

Complaint Description

Glen Morgan (Tue, 11 Feb 2020 at 3:38 PM)

To whom it may Concern,

It has come to my attention that Seattle City Councilmember Kshama Sawant has once again violated Washington State's campaign finance laws (**RCW 42.17A**).

1) Failure to register a Political Action Committee with the PDC (Violation of RCW 42.17A.205)

Seattle Councilmember Kshama Sawant is no stranger to Washington State's campaign finance laws, although her repetitive willingness to violate these same laws would indicate that she just doesn't believe the laws should apply to her.

As the recent filing by the Seattle Ethics Board documents (see attached) she has clearly and unambiguously violated the statute by failing to register a political action committee which has been operational for an indeterminate amount of time right now pushing for a head tax in Seattle. As referenced in the attached charging documents, I have also attached various other documents which demonstrate and prove that this campaign has been producing resolutions, posters, flyers, a website, and taking other political action which has been concealed from the public and which has never been reported to the PDC.

The first obvious violation is the failure to register this illegal dark money PAC with the Public Disclosure Commission, which is a clear violation of Washington State's campaign finance laws, specifically **RCW 42.17A.205**.

2) Failure to identify a campaign treasurer (Violation of RCW 42.17A.210)

In Sawant's efforts to conceal this secret dark money PAC from public scrutiny, she has also failed to identify the PAC treasurer, which is a clear violation of **RCW 42.17A.210**.

3) Failure to identify a campaign bank depository (Violation of RCW 42.17A.215)

At the same time, Sawant's efforts to conceal the dark money sources for this secretive PAC have also allowed her to conceal the identity of the campaign depository or bank account, which is a clear violation of **RCW 42.17A.215**.

4) Concealment of campaign contributions and expenditures from public scrutiny (Violation of RCW 42.17A.235, .240)

As the attached evidence clearly proves, this illegal, dark money secretive PAC is concealing both the source of the dark money funding this secretive operation and how they are spending their illegal campaign funds. Clearly, funds are being spent to manage and host their website, reserve their meeting rooms, print their posters, and print flyers, among other activities. It is also likely, based on past experience with Sawant's frequent violations of the state's campaign finance laws, that additional funds are being distributed to other sources.

The only way the PDC can possibly get to the bottom of this will be to subpoena both the treasurer (whoever that is) and anyone else associated with this secretive political campaign.

5) Misuse of public resources to support a secretive, dark money PAC project (Violation of RCW 42.17A.555)

As the attached charging documents from the Seattle Ethics and Elections Commission clearly details, it is obvious that Councilmember Sawant has extensively and repeatedly used public taxpayer dollars to launch, support, and organize this secretive dark money PAC. It appears likely that upon full disclosure and investigation, far more extensive abuse of the public resources will be uncovered. This is a clear violation of **RCW 42.17A.555** and it invites substantial discovery efforts to determine exactly how widespread these violations really are right now.

6) Willful violation of campaign finance laws with malice (Violation of RCW 42.17A.750 (2))

After going through a variety of investigations, fines, and a complete education through violation of the law, there is really no excuses for this politician and dark money PAC founder to use to pretend that this was all a "mistake." Even Socialists have to, on rare occasions, follow the law.

There is plenty of lawbreaking history by Sawant which indicates she knows the law, she just chooses to pretend that it doesn't apply to her or her Socialist crew (See attached 2017 letter as just one example).

Feel free to contact me, or the Seattle Ethics and Elections Commission if you want additional details. It seems like a lot more can be found as light is shined on Kshama Sawant's dark money PAC program.

Best Regards,
Glen Morgan

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

An incumbent politician, even a self-described Socialist, should not be allowed to run a secretive dark money PAC without any public disclosure while squandering public resources

to promote the same illegal PAC. I know these guys break the law all the time, but at some point, even Socialists have to follow the law.

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

see attached. SEEC charging documents, SEEC letter from 2017 detailing previous fine against this politician due to complaint filed by this author, and other evidence showing the illegal dark money PAC is in full operation

List of potential witnesses with contact information to reach them.

all people associated with the illegal PAC should be contacted

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.

