



Smith & Dietrich Law Offices

South Sound Community Lawyers

Smith & Dietrich
Law Offices PLLC

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Via Electronic Delivery

Members
Walter Smith
Steve Dietrich

Bob Ferguson, Attorney General

judyg@atg.wa.gov

Jon Tunheim, Thurston County Prosecuting Attorney

tunheij@co.thurston.wa.us

Greg Zempel, Kittitas County Prosecuting Attorney

greg.zempel@co.kittitas.wa.us

Address
400 Union Ave. SE
Suite 200
Olympia, WA 98501

Telephone
(360) 918-7230

Re: *Citizen Action Notice Against State Representative Mathew Manweller*

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

I write to notify you that there is good reason to believe violations of chapter 42.17A RCW, Washington State's campaign finance law, have been committed by State Representative Mathew Manweller and the Committee to Elect Matt Manweller, 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 details nine apparent violations of various provisions of Washington's campaign finance law by the Respondents, which took place during their campaign to elect Mr. Manweller to the Washington House of Representatives for the 13th Legislative District in 2016. The cumulative delinquency of the late filings summarized below is 463 days late. The Respondents have apparently violated chapter 42.17A RCW as follows:

A. Personal use and unlawful transfer of candidate's authorized committee funds (2 violations)

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 \$72,500 from Respondent Committee to Elect Matt Manweller's surplus funds. However, in its own reporting, the Respondent Committee stated that it gave a donation of *campaign funds* directly to HROC on 8/12/16 in the amount of \$72,500. 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.

B. Failure to timely file and/or amend Public Disclosure Commission form C-1 and C-4 reports (“Candidate Registration” and “Summary, Full Report Receipts and Expenditures”) (7 violations)

The Respondents filed a significant volume of late reporting of their expenditures on forms C-4 during 2015-16, and filed and amended form C-1 in an untimely manner. Although the campaign reported making expenditures on various occasions, the first filing of form C-1 announcing Mr. Manweller’s candidacy for the Socialist Workers Party in the 2016 general election race took place July 26, 2016. Previous expenditures were reported on the following dates:

EXPENSES OF \$50 OR LESS	5/1/2015	\$10.80				
EXPENSES OF \$50 OR LESS	6/1/2015	\$10.80				
EXPENSES OF \$50 OR LESS	7/1/2015	\$58.48				
ABBOTS PRINTING	7/2/2015	\$186.36	ELLENSBURG	WA	98926	ENVELOPES
THE COPY SHOP	7/22/2015	\$110.56	ELLENSBURG	WA	98926	PRINTING

Accordingly, form C-1 was due by May 15, 2015, the date fourteen days after the first actual expenditure in support of Mr. Manweller’s candidacy. Later, on October 6, 2015, Respondents filed a form C-1 announcing that the candidate was affiliated with the Republican Party. The filing was due on May 15, 2015, and the delinquency periods are calculated below.

The below table identifies six apparent violations of the law requiring timely reporting of candidate registration and expenditures during this period. RCW 42.17A.235, .240. The apparent violations break down as follows:

<u>Number</u>	<u>Report Type</u>	<u>Date Filed</u>	<u>Amd.</u>	<u>Report due</u>	<u>Report days late</u>	<u>Dollar value late</u>
N/A	C1	7/26/2015	N	5/15/2015	72	N/A
100659930	C1	10/6/2015	N	5/15/2015	144	N/A
100653580	C4	8/23/2015	N	5/15/2015	100	10.80
100653581	C4	8/23/2015	N	7/10/2015	44	10.80
100678969	C4	2/16/2016	N	1/10/2016	37	277.31
100695431	C4	5/13/2016	N	4/10/2016	33	59.41
100695432	C4	5/13/2016	N	4/10/2016	33	259.41

TOTAL DAYS LATE / REPORTS (2015-16)	463
TOTAL DOLLAR VALUE LATE (2015-16)	\$617.73
TOTAL NUMBER OF LATE REPORTS (2015-16)	7

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,



Walter M. Smith

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