

FILED

AUG 01 2017

Superior Court
Linda Myhre Enlow
Thurston County Clerk

STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

NO. 17-2-04408-34

v.

COMPLAINT FOR CIVIL
PENALTIES AND FOR INJUNCTIVE
RELIEF FOR VIOLATIONS OF
RCW 42.17A

WASHINGTON & NORTHERN
IDAHO DISTRICT COUNCIL OF
LABORERS PAC, a Washington
registered political committee,

Defendant.

I. NATURE OF ACTION

The State of Washington (State) brings this action to enforce the State's campaign finance and disclosure law, RCW 42.17A. The State alleges that Defendant, WASHINGTON & NORTHERN IDAHO DISTRICT COUNCIL OF LABORERS PAC, a registered political committee in Washington, violated provisions of RCW 42.17A by failing to timely file and disclose contributions and expenditures in reports to the state Public Disclosure Commission. The State seeks relief under RCW 42.17A.750 and .765, including civil penalties, costs and fees, and injunctive relief.

II. PARTIES

2.1 Plaintiff is the State of Washington. Acting through the Washington State Attorney General, a local prosecuting attorney, or the Public Disclosure Commission, the State enforces the state campaign finance disclosure laws contained in RCW 42.17A.

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1 2.2 Defendant WASHINGTON & NORTHERN IDAHO DISTRICT COUNCIL
2 OF LABORERS PAC (Committee) is registered as a political committee with the state Public
3 Disclosure Commission. The committee filed its most recent committee registration form on
4 October 23, 2014.

5 **III. JURISDICTION AND VENUE**

6 3.1 This Court has subject matter jurisdiction over the present case, in accordance
7 with RCW 42.17A. The Attorney General has authority to bring this action pursuant to
8 RCW 42.17A.765.

9 3.2 This Court has personal jurisdiction over the Committee, a registered political
10 committee in the State of Washington. The Committee's headquarters are located in Mill
11 Creek, Snohomish County, Washington. It was required to timely file and complete reports of
12 contributions received and expenditures made with the state Public Disclosure Commission,
13 which is located in Thurston County, Washington. Additionally, the acts and omissions
14 complained of here took place in Thurston County.

15 3.3 Venue is proper in this Court pursuant to RCW 4.12.020(1).

16 **IV. FACTUAL ALLEGATIONS**

17 4.1 RCW 42.17A declares as a matter of public policy "[t]hat political campaign
18 and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is
19 to be avoided." RCW 42.17A.001(1). The statute further provides that the state's campaign
20 finance and disclosure law "shall be liberally construed to promote complete disclosure of all
21 information respecting the financing of political campaigns."

22 4.2 Washington's campaign finance law requires political committees to timely
23 report contributions received, including in-kind contributions. The information required to be
24 disclosed includes the name and address of the source of contributions that exceed \$25 in the
25 aggregate, and the employer and occupation of any individual contributor giving more than
26 \$100 in the aggregate. RCW 42.17A.235, .240; WAC 390-16-037. Contribution disclosures are

1 reported on a Public Disclosure Commission form "C-3" which is called the "Cash Receipt
2 Monetary Contributions" form.

3 4.3 Washington's campaign finance law also requires political committees to timely
4 report expenditures related to state campaigns, including any debts incurred by the political
5 committee. RCW 42.17A.235, .240(8); RCW 42.17A.005(20). The PDC form to report
6 expenditures is called a "Summary, Full Report Receipts and Expenditures" and is a form
7 "C-4." An expenditure is defined to include "a *promise to pay*, For the purposes of this
8 chapter, agreements to make expenditures, contracts, and promises to pay may be reported as
9 estimated obligations until actual payment is made." RCW 42.17A.005(20).

10 4.4 The Committee routinely accepts contributions and makes expenditures to
11 support various candidates, bona fide political party committees, and caucus political
12 committees. From 2013 - 2017, the Committee received contributions and made expenditures,
13 all of which should have been reported in accordance with RCW 42.17A.

14 *Failure to Timely Report Contributions Received*

15 4.5 Since 2013, the Committee failed to timely disclose contributions it received as
16 required by law on a C-3 report. Specifically, the Committee failed to timely file and disclose
17 \$350,855.06 in contributions received during 2013, 2014, 2015, 2016, and 2017 on 20 separate
18 C-3 reports. These reports ranged from 31 to 714 days late, representing a collective total of
19 2,893 days late:

Report	Election Year	C-3 Deposit Amount	Report Due	Date Filed	Days Late
1	2013	\$9,552.06	10/21/2013	12/19/2013	59
2	2014	\$10,000.00	7/7/2014	8/7/2014	31
3	2014	\$10,000.00	8/18/2014	9/22/2014	35
4	2015	\$25,000.00	4/10/2015	1/27/2016	292
5	2015	\$40.00	4/10/2015	1/27/2016	292
6	2015	\$20,000.00	5/11/2015	10/9/2015	151