1
2
3
4 **BEFORE THE SEATTLE ETHICS AND ELECTIONS COMMISSION**

5
6 In the Matter Of)

) Case No. 20-0116-1

7 **Councilmember Kshama Sawant**)

) **NOTICE OF CHARGES**

8)
9)
10 To: Councilmember Kshama Sawant and
11 The Seattle Ethics and Elections Commission

12
13 Pursuant to Seattle Municipal Code (SMC) §§ 2.04.060.I, 2.04.075, 3.70.100.D, and SMC
14 4.16.090.F and Seattle Ethics and Elections Commission Administrative Rule 3H, NOTICE IS
15 HEREBY GIVEN that the Executive Director of the Seattle Ethics and Elections Commission has
16 reasonable cause to believe that Councilmember Kshama Sawant has committed material violations
17 of the Seattle Ethics and Elections Codes. The Executive Director sets a hearing in this matter for
18 March 4, 2020 at 4:00 in Seattle Municipal Tower Room 4080, and hereby charges as follows:

19
20 Councilmember Kshama Sawant, acting by and through employees of her City Council
21 office, violated SMC 2.04.300, which bars the use of City facilities to promote or oppose
22 candidates and ballot measures, and SMC 4.16.070.B.2, which bars the use of City resources for
23 other than a City purpose, when she posted hyperlinks to materials on her City Council web site
24 promoting a ballot initiative.

25
26 In support of these charges, the Executive Director further states that as of this date, the
27 Councilmember's web site includes the following:

- 28
29 1. A hyperlink to a Facebook page promoting a January 25, 2020 Tax Amazon Action
30 Conference which states: "Our immediate task is to file a grassroots ballot initiative

1 this February so that we can begin collecting signatures....” Councilmember Sawant
2 is listed first among the hosts of the conference. Exhibit A.

- 3 2. A hyperlink to a “Resolution to Tax Amazon and Big Business” which includes the same
4 language. It also states: “We will need to collect 22,000 valid signatures (likely
5 30,000+) of registered Seattle voters by late May in order to guarantee a spot on the
6 November ballot.” Councilmember Sawant is listed as an original member of the
7 Coordinating Committee. Exhibit B.
- 8 3. A hyperlink to a poster for a February 9, 2020 Tax Amazon Action Conference which
9 states: “Join us at our second grassroots conference: vote on a ballot initiative to put
10 forward in 2020, and get organized to win!” The poster includes the City of Seattle
11 seal and the first organization listed is the Office of Councilmember Kshama Sawant.
12 Exhibit C.

13
14 This notice is hereby given this 10th day of February, 2020.

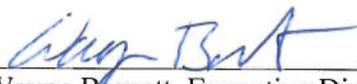
15
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18 
19 _____
20 Wayne Barnett, Executive Director
21 Seattle Ethics and Elections Commission
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Exhibit A

Sign Up

Events



JAN 25 Tax Amazon Action Conference
Public Hosted by Councilmember Kshama Sawant and 7 others

Interested

Saturday, January 25, 2020 at 10:00 AM – 2:00 PM PST
about 2 weeks ago

Washington Hall
153 14th Ave, Seattle, Washington 98122

Show Map

148 Went · 463 Interested
Share this event with your friends

Details

Our movement is picking up steam! On January 13, we held a powerful launch rally of our Tax Amazon 2020 campaign, with 500 people rocking Washington Hall to Tax Amazon and big business to build social housing!

Now join my council office and a coalition of progressive, labor, and renters' rights organizations — alongside hundreds of working people in Seattle — at the first of our grassroots democratic Tax Amazon conferences. Let's come together as a movement to discuss different proposals for an Amazon Tax, including how much it should raise annually, what it should fund and what tax mechanism we should use, as well as to organize the grassroots strategy needed to win.

During last year's elections, Seattle's working people rejected Amazon's attempts to buy City Hall. We now have a historic mandate for taxing Seattle's biggest corporations to build social housing — a major expansion of social housing — publicly-owned, high quality, affordable, green and energy-efficient homes for working people, built by union labor and an important part of a Green New Deal.

But we know that big business will fight tooth and nail to maintain their corporate tax haven in Seattle. To win our Tax Amazon struggle, we will need to build a powerful movement.

Our immediate task is to file a grassroots ballot initiative this February so that we can begin collecting signatures to get our Amazon Tax on the November ballot.

I hope you can join us.

