

Complaint Description

Respondent: People for Thurston County Jobs & Dean Nielsen

Helen Wheatley

reported via the portal, 2 days ago (Sat, 21 Dec 2019 at 7:37 AM)

The purpose of the public disclosure law is to assure "that the political campaign and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is to be avoided." The legislature advised that "the provision of this chapter shall be liberally construed to promote complete disclosure of all information respecting the financing of political campaigns and lobbying." Furthermore, it is the intent of the law that disclosure be both timely and full.

There is no formal definition of "officer" provided in the law but it can be construed as being equivalent to the "responsible leader" and "sponsor," based on the law's language regarding filing requirements. It would appear to be up to the PDC to identify whether an individual listed as "officer" qualifies as such. However, the intent of the law is clear enough, and the filers should have been aware that the individual listed as "officer" does not meet the basic requirements. At issue here is whether a political committee, can list as its "officer" or responsible leader, an individual who works for the commercial firm that produces the political mailing that is essentially the sole purpose and function of the single year committee.

Dean Nielsen, the consultant who is listed as officer of the committee, is also listed as a "principal" of CN4 Partners. This is apparently the same as Cerillion N4, the producer of the political mailer that was essentially the sole product and purpose of the committee.

See CN4 Partners, "our team," <https://cn4partners.com/#team>.

The voter should be able to assume that as "responsible leader," an "officer" is an individual who was the source, or at least represents the source of the impetus for the creation of the committee and its mailing. It would be an individual who decided to create the committee and hire CN4. The listing as "officer" of a political consultant who works for the firms, should not be allowed by the PDC, as it does not meet the intent of full disclosure.

Without an accurate listing of a real, rather than shell officer (a political consultant), the only information available to the voter is who contributed to the committee, not who created it.

For this reason, it can be assumed that by listing a consultant there was an intention to conceal the responsible leader, which fits the definition of "actual malice: "Actual malice" means to act with knowledge of falsity or with reckless disregard as to truth or falsity."

The named officer, Mr. Nielsen, is arguably also the "Commercial advertiser." His organization was paid to produce the political mailing, and there is no transparency for the voter as to whether he was paid as part of the cost of production.

Allowing the commercial advertiser to fill the position of officer violates the spirit of the law. It shields, rather than discloses, the individuals or organizations who made the decision to consult and hire the ministerial treasurer and CN4.

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

The public does not have complete and accurate information about the political committee People for Thurston County Jobs.

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

People for Thurston County Jobs PDC filings, including C4 for 10-29-2019 listing Cerillion N 4 Partners as "vendor or recipient,"; CN4 Partners, "our team," <https://cn4partners.com/#team>.

List of potential witnesses with contact information to reach them.

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.