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Attorney General's Office files campaign finance complaint against San Juan County Democrats

Fri Jun 30th, 2017 1:15pm · [NEWS \(HTTP://WWW.SANJUANJOURNAL.COM/NEWS/\)](http://www.sanjuanjournal.com/news/)



Submitted by the Washington State Attorney General's Office

The Attorney General's Office filed a complaint in Thurston County Superior Court on June 28 alleging campaign finance violations by the San Juan County Democrats. Specifically, the AGO asserts the committee failed to timely report a total of \$30,290 in expenditures, \$15,514 in debt, and \$15,060 in contributions throughout 2016.

Attorney General Bob Ferguson recused himself from any involvement in the matter (he has recused himself from all the lawmakers and Democratic organizations the office has handled). Senior Assistant Attorney General Linda Dalton is handling the case.

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The AGO received a Citizen Action Notice alleging multiple violations of the state's public disclosure laws in April 2017. The notice was filed by Glen Morgan, a Thurston County resident.

After receiving the notice, AGO staff determined SJCD failed to timely file numerous reports of contributions received and expenditures made during election year 2016. Among other reporting deficiencies, SJCD:

- Failed to timely disclose \$30,290 in expenditures on 12 separate reports, ranging from three to 165 days late. The committee filed every such report for 2016 late.

- Failed to timely disclose \$15,060 in contributions on 35 separate reports, ranging from three to 126 days late.

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- Failed to timely report \$15,514 in debts and obligations incurred on four reports, ranging from 41 to 135 days late. The committee acknowledged its failure to timely report these debts and began filing amended reports May 9, 2017.

The state seeks penalties and injunctive relief. The defendant has 20 days from the date they are served to respond to the state's complaint.

When the Attorney General's Office receives a Citizen Action Notice, it has 45 days to investigate and respond to the citizen. If the Attorney General's Office or local prosecutor does not start litigation, the individual may sue in the name of the state. If litigation is successful, any penalties awarded would go to the state, and the individual's attorney could recover attorney fees and costs. If the citizen's litigation is unsuccessful, the defendant may recover attorney fees from the state.

The Attorney General's Office enforces the state's campaign finance disclosure law to ensure free, open and fair elections in Washington state.

The San Juan County Democrats released the following statement regarding the allegations.

The San Juan County Democrats have received the complaint of the Attorney General of Washington State dated June 28. We have just initiated the process of preparing our response to the AG, which will be submitted within the next 20 days as required by law.

Of the 51 specific allegations in the AG complaint, most (47) are the result of alleged late reporting of contributions and expenditures to the Public Disclosure Commission of Washington State. The other four are the result of our misunderstanding of how to report contractual debt such as rent. (We have no bank or other interest-bearing debt.) There are no allegations of the more serious offense of failure to report contributions or expenditures.

We have been aware of several of the allegations in the AG complaint since April 26. On that date, an individual seeking to undermine progressive and Democratic causes filed a complaint with the PDC against the SJCDs. As a result of that earlier

complaint, we consulted with the PDC and made several necessary corrections and updates to our past reporting. We also determined that many other items in the April 26 complaint were not true, and the AG did not ultimately include them in its complaint. The April 26 complaint, and our response on May 15, as amended on May 16, can be found at

<https://www.pdc.wa.gov/browse/cases/17240>

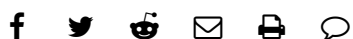
(<https://www.pdc.wa.gov/browse/cases/17240>).

It is worth noting that the individual filing the April 26 complaint against our party has a history of harassing other county Democratic parties in our state, as well as a wide range of Democratic and progressive candidates and organizations. Since Jan. 1, this individual has filed a total of approximately 90 such complaints, none of which were directed at Republican or conservative organizations. Readers can learn more about this individual's record of harassment by reading the recent Seattle Times article at www.seattletimes.com/seattlenews/politics/citizen-watchdog-peppers-washington-state-with-campaign-finance-complaintsagainst-dems/ (<http://www.seattletimes.com/seattle-news/politics/citizen-watchdog-peppers-washington-state-with-campaign-finance-complaints-against-dems/>).

We are confident that all of the allegations in the complaint that may be ultimately found to be true will only be so as a result of our failure to properly understand and implement the procedures of the ORCA accounting and reporting system of the PDC, almost exclusively as it relates to deadlines for reporting. We have already taken steps to improve our use of ORCA to report contributions, expenditures, etc. to the PDC to avoid the repetition of any past reporting errors. We are confident no such errors have occurred in 2017.

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The SJCDs will work with the AG to address any errors committed, as well as to resolve this case in a manner mutually acceptable to both parties.



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