In solidarity,
Councilmember Kshama Sawant

See Less

Related Events

Join or Log Into Facebook

- Pack City Hall - End Cruel Win...**
4:00 PM PST at Seattle City Hall
Email or Phone
157 guests
- Password**
Tell City Council: No tax shel...
1:00 PM PST at Seattle City Hall
75 guests
Forgot account?
- Log In**
- South Seattle Debate Watch P...**
Tue, Feb 25 PST at Clock-Out L...
60 guests
Do you want to join Facebook?
- Sign Up**
- Tenant Rights Bootcamp Ca...**
Tue, Feb 18 PST at Ada's Tech...
50 guests
- TRU Potluck Social & Annual ...**
Thu, Feb 20 PST at Seattle Lab...
72 guests
- Share The Cities CARPOOL D...**
Sun, Feb 23 PST at Northwest ...
18 guests

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Exhibit B

Resolution to Tax Amazon and Big Business - Fund Social Housing and a Green New Deal

Proposal to Jan 25, 2020 Tax Amazon Action Conference

We, the attendees of this first Action Conference of the Tax Amazon movement affirm the following:

Our city is in the midst of the worst affordability crisis in its history. At the same time, our entire planet is in the midst of a climate crisis that threatens the very stability of human societies around the world. Amazon and other big corporations in Seattle make billions in profits annually, yet pay little to nothing in taxes. Ordinary people - disproportionately people of color - are bearing the brunt of both our housing and climate crises, while continuing to shoulder the overwhelming burden of taxation for the services we desperately need.

In last year's City Council elections, working people roundly rejected Amazon's attempts to buy City Hall while a post-election poll showed 75% support for taxing big business. In the context of deep inequality, Trump's corporate tax cuts, and a highly regressive Washington State tax system, there is growing recognition the billionaires need to pay their fair share!

This is why our Tax Amazon 2020 movement is fighting for a tax on our city's biggest corporations to fund a major expansion of social housing — publicly-owned, high quality, permanently affordable, green and energy-efficient homes for working people, built by union labor — as part of a broader Green New Deal.

We recognize that our struggle is one part of a much larger fight for social justice, housing justice, workers' rights, racial justice, LGBTQ equality, gender justice, and for an alternative to the bankrupt system of capitalism and its threat of climate catastrophe.

Our immediate task is to file a grassroots ballot initiative to Tax Amazon and big business so that we can begin collecting signatures.

We know that big business will fight tooth and nail to maintain their corporate tax haven in Seattle. Winning will require a bold, fighting strategy and message that can mobilize working and middle-class people, tech workers, students, retirees, small businesses, Amazon workers, people of color, the faith community, the LGBTQ community, and all everyday people. It requires we be unafraid to honestly call out Jeff Bezos and Amazon for their tax-dodging and bullying methods. It would be a serious mistake to base ourselves on the idea of collaboration or negotiation with Amazon and big business executives, who will fiercely oppose us as they did in 2018 and again last year. Instead we need to build a strong, united movement. Our message: Tax Amazon and big business, NOT working people!

All major decisions on this campaign will be based on grassroots democracy and made in mass Action Conferences like this one on January 25, 2020, where all members of our movement can debate and vote. At this Conference, we are also electing a Coordinating Committee to carry out the decisions of this Conference and to organize future Action Conferences. The Coordinating Committee will strive for consensus or broad agreement. Coordinating Committee members can send a designated representative in their place as needed.

The initial committee is made up of the following individuals and organizations, fully *accountable to our movement and subject to recall and re-election by future Action Conferences*:

- Kshama Sawant, socialist Seattle City Councilmember (Committee Co-Chair)
- Nikkita Oliver, Seattle People's Party* (Committee Co-Chair)
- Alec Connon, 350 Seattle
- David Parsons, UAW 4121
- Calvin Priest, Socialist Alternative
- Harris, Democratic Socialists of America
- Violet Lavatai, Tenants Union
- Katie Wilson, Transit Riders Union*
- Paula Lukaszek, WFSE 1488
- Kathy Yasi, SEIU 925*
- Scott Morrow, Nickelsville
- Reverend Angela Ying, Bethany UCC
- Logan Swan, Ironworkers 86*
- Barbara Phinney, 32nd LD Democrats*
- Margaret Cary, Working Families Party

** Personal capacity only, pending decision by the organization*

The Coordinating Committee cannot be accountable in name only — members and their organizations must play an active and committed role in building our movement. The basis of the composition of the Committee is not “shareholder democracy,” where membership is determined by cash commitments, but rather a balance reflective of our movement and representative of our fighting strategy for a strong Amazon Tax.

