press were paid and reported the same week as the printer finalized the bill and invoiced my campaign. The Web Design expense of \$599 was paid and reported promptly. We did not have a firm price for web design to encumber prior to our report. I hired a person who is learning the business of web design and branding. We had different understandings of what she would provide and how much the project would cost. The bill as reported is the result of our negotiation and compromise.

There are two expenses listed on the list of “illegally failed to timely report debt” where Mr. Morgan claims that we should have filed Pre-Primary C4 reports. I believe this error may be a result of Mr. Morgan filing cookie cutter complaints for many candidates. Our guidance from the Washington Public Disclosure Commission stated that “Candidates not on the primary election ballot file monthly reports in June, July, August, and September.”

As regards a possible failure to adequately breakdown/describe expenditures:
To address Mr. Morgan’s concerns about the quantities of printing purchased, I will supply quantities here. For report 100765267, we purchased 1,000 remit envelopes and 600 postcards.
For report 100765268, we purchased 250 yard signs.

To address Mr. Morgan’s concerns about subvendors, I will supply more detail about the three expenses in question.

The \$52 printing of the precinct map file from the Thurston County Auditor was performed by FedEx Copy and Printing Center in West Olympia.

The \$259.49 Lake Fair Parade expenses reimbursed to Helen Lee on 14 July included \$99.64 in copying from Office Depot in Lacey, \$26.06 for 12 pennants and 12 small bags from the Dollar Store in Lacey, \$56.35 for 50 foam visors from Michael's Craft store and \$42.96 for 14 purple t-shirts from Michael's Craft store, and \$34.47 for 32 kazoo's from Music 6000 in Lacey.

The \$183.51 Kick Off expenses reimbursed to Helen Lee included \$15.76 to Fred Meyer for cleaning supplies, \$71.21 to Ralph's Thriftway for water and juice and \$96.54 to Cash and Carry for plates, napkins, garbage bags and cleaning supplies, all for a campaign fundraising and volunteer recognition event held at the Hyak Lumber building.

Mr. Perkins, thank you for the opportunity to respond to the allegations by Mr. Glen Morgan. Should you require any additional information I remain ready and willing to assist.

Sincerely,

Clark Gilman

Clark Gilman
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360-401-5489

On Mon, Oct 30, 2017 at 12:00 PM, Perkins, Tony (ATG) <TonyP@atg.wa.gov> wrote:

Dear Mr. Gilman,

I am writing to let you know that on Monday, October 9, 2017, the Washington Attorney General's office received a citizen action notice complaint filed under RCW 42.17A.765(4) by Glen Morgan, alleging violations of Washington's campaign finance and disclosure requirements by your 2017 campaign. The notice alleges that your campaign failed to timely file C-3 and C-4 reports disclosing contributions and expenditures (including debts), and that you failed to provide complete descriptions of the purpose of expenditures.

I've attached an electronic copy of the complaint and attachments for your review. Per state law, the initial 45-day notice period for this complaint expires Thursday, November 23, 2017. After reviewing the allegations, please prepare a written response and send it to me by email. A response by Monday, November 13, 2017 would be appreciated. Finally, please reply to this email to confirm receipt.

Thank you for your attention to this.

Sincerely,

Tony Perkins

Investigator, Campaign Finance Unit
Washington Attorney General's Office
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