Respondent Name

Students First

Complainant Name

Sylvia Schultz

Complaint Description

Sylvia Schultz

(Tue, 2 Nov 2021 at 4:57 AM)

A review of reports filed by Students First which has two officers, Dominique France and Angela Chapman, and treasurer Melissa Wells, appears to not have filed a C6 disclosure report for a \$19,055.23 independent expenditure to send a postcard advocating for candidates. In addition, a report did not disclose the employer and occupation of a school board candidate who ran during the primary, Katsiaryna (Katya) Bautista, although she had given over \$100 in the aggregate after the primary to Students First. Other records appear to lack sufficient detail with respect to services provided and quantities of each item. Lastly, the website published the committee's top donors, but the disclosure appears incorrect and incomplete.

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

Disclosure of independent expenditures in a school board race defends one of the great foundations of democracy: public education. The public is choosing who they will entrust with the support and management of the public schools. Lacking plain disclosure of a committee's direct advocacy for candidates may taint the integrity of the election. The disclosure rules are complex but even leaders of a new committee and a new treasurer are responsible for following them. There are few limits in Washington election law; it is all about letting the public know what the candidates and the committees are doing. These rules of disclosure give us confidence in our elected officials and defend a level playing field where ideas and debate can flourish in fairness and integrity.

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

See attached.

List of potential witnesses

CRS PRINTING: Kalamazoo, MI 49009, 616-550-5667

VISTA PRINT: Waltham, MA 02451

Katsiaryna Bautista (Katya Bautista, Ekaterina Bautista): Bothell, WA 98021

Google LLC: https://domains.google.com,

Contact Privacy Inc: Toronto, ON, M4K 3K1, CA;

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.

Attachments to Formal Complaint

Date: November 2, 2021 Complainant: Sylvia Schultz

Address: PO Box 2354, Woodinville, WA 98072

Respondents' names:

Dominique France, 14267 157th Pl NE, Woodinville, WA 98072, Woodinville, WA 98072, 425-780-5174, dfrance2009@gmail.com

Angela Chapman - 15903 175th Ave NE, Woodinville, WA 98072, 425-470-3674, 206-291-7751, angela@chapman-solutions.com

Melissa Wells - PO Box 2718, Woodinville, WA 98072, 912-660-3564, mmdw0103@gmail.com

Students First - PO Box 2718, Woodinville, WA, 98072, parents4anewnsdboard@gmail.com

File to Attach:

Students First filed to register as a continuing political committee on 9/18/2021 with two officers, Dominique France and Angela Chapman, who designated Melissa Wells as treasurer (Attachment 1).

Occupation & Employer of Contributor Not disclosed

During the course of the election, Students First reported it received contributions and expended funds. It reported no debts. Reports of C3 contributor records were signed by treasurer Melissa Wells (Attachment 2).

Records of contributions included the following:

Filed: 10/10/2021 – Contribution, Date Received: 9/20/2021; Contributor's Name and Address: KATYA BAUTISTA, 3927 243rd PI SE, Bothell, WA; Employer's Name and City/State: [none reported]; Full Election; Occupation: [none reported]; Amount: \$100.00 (Attachment 3)

Filed: 10/21/2021 – Contribution, Date Received: 10/21/2021; Contributor's Name and Address: KATSIARYNA BAUTISTA, 3927 243rd PI SE, Bothell, WA 98021; Employer's Name and City/State: [none reported]; Occupation: [none reported]; Full Election; Amount: \$25.00 (emphasis added, Attachment 4)

The 10/21/2021 C3 filing above does not disclose the contributor's occupation and employer's name of Katsiaryna (Katya) Bautista who contributed over \$100 in the aggregate.

Incomplete Detail in Expenditure Records

C4 expenditure reports were signed by treasurer Melissa Wells. On 10/11/2021, Students First submitted its first C4 expenditure report (corrected filings submitted 10/21/2021 and 10/30/2021, Attachment 5). The 10/11/2021 report included the following records:

Date Paid: 9/27/21; Vendor or Recipient: CRS PRINTING, 6395 Technology Ave Ste F, Kalamazoo, MI 49009; Purpose of Expense and/or Description: Postcards/Postage; Amount: \$19,055.23

Date Paid: 10/07/21; Vendor or Recipient: VISTA PRINT, 170 Data Drive, Waltham, MA 02451; Purpose of Expense and/or Description: Postage costs, mail permits, purchase of stamps; Amount: \$539.26

The 9/27/2021 record and the 10/7/2021 record appear to lack sufficient detail with respect to services provided and quantities of each item.