The Committee will establish an umbrella 501(c)4 or other structure, where funding for joint activities can be directed and managed, accountable and reported to the movement. Individual organizations will continue to fundraise and make separate expenditures to build the movement.

The following features of our grassroots ballot initiative are agreed to by this Action Conference:

- The Amazon Tax will fund social housing — all housing will be union-built, Priority Hire, energy-efficient, and green. On-site child care services will be incorporated where possible.
- The Amazon Tax will fund additional Green New Deal programs — including making existing homes green and helping to eliminate fossil fuels, with work carried out by union labor and Priority Hire. We will explore other GND program options, including transit.
- All cooperatives, nonprofits and small businesses will be excluded from the tax.

The Tax Amazon Action Conference will meet again in February. The Coordinating Committee will seek to file one or more versions of the ballot language in advance of the conference, subject to a final vote of approval by the Conference. We will need to collect 22,000 valid signatures (likely 30,000+) of registered Seattle voters by late May in order to guarantee a spot on the November ballot. If the Seattle City Council passes a strong Amazon Tax, our movement may choose not to turn in these signatures. But with this major outreach effort in front of us, and no guarantee that City Council will act, we cannot afford to wait before filing the initiative and beginning to gather signatures.

We recognize that our movement to Tax Amazon and big business can set a powerful example, and inspire working people around the country looking to fight back.

ACTION CONFERENCE!

TAX

AMAZON

Our movement is growing to Tax Amazon and big business to fund Social Housing and a Green New Deal! Join us at our second grassroots conference: vote on a ballot initiative to put forward in 2020, and get organized to win!

TO FUND
SOCIAL
HOUSING &
A GREEN NEW
DEAL

SUN
FEB. 9
12-4PM
WASHINGTON
HALL
153 14TH AVE



SOCIALIST
ALTERNATIVE



Nickelsville

SHARE/WHEEL

TAX
AMAZON

Exhibit C

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TaxAmazon.net
@TaxAmazon

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ALTERNATIVE**



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SHARE/WHEEL

**TAX
AMAZON**



EVA METZ
24SC



JAN 27, 2020



1 REACTION

HOME > UPDATES

RESOLUTION TO TAX AMAZON AND BIG BUSINESS - FUND SOCIAL HOUSING AND A GREEN NEW DEAL

The following resolution was adopted by a vote of 155 in favor, 0 opposed, and 3 abstentions at the first Tax Amazon Action Conference on January 25, 2020. On February 9, [join us](#) at our second grassroots conference: vote on the big business tax we're going to fight for in 2020, and get organized to win!

We, the attendees of this first Action Conference of the Tax Amazon movement affirm the following:

Our city is in the midst of the worst affordability crisis in its history. At the same time, our entire planet is in the midst of a climate crisis that threatens the very stability of human societies around the world. Amazon and other big corporations in Seattle make billions in profits annually, yet pay little to nothing in taxes. Ordinary people - disproportionately people of color - are bearing the brunt of both

our housing and climate crises, while continuing to shoulder the overwhelming burden of taxation for the services we desperately need.

In last year's City Council elections, working people roundly rejected Amazon's attempts to buy City Hall while a post-election poll showed 75% support for taxing big business. In the context of deep inequality, Trump's corporate tax cuts, and a highly regressive Washington State tax system, there is growing recognition the billionaires need to pay their fair share!

This is why our Tax Amazon 2020 movement is fighting for a tax on our city's biggest corporations to fund a major expansion of social housing — publicly-owned, high quality, permanently affordable, green and energy-efficient homes for working people, built by union labor — as part of a broader Green New Deal.

We recognize that our struggle is one part of a much larger fight for social justice, housing justice, workers' rights, racial justice, LGBTQ equality, gender justice, and for an alternative to the bankrupt system of capitalism and its threat of climate catastrophe.

Our immediate task is to file a grassroots ballot initiative to Tax Amazon and big business so that we can begin collecting signatures.