7	2015	\$30,010.00	6/10/2015	10/9/2015	121
8	2015	\$25,000.00	6/8/2015	10/9/2015	123
9	2015	\$20,000.00	7/20/2015	10/9/2015	81
10	2015	\$15,000.00	8/31/2015	10/9/2015	39
11	2015	\$40,000.00	9/14/2015	1/27/2016	135
12	2015	\$113.00	9/28/2015	1/27/2016	121
13	2015	\$25,000.00	1/11/2016	1/27/2016	16
14	2016	\$10,000.00	3/10/2014	2/22/2016	714
15	2016	\$25,000.00	7/4/2016	2/13/2017	224
16	2016	\$25,000.00	8/29/2016	2/13/2017	168
17	2016	\$18,000.00	10/3/2016	2/23/2017	143
18	2016	\$25,000.00	1/10/2017	2/23/2017	44
19	2017	\$18,000.00	4/10/2017	6/1/2017	52
20	2017	\$140.00	4/10/2017	6/1/2017	52
	TOTAL	\$350,855.06			2,893

Failure to Timely Report Expenditures

4.6 Since 2014, the Committee failed to timely disclose expenditures made as required by law on a C-4 report. Specifically, the Committee failed to timely file and disclose \$226,600 in expenditures made during 15 reporting periods on 16 separate C-4 reports. These reports ranged from nine to 352 days late, representing a collective total of 2,526 days late:

Report	Election Year	Report From	Report To	Expenditure Total	Date Due	Date Filed	Days Late
1	2014	4/1/2014	4/30/2014	\$5,400.00	5/12/2014	5/21/2014	9
2	2014	7/1/2014	7/31/2014	\$5,000.00	7/15/2014	8/7/2014	23
3	2014	10/1/2014	10/31/2014	\$17,050.00	10/14/2014	11/6/2014	23
4	2015	1/1/2015	1/31/2015	\$1,000.00	2/10/2015	1/28/2016	352
5	2015	3/1/2015	3/31/2015	\$2,500.00	4/10/2015	10/9/2015	182
6	2015	5/1/2015	5/31/2015	\$750.00	6/10/2015	10/9/2015	121

1	7	2015	5/1/2015	5/31/2015	\$400.00	6/10/2015	1/28/2016	232
2	8	2015	7/28/2015	8/31/2015	\$7,500.00	9/10/2015	10/9/2015	29
3	9	2016	3/1/2016	3/31/2016	\$5,000.00	4/11/2016	2/23/2017	318
4	10	2016	4/1/2016	4/30/2016	\$1,000.00	5/10/2016	2/13/2017	279
5	11	2016	5/1/2016	5/31/2016	\$75,000.00	6/10/2016	2/13/2017	248
6	12	2016	6/1/2016	6/30/2016	\$50,850.00	7/12/2016	2/13/2017	216
7	13	2016	7/1/2016	7/31/2016	\$11,000.00	7/26/2016	2/13/2017	202
8	14	2016	9/1/2016	9/30/2016	\$29,150.00	10/18/2016	2/15/2017	120
9	15	2016	10/1/2016	10/31/2016	\$5,000.00	10/18/2016	2/15/2017	120
10	16	2017	3/1/2017	3/31/2017	\$10,000.00	4/10/2017	6/1/2017	52
	TOTAL				\$226,600.00			2,526

V. CLAIMS

Plaintiff re-alleges and incorporates by reference all the factual allegations contained in the preceding paragraphs, and based on those allegations, makes the following claims:

5.1 First Claim: Plaintiff reasserts the factual allegations made above and further asserts that Defendant, in violation of RCW 42.17A.235 and .240, failed to timely disclose contributions it received to the Public Disclosure Commission.

5.2 Second Claim: Plaintiff reasserts the factual allegations made above and further asserts that Defendant, in violation of RCW 42.17A.235 and .240, failed to timely disclose expenditures it made to the Public Disclosure Commission.

VI. REQUEST FOR RELIEF

WHEREFORE, Plaintiff requests the following relief as provided by law:

6.1 For such remedies as the court may deem appropriate under RCW 42.17A.750, including but not limited to imposition of a civil penalty, all to be determined at trial;

6.2 For all costs of investigation and trial, including reasonable attorneys' fees, as authorized by RCW 42.17A.765(5);

6.3 For temporary and permanent injunctive relief, as authorized by

1 RCW 42.17A.750(1)(h); and

2 6.4 For such other legal and equitable relief as this Court deems appropriate.

3 DATED this 1st day of August, 2017.

4 ROBERT W. FERGUSON
5 Attorney General

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7 LINDA A. DALTON, WSBA No. 15467
8 Senior Assistant Attorney General
9 Attorneys for Plaintiff State of Washington

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