

## Complaint Description

[Glen Morgan](#) (Tue, 22 Oct 2019 at 11:06 PM)

To Whom it may concern,

It has come to my attention and to the attention of apparently every voter in the City of Olympia that the City of Olympia (City Council members Jim Cooper, Nathaniel Jones, Clark Gilman, Lisa Parshley, Renata Rollins, Jessica Batman and Mayor Cheryl Selby as well as City Manager Steve Hall), have clearly violated Washington State's Campaign Finance laws (**RCW 42.17A**).

### **1) Misuse of public resources to create, produce, and send a mailer to voters in the city of Olympia to oppose a ballot initiative (RCW 42.17A.555)**

Copies of this mailer are attached. This is a shocking misuse of public resources, and there is no excuse for this type of illegal activity from the City of Olympia, all the elected officials and the County Manager Steve Hall to commit this violation. These are experienced politicians and Steve Hall is one of the more experienced City Managers in the State of Washington. They've all had PDC complaints filed against them in the past, and many of them have crafted their own PDC complaints to file against others. The PDC's offices are located in the city itself. Most of them can drop by the PDC offices after getting a cup of Starbucks on their way to visit the homeless/addict camps downtown.

Some of these people are even serial violators of the campaign finance laws. For example, Jim Cooper has been fined by the Washington State Attorney General's office for violations he committed during his failed 2016 campaign for the Thurston County Commission (see PDC warning letter and AG judgement attached). He was also fined in Thurston Superior Court for additional campaign finance violations he committed during his 2017 Olympia City Council race (see **Thurston County Superior Court Case #18-2-00523-34**). All of these Councilmembers were very active in the Thurston County Democratic Party when that organization was in active litigation with the AG which resulted in a significant judgement (see attached). Of any collection of politicians in the State of Washington – this is the crew most versed in the nuances of our state's glorious campaign finance laws. What were they thinking? It appears they were thinking they can violate the law with impunity and it won't be applied to them. There is no excuse for this.

According to a quote in the Seattle Times story dated October 22, 2019 "State investigating City of Olympia mailer urging no vote on car-tab initiative 976":

*"Olympia spokeswoman Kellie Purce Braseth confirmed the city sent the mailer to about 15,000 households at a cost of \$7,423 from the city's general fund."*

In addition to the violation of paying for the mailer, the postage, (for which city spokesperson already admits to spending \$7,423), there is the additional costs of producing the artwork, using city computers to do this, using other city employees to pay the vendor, negotiate costs, use mailing lists, use city

email, use city facilities to layout the artwork, edit the copy, produce the original manuscript, etc. There is no grey area in the law here. The City of Olympia is not allowed to “urge a NO vote on...” ANYTHING, not a candidate nor a ballot measure. This was a willful misuse of taxpayer funds to influence an election outcome and it is rare to find any group of elected officials so willfully and with knowledge to blatantly violate the law like this.

This was not done “on the advice of counsel.” Even in a world awash with incompetent attorneys and even allowing for the fact that many of the worst and most incompetent go to work for the government, it isn’t realistic that any attorney gave approval for this mailer and claimed it was legal (or not a violation of **RCW 42.17A.555**). The reality is this quote is falsely made for the city council and senior staff to avoid legal liability (trebling of fines) by pretending they thought what they were doing was legal. They know it wasn’t, however, this is a way to mitigate their personal exposure to the potential liability in case their gamble fails and the PDC (or the AG) actually decides to enforce the law equally in this case.

This may be one of those cases where the PDC has to make a serious decision that actually has a real impact. Elected officials and senior bureaucrats who live near your homes and with whom employees of the PDC may even socialize or know personally have decided to flagrantly and with malice and forethought, chosen to blatantly violate the states campaign finance laws knowing they will never be held accountable. The PDC can either rigorously enforce the statute on these people or decide the law no longer applies.

## **2) Failure to list the top five contributors (Violation of RCW 42.17A.320)**

Obviously, they have failed to list their top 5 contributors. The City spokesperson said they used General Funds. They receive grant funds and funding from various sources, so there is a list of these top “contributors” somewhere and they didn’t list it.

I don’t know how to make this complaint any clearer.

Best Regards,

Glen Morgan

### **What impact does the alleged violation(s) have on the public?**

Taxpayer funded entities like the City of Olympia are not allowed to squander tax dollars attempting to influence political campaigns or send out taxpayer funded mailers telling people to "Vote No" on initiatives. This is a willful, blatant, and intentional violation of the state's campaign finance laws and the council is clearly laughing and mocking the PDC.

### **List of attached evidence or contact information where evidence may be found.**

Attached as referenced

### **List of potential witnesses with contact information to reach them.**

Every single elected official in the city, City manager Steve Hall, all senior staff who participated in this decision and action and who facilitated this illegal mailer. The "legal counsel" who supposedly said it was ok should be identified and disbarred (assuming this is even a true claim).

**Complaint Certification:**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.