We know that big business will fight tooth and nail to maintain their corporate tax haven in Seattle. Winning will require a bold, fighting strategy and message that can mobilize working and middle-class people, tech workers, students, retirees, small businesses, Amazon workers, people of color, the faith community, the LGBTQ community, and all everyday people. It requires we be unafraid to honestly call out Jeff Bezos and Amazon for their tax-dodging and bullying methods. It would be a serious mistake to base ourselves on the idea of collaboration or negotiation with Amazon and big business executives, who will fiercely oppose us as they did in 2018 and again last year. Instead we need to build a strong, united movement. Our message: Tax Amazon and big business, NOT working people!

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We recognize that our movement to Tax Amazon and big business can set a powerful example, and inspire working people around the country looking to fight back.

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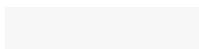
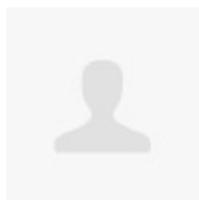
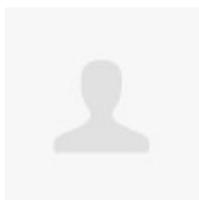
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Resolution to Tax Amazon and Big Business - Fund Social Housing and a Green New Deal

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We recognize that our movement to Tax Amazon and big business can set a powerful example, and inspire working people around the country looking to fight back.



February 21, 2017

BY E-MAIL ONLY

Dan DiLeva, Treasurer
Vote Sawant
P.O. Box 85862
Seattle, WA 98145-1862

Dear Mr. DiLeva:

As you may know, the Public Disclosure Commission recently referred to us a complaint filed against the Vote Sawant Committee (“Committee”) that included allegations that the Committee failed to properly report obligations in 2015. By a letter dated February 7, 2017, I dismissed that complaint, noting specifically that I had penalized the Committee \$1,500 last January for failing to properly report obligations in 2015.

Subsequent to dismissing the complaint, it came to my attention that the \$1,500 penalty was imposed solely for violations that occurred in the month prior to the General Election contest. The complaint, however, further alleged violations prior to the Primary Election, namely the failure to timely report as an obligation a mailer that went out at a cost of approximately \$18,000. In a letter to the Attorney General’s office, the Committee’s attorneys acknowledged that this was not timely reported.

Because the principle goal of a penalty is to educate the filer on the necessity of complying with the law, I do not believe another substantial penalty is warranted for this violation. The January 2016 penalty served to put the Committee on notice that, going forward, it must report obligations in a timely fashion.

There is, however, an outstanding violation that calls for a response from this office. I am imposing a \$150 penalty for this pre-primary violation because it was a significant obligation that went unreported. I believe that this relatively small penalty is appropriate when viewed together with the \$2,000 in penalties that this office already levied against the Committee’s 2015 effort.

RIGHT TO APPEAL

You may appeal this decision by submitting to this office, by 4:00 p.m., March 7, 2017, a written request for appeal, pursuant to the Commission's Administrative Rule 4.¹

ACTION TO TAKE

1. Amend the 7-day pre-Primary C-4 to include obligations that were incurred during the corresponding reporting period but not reported as obligations.
2. No later than March 7, 2017, deliver payment payable to the City of Seattle, to the Commission at 700 Fifth Avenue, Suite 4010, P.O. Box 94729, Seattle, WA 98124-4729, or your request for appeal.

CONCLUSION

A successful campaign finance reporting regime requires that all campaigns abide by the same rules, and that campaigns act in good faith to comply with the law.

If you have any questions, please call me at 684-8577.

Very truly yours,



Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Evelyn Fielding Lopez, Executive Director, Public Disclosure Commission
Tony Perkins, Attorney General's Office
Glen Morgan
Dmitri Iglitzin and Laura Ewan, Attorneys for Kshama Sawant

¹ Rule 4 APPEALS

A. Upon the written request of a party aggrieved by the Executive Director's decision to ... impose late-filing penalties under SMC 2.04.330, the action may be reviewed by the Commission.

C. An appeal of late-filing penalties shall be served at the Commission's office no later than 14 days after the date of mailing the decision of which review is sought.

D. A request for review shall state the grounds therefor, and shall be no longer than twelve 8-1/2" x 11" double-spaced pages in length with margins of at least 1" on every side...