

**Respondent Name**

Washingtonians Win in the 19<sup>th</sup> – Sponsored by Maverick Gaming

**Complainant Name**

Glen Morgan

**Complaint Description**

Glen Morgan (Wed, 1 Jul 2020 at 12:49 AM)

To whom it may concern,

It has come to my attention that Washingtonians Win in the 19th PAC, Sponsored by Maverick Gaming has committed a variety of serious and significant violations of Washington State's campaign finance laws (RCW 42.17A).

1) Failure to accurately describe expense. (Violation of RCW 42.17A.240(6) & WAC 390-16037, RCW 42.17A.235)

This secretive dark money PAC has regularly failed to follow Washington State's Campaign Finance laws as they apply to the reporting of expenditures. Many C4s this campaign has filed with the PDC appear to contain violations of the statute and the rules written by the Public Disclosure Commission which support the statute.

Here are some examples that need to be corrected by this secretive dark money PAC campaign to at least go through the motions of pretending to comply with the statute: Examples of a failure to provide sufficient detail of expenditures (unambiguous violations of RCW 42.17A.240(6) and WAC 390-16-037 (see example B provided at WAC 390-16-037(3)):

For example, the expenditures reported on PDC Report #100978118 failed to report the number of "billboards" and the dates of the billboard political advertisements where this campaign claims they spent \$60,186 and also \$20,160 with vendor "Levy Online" on 3/10/20 and 3/20/20 respectively.

It should be obvious that a corporately funded mega PAC like this with \$150,000 and professional political consultants and a treasurer should be able to comply at least in a marginal manner with the state's campaign finance laws, yet apparently, compliance was too much trouble. There is no excuse for not providing these basic and obvious details to the public in their filings

2) Failure to properly identify the political party affiliation of a political candidate in dark money PAC political attack ads (Violation of RCW 42.17A.320(1))

This is a ridiculous failure of compliance on the part of this wealthy, secretive, dark money, corporately funded PAC, and can only be explained by a desire on the part of this PAC and its officers to just willfully flout the state's campaign finance laws and mock the statute and the intent. Even entry level, first time mini-reporting political candidates don't typically

make this “mistake.” Yet, this PAC willfully chose to conceal the political affiliation of the political candidate they have targeted in their political attack ads (in this case, Republican Legislator Jim Walsh (LD19)).

While I don’t spend every day driving through this legislative district, I have attached photos of at least three examples of violations of this statute on billboards, presumably funded with the \$80,000+ this PAC spent on the undefined and unknown number of billboards throughout this legislative district (see Violation #1 listed above for why the true scope of these failures is unknown to the public at this time – was it 100 billboards or 10?)

3) Failure to properly state that no candidate paid for this ad (Violation of RCW 42.17A.320(2)(a))

This is another absurd and ridiculous failure by this Mega PAC with professional consultants and treasurer who have failed to even marginally attempt to comply with Washington State’s campaign finance laws. Seriously, it isn’t possible the political consultants involved in this secretive, shady operation are this incompetent. For the fat checks they are collecting, they should be able to provide a product just slightly above marginal incompetence that they are certain to pretend when they contact the PDC with their excuses once they receive this complaint.

No matter how incompetent they claim to be in their failure to comply with the law, the officers and consultants involved in this botched political dark money ad project are attempting to conceal the fact that they are willfully violating the statute and simply ignoring the law knowing they will not be held accountable by the PDC or anyone else for their illegal actions.

The statute is very clear, concise, and written at a 5th grade comprehension level, which even these professional corporate consultants are able to understand, and states as follows:

“...all political advertising undertaken as an independent expenditure or an electioneering communication by a person or entity other than a bona fide political party must include as part of the communication:

(a) The statement: "No candidate authorized this ad. It is paid for by (name, address, city, state);" (See RCW 42.17A.320(2))

This is not hard to understand, read, comprehend, or follow. Thousands of unpaid volunteers around the state every year do this right. This failure to comply with the statute was not accidental and the PDC staff should investigate it for the willful violation it represents. Many local residents of the 19th LD even appear to believe that a candidate DID pay for this ad which was the public confusion the people intended to avoid when the state’s campaign finance laws were first passed as an initiative in 1972. This failure to comply was not accidental.

4) Failure to properly identify top contributors in the political billboard ads produced by secretive dark money corporate PAC (Violations of RCW 42.17A.320(2)(b))

This was another failure of this PAC to comply with Washington State’s campaign finance laws. Again, the statute is very clear, even in a case where, as in this dark money PAC example, the entirety of the funding comes from Maverick Gaming, and they properly listed the donor as a sponsor of the PAC, the law is still clear and it also requires the donor to be listed clearly after the name and address of the PAC as “Top 5 contributors are Maverick Gaming”

Just stating that the PAC is sponsored by Maverick Gaming, which is also a legal requirement, is not enough. Please see the attached three billboard examples I provided as evidence, and know that there are an indeterminate number of additional billboards throughout possibly 5 counties (assuming the consultants at least were able to figure out the boundaries of the legislative district correctly).

The PDC should closely investigate Dark Money Mega PACs like this one with so many professional consultants who clearly are paid to know the law (and pretend they are too incompetent to follow it) and yet choose to violate it anyway because they know the PDC won’t hold them seriously accountable. At some point, if the PDC should probably hold some of these well-funded PACs to some level of micro-accountability at least. Even a wrist slap fine won’t really deter their willingness to keep breaking the law, but at least it is better than tacit approval through a failure to enforce the law.

Feel free to let me know if you want me to dig deeper into this one. It seems like a lot more legal violations are likely to be uncovered...

Best Regards,

Glen Morgan

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

The public has a right to know how corporately funded mega dark money PACs are spending their cash in local negative ad campaign efforts. The public has a right to know if the "professionals" hired to run these campaigns are as incompetent as they will pretend they are, or if they are just corrupt and willfully breaking the law for political advantage.

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

Photos of 3 billboards referenced as evidence in the complaint are attached

**List of potential witnesses with contact information to reach them**

The treasurer, the principal at Maverick Gaming, and the consultants should all be contacted. It is possible a deeper dive into the media billboard company's records are necessary just to figure out what information is being concealed in this case.

**Certification (Complainant)**

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.