

Complaint Description

[Glen Morgan](#) (Sun, 21 Jul 2019 at 9:32 AM)

To whom it may concern,

It has come to my attention that Debbie Bertlin of the Mercer Island City Council has violated Washington State's campaign finance laws (RCW 42.17A).

1) Use of Public Resources in support of a political campaign. (Violation of RCW 42.17A.555)

According to state law (RCW 42.17A.555):

*"No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, **directly or indirectly**, for the purpose of **assisting a campaign for election of any person to any office** or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency **include, but are not limited to**, use of stationery, postage, **machines, and equipment**, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency."* (emphasis added)

However, according to Bertlin's own statement to the PDC (See **PDC Case #53323, response attached**) Bertlin claims she was "unable to comply" with the campaign finance laws due to security settings and changes made by Mercer Island staff to her public email and/or city-provided computer. Presumably, based on her own admission, she was using these public resources to manage her campaign and file documents on behalf of her campaign with the PDC, which is a **clear and unambiguous violation of RCW 42.17A.555**.

As an experienced long-term veteran politician (See was elected in 2011 and 2015 for this position), she knows better.

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

Best Regards,

Glen Morgan

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

Public officials should not abuse their office in order to assist and promote their own political campaigns. This is a clear abuse of the taxpayers and the public trust.

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 herself should be sufficient

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.

Violation 1) Actively campaigning, before filing “statement of Organization (C1) (Violation of RCW 42.17A.205

- This was not intentional. Official Candidate filing week opened May 13, 2019. My parents who had previously served as my Treasurers were out of the country in the UK and Ireland from May 12 – 30th. I repeatedly tried to work with them virtually however they were infrequently available. I later learned they had transferred all information from their old computer to a new Mac. I was unfortunately never able to open the files that had been stored on the Mac; nor have my parents been successful now that they are home. Thus, we were unable to pull any historic information or complete the 2019 registration.
- We identified a potential Treasurer but she did not agree to participate until late May. (May 28th, the day I left the country. In this respect we were already late.
- Unfortunately, I had a scheduled trip out of the country May 28th thru June 5th. My ability to communicate via phone and computer was constrained by new Outlook security settings installed by the City of Mercer Island (see next bullet point).
- Also a few months previously the City had updated Outlook with additional (government) security parameters without informing me or Council. This in turn limited my ability to access many emails, websites, and social media while travelling and working off wi-fi. I was unable to text some recipients including my Treasurer. She was therefore unable to respond to my requests for information to complete filing. The City has subsequently removed these Security Settings and I am re-building my device.
- My Treasurer had contacted my parents during my absence but they were unable to assist in providing information given they were out of the country. My parents (previous Treasurers) are now 81 and nearly 82 with some memory loss which complicated matters.
- The C1 was successfully filed on June 18th, albeit late, and the same day Mr. Morgan filed his complaint.
- This was an unfortunate series of events and I am very sorry. There was no intent to hide or withhold information. There were definite attempts to communicate with my Treasurer, my parents and to address the situation myself. I would be happy to provide copies of (failed) texts and email efforts which show my intent and best efforts.
- There also was no money received or campaigning done until after the C1 was filed.

Violation 2) Failure to report contributions or expenditures RCW42.17A.235

- There were no monies received prior to the filing of the C1 to report. I attempted to file a zero value C3 and was unable.