

July 5<sup>th</sup>, 2017

**Public Disclosure Commission**

711 Capitol Way #206  
PO Box 40908  
Olympia, WA

In response to allegations of violations of RCW 42.17

Just Want Privacy submits the following in response to allegations from Monisha Harrell alleging multiple violations of PDC law.

While each specific allegation is addressed below, it should be noted that all the allegations made in the complaint are based entirely on information published on the internet or otherwise broadcast by Just Want Privacy. Not only is JWP compliant with the letter of the law, the dependence upon information published on the internet or public radio programs demonstrates that there has been no attempt to hide anything from the public.

JWP is thankful that Ms. Harrell and her associates are such voracious readers of JWP materials and conversations. JWP would like to assure them that JWP shares their obvious concern for public disclosure laws as indicated by the professional services retained for that purpose and the timely, good faith filings that describe campaign activities. If at any time complainants observe activity they believe discover a real or perceived violation, JWP's volunteer team of non-attorney's would be thrilled to receive input on activity they are engaged in that could unknowingly be an in-kind contribution.

RE: FPIW activities.

**1. FPIW Gender Revolution Events are Campaign Events**

FPIW regularly conducts community meetings to discuss issues of interest to its core constituency. Prior to the election, FPIW conducted a series entitled "Defending Freedom" in a dozen locations around the state, after the election FPIW conducted another session entitled, "Family Issues in a Trump Administration." The most recent series entitled "Gender Revolution: Why everything seems backwards and what it means for education" discusses the origin and politics of the gender debate with an emphasis on its impact for education. One slide out of fifty- three that comprise the presentation referenced I-1552. The events were never intended to be and never were campaign events. None of the promotions or advertisements for the statewide series mentioned I-1552 in anyway. The events focused on a much broader conversation that was inclusive of, but mostly unrelated to, I-1552.

**2. FPIW Emails mentioning I-1552**

JWP acknowledges that FPIW has sent two emails discussing I – 1552 since January. Those communications are specifically exempted from reportable contributions under RCW 42.17a.005(12)(b)(v) because it was "an internal political communication primarily limited to the members of or contributors to the...members of a membership organizations." Alternatively, it is exempted under 42.17a.005(12)(b)(iv) as a "news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public.." FPIW frequently offers information and opinion on issues

Since it was published and broadcast throughout the state, it cannot reasonably be argued that these communications were an attempt to hide support from the public.

However, in an abundance of caution, in an attempt to operate in good faith, JWP is amend the reports to reflect a contribution from the March email and will do so for the June email as well.

### **3. JWP table at FPIW event**

JWP and FPIW acknowledge that this happened. As a matter of course, FPIW has allowed aligned organizations to set up tables in the hallway adjacent to events free of charge. Consistent with RCW 42.17a.005(12)(b)(v), the value reported is precisely the amount charged for others who have been given the same opportunity. Zero.

However, in an abundance of caution, in an attempt to operate in good faith, JWP is amending the May report to reflect a contribution of \$500.

### **4. Joseph Backholm's time**

Mr. Backholm serves as the campaign chairman in a volunteer capacity. The board of the Family Policy Institute of Washington specifically discussed Mr. Backholm's involvement with the campaign and told him that he would not be released from any of his FPIW duties and that any involvement would be as a volunteer in addition to his regular duties as the President of FPIW. His involvement has been public, limited, and consistent with that of a volunteer. Mr. Backholm did create a single, three-minute, unscripted video discussing the initiative on behalf of the campaign and engage in approximately a half dozen media interviews since January. But that level of engagement is limited and consistent with that of a volunteer.

### **5. FPIW Sharing Resources with JWP**

This is false. JWP has an entire campaign infrastructure, comprised almost entirely of volunteers, spread throughout Washington State, completely unrelated to FPIW. This includes a separate phone number, address, reception, communications director, statewide grassroots coordinator with dozens of local leaders, compliance, bookkeeping, management of paid signature gatherers, and petition processing. None of the individuals involved in the JWP infrastructure are employees of FPIW. While FPIW's support of the position taken by 1552 is well known, JWP is in every way a separate organization.

### **6. FPIW serving as a regional petition center**

The FPIW office in Lynnwood is one of dozens of locations around the state where the public can pick up petitions for 1552. The use of the office space for this purpose was not reported as an in-kind contribution because it is *de minimus*.

### **7. National organizations making in-kind contributions**

The complaint does not identify the nature of the alleged in-kind contribution, except for quote from a radio interview in which JWP's communications director indicated that there were national organizations who "support" the effort. We are not aware of any requirement that makes moral support a reportable event. Since no specific violation was alleged, there does not appear to be a specific allegation to respond to.

### **8. Bentson Printing**

Bentson Printing is a vendor that has provided printing services for Just Want Privacy, as indicated by the expenditures reported on 4/5 and 3/20. The complaint incorrectly states that work was done on May 19<sup>th</sup>. Bentson Printing has provided between 3 and 4 hours of scanning services beginning June 13<sup>th</sup>. This has not been reported because activity done after June 1<sup>st</sup> is not required to be reported until July 11<sup>th</sup>.

## **9. Office space**

The complaint correctly identifies that the volunteer work being done by the campaign has been done in physical locations. They also correctly identify that some of the locations in which this work has been conducted by volunteers are generally in the Lynnwood and Tacoma areas.

The complaint correctly identifies that Graham Hunt is a volunteer for the campaign. They also correctly identify that, as a volunteer, he has managed administration of the paid signature gathering effort on behalf of the campaign. It is also true that the office where his insurance business is housed has been used at times by other volunteers to receive and process petitions.

Everything described, however, is specifically exempted as a reportable contribution under RCW 42.17a.005(12)(b)(ii) as “ordinary home hospitality” and/or “The rendering of personal services of the sort commonly performed by volunteer campaign workers...” under RCW 42.17a005(12)(b)(vi).

At no time, was there an agreement reached between JWP and Mr. Hunt for the use of the property and the use of the space was never exclusive.

In fact, the single room in Mr. Hunt’s office that has occasionally been used for this purpose was also used simultaneously by the business for other purposes. The use has been sporadic, temporary, non-exclusive, and not secured by any kind of agreement, formal or informal.

JWP is an almost entirely volunteer campaign. As a result, most of the activity is organic and informal and reflects what a campaign looks like when it has limited financial resources. When balancing the inability to pay for a permanent office with the fact that everything has to be done somewhere, many different physical locations have been used including: parks, private residences, public sidewalks, ferries, churches, and private businesses, cars and more to discuss, distribute, count, process, and otherwise assist the signature gathering effort. Some of those locations have been used more than once.

And there is nothing about any of these activities that could reasonably be said to be misleading the public.