

Complaint Description

Glen Morgan reported via the portal Tues, 16, 2019 at 2:22PM

To whom it may concern,

It has come to my attention that Martha Cunningham who is a candidate for the Port Angeles City Council, position #7, has violated Washington State's campaign finance laws (**RCW 42.17A**).

1) Actively campaigning, before filing "statement of organization" (C1). (Violation of RCW 42.17a.210(1) and RCW 42.17A.205)

State law requires each candidate, within 2 weeks after becoming a candidate, to file a statement of organization (C1). This candidate failed to do so within two weeks of filing week (May 13th thru 17th 2019). As of the date of this complaint this candidate has still not filed their C1, which is far beyond the 2 weeks required in state law. This is a clear, unambiguous violation of state law. The primary election itself is only a few days away now and ballots are mailed shortly.

By violating **RCW 42.17a.210** and **RCW 41.17A.205** --failing to declare this candidate's candidacy (C1) the voters also don't know who is serving as this candidate's treasurer, who the officers of this candidate's political committee are, where this candidate is banking the campaign funds for this political campaign, what address to use when inspecting the campaign books, etc. For proof of this active campaign, please see the attached screen shots of this candidate's voter's guide statement in the Clallam Voters Guide.

It is worthwhile to point out to the PDC that when a crowded primary for elected office like this one for the Port Angeles City Council position #7 contains three candidates for office, and when one of these candidates chooses to not follow any of the campaign finance laws, then a variety of incentives against transparency are created, encouraged, and rewarded. Not only is the primary election outcome in this election race likely to impact the other two candidate's election results who have both apparently attempted to comply with our state's campaign finance laws. If this candidate succeeds in prevailing during the primary election, this candidate's success will certainly encourage others to repeat their failure to follow the law in the future with no consequences (and in fact election success) in the future. This is far more than a minor technical mistake – it is another example where electoral outcomes – potentially very significant for the local community will certainly occur, in part due to lawbreaking by the very candidates (in this case – most of them) who should be at least pretending to follow that same law.

2). Failure to file Contribution or Expenditure Reports (Violation of RCW 42.17A.235)

This candidate has also failed to file any contribution or expenditure reports from his campaign. It should be noted that this failure to comply also includes a total absence of any reported information to the PDC for the public to see anything about this campaign and how it has spent the resources on this election campaign. Even if this campaign claims to be filing a “mini-reporting” campaign, their failure to provide an address to review their books means that it is impossible for the public to review the information about who is funding this campaign and how funds were spent to support this campaign.

While I have publicly advocated for many years on the need for more flexibility for the PDC to address and resolve minor technical mistakes, and this is why I was supportive of many of 2018’s HB 2938 reforms, there still must be some clear penalty assigned to candidates who choose to completely ignore and mock **MOST** campaign finance rule that exists. In these cases, a slap on the wrist and a “naughty, naughty, naughty” statement is probably not much of a deterrent. Ghost campaigns like this one should be held accountable for a complete unwillingness to follow the state’s campaign finance laws.

In this case, the candidate did file a timely F1 report, so knowledge of the PDC’s systems was evident, but this candidate just chose to not file any additional information.

Please don't hesitate to contact me if you need any additional information.

Best Regards,

Glen Morgan

Martha Cunningham - Port Angeles CC - Screen Capture VG - 2.JPG
107.67 KB

Martha Cunningham - Port Angeles CC - Screen Capture VG - 1.JPG
95.17 KB

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

The voters have a right to know who funds a political campaign, who the officers of that campaign may be, who the treasurer might be, how that campaign spends their campaign funds (even if it is just their own), and where one would be able to review the campaign books, which can't be done when the candidate runs a "ghost" campaign like this one. Total and complete lack of transparency or even to make an effort to pretend to be transparent for the voters.

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

see attached

List of potential witnesses with contact information to reach them.

The candidate, their treasurer, all committee officers

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.



Martha Cunningham

Information

Candidate Statement

Elected Experience: Previously I have served as Art Commissioner for City of Kent. In that capacity we worked with King County Transit, City Council budgeting, and projects for the City of Kent. I have also been a volunteer for CASA of King County and now for Clallam County.

Other Professional Experience: I have owned small businesses including retail in Spokane and a Montessori school in Coeur d Alene, ID. I have experience with the legal system as a paralegal.

Contact

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Links

[Email Candidate](#)

[Campaign Contributions](#)

Other Professional Experience: I have owned small businesses including retail in Spokane and a Montessori school in Coeur d Alene, ID. I have experience with the legal system as a paralegal.

Education: WWU, UW, Chestnut Hill College, Highline Community College

Community Service: Volunteer for high school refugee students in Kent School District, and Crisis Clinic volunteer.

Statement: My goal as as a council member would be to work for the preservation and vitality of Port Angeles as a place where hard-working people could enjoy a healthy and safe life. I am willing to work hard and would give my time and energy to continue the good efforts of those who pioneered this place and for those who value its richness and want to see it prosper. I was born in Washington and my Great-grandparents were homesteaders here. I would like to see it remain the place that I grew up in -a place that feels like home. I want my grandchildren to experience the beauty and integrity of Port Angeles.

[Email Candidate](#)

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