



# Smith & Dietrich Law Offices

## South Sound Community Lawyers

Smith & Dietrich  
Law Offices PLLC

September 1, 2017

Via Electronic Delivery

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Re: *Citizen Action Notice Against State Representative Norma Smith*

Dear Attorney General Ferguson and County Prosecuting Attorneys Tunheim and Banks,

I write to notify you that there is good reason to believe a violation of chapter 42.17A RCW, Washington State's campaign finance law, have been committed by State Representative Norma Smith and Friends of Norma Smith, a candidate authorized committee (the "Respondents"), between 2015 and the present. Please note that, as provided by RCW 42.17A.765(4), if you do not initiate an action against the Respondents within the applicable statutory notice periods for this Citizen Action Notice, I intend to satisfy any applicable notice requirements and proceed with an action in the name of the State. This message is being sent to each of you at the e-mail address you have provided to the Washington State Bar Association or your employer to ensure you receive notification of these allegations as required by RCW 42.17A.765(4).

This notice summarizes an apparent violation of Washington's campaign finance law by the Respondents, which took place during their campaign to elect Ms. Smith to the Washington House of Representatives for the 10<sup>th</sup> Legislative District in 2016. The Respondents have apparently violated chapter 42.17A RCW as follows:

### **A. Personal use of candidate's authorized committee funds (1 violation)**

By law, a candidate may not make personal use of funds raised for campaign purposes except under certain narrow circumstances. RCW 42.17A.445. Contributions to political committees are not permitted from authorized committee funds although they may be made using surplus funds. RCW 42.17A.430(8). On August 26, 2016, the House Republican Organizational Committee reported receiving a contribution of \$30,000 from Respondent Friends of Norma Smith's surplus funds. However, in its own reporting, the Respondent Committee stated that it gave a donation of *campaign funds* directly to HROC on 8/8/16 in the amount of \$30,000. If indeed the Committee transferred funds directly from its campaign moneys to the HROC, then it would appear this was a violation of the prohibition on personal use of campaign funds, and an unlawful transfer to another committee.

I await your position as to whether there is reasonable cause for a civil enforcement action based on these allegations, and whether you will file such an action in the name of the State.

Sincerely,

A handwritten signature in blue ink, appearing to read "Walter M. Smith". The signature is fluid and cursive, with the first name "Walter" being the most prominent.

Walter M. Smith

cc: Linda A. Dalton, Senior Counsel, Attorney General's Office (via e-mail)  
Public Disclosure Commission staff (via e-mail)