9/27/2021 Postcard Expenditure

Students First's largest reported expenditure was for a "Postcard/Postage" expense from CRS Printing in Kalamazoo, MI on 9/27/2021 for \$19,055.23. The description does not state the quantity of printing and postage. Students First reported no other expenses specific to printing a postcard.

On 10/18/2021, I, the complainant, received a Students First postcard in my mailbox (Attachments 6a, 6b, 6c). The two-sided postcard measured 5.5 inches by 8.75 inches. The expenditure from CRS Printing appears to have resulted in the design, printing, and mailing of the postcard that I received.

Side 1 of the postcard displays photos of three candidates for the Northshore School Board: Elizabeth Crowley, Chris Roberdeau, and Amy Felt. Each photo is labeled with their full name. In addition, side 1 displays the messages "VOTE NOVEMBER 2 FELT, CROWLEY, ROBERDEAU" and "Elect current NSD Parents with a VESTED interest to the Board" and "YOUR VOTE MATTERS" (emphasis and red font in original).

Side 2 displays "**STUDENTS FIRST** VOTE FOR OUR KIDS". Printed on the lower edge is a small circular logo of a mortarboard cap image with the words "STUDENTS FIRST VOTE FOR OUR FUTURE" ringing the image. Beside the round logo are the words, "IT'S TIME FOR **STUDENTS FIRST** IN NORTHSHORE" (emphasis in original).

A "paid for by" sponsor identification statement on side 2 states:

No candidate authorized this ad. Paid for by Students First (Po Box 2718, Woodinville, WA 98072). Top 5 Contributors: Tom Neider, Peter Zieve.

At the time of the postcard, Students First did not have more than two donors who had given \$1,000 or more. The sponsor identification statement font size appears smaller than 10-point font. (Attachment 6c).

On the postcard's side 2, in the upper right is a QR code for "www.nsdvote.com" that opens the website https://www.nsdvote.com/ (see below). A presort imprint shows it was "PAID" by a permit holder in Michigan, "Kalamazoo, MI Permit No. 380 19 - 29639 (emphasis added). The website for CRS Printing,

Kalamazoo, Michigan, https://crsprinting.com/other-services.html, states it is a "one-stop solution to all of your print fulfillment, marketing, and direct mail campaign needs."

Website www.nsdvote.com

The Students First website, www.nsdvote.com, displays multiple images of the circular logo (seen on the postcard, described above) and endorses Elizabeth Crowley, Amy Felt, and Chris Roberdeau in the Northshore School District director elections. The images of the endorsed candidates accompany their names. On the home page is a statement in red: "VOTE FOR ALL 3 CANDIDATES". A "Donate" page promotes contributions to Students First by check, credit card, and wire transfer. An "Events" page includes promotion of a special education town hall on October 14 and proclaims, "Vote for Amy Felt, Chris Roberdeau and Elizabeth Crowley!"

According to DomainTools, the Students First website domain "nsdvote.com" was registered on Google on 8/30/2021 with a protected identity, "Contact Privacy Inc. Customer 12410971952" (Attachment 7). The domain was registered prior to Students First's C1 registration on 9/18/2021.

According to PDC filings, Dmitry Grigorenko reported an in-kind independent contribution to the three candidates, Elizabeth Crowley, Chris Roberdeau, and Amy Felt, on 9/18/2021 with a fair market value of \$248.01 to Students First (Attachment 5, page 4). Mr. Grigorenko, who reported he was a "software engineer" with Facebook, on 9/16/2021 had filed a C6 independent expenditure report in which he evenly divided \$248.01 in-kind contribution to benefit the campaigns of Elizabeth Crowley, Chris Roberdeau, and Amy Felt. As a result, the three candidates each received an in-kind independent campaign contribution of \$82.67 was in the form of 1/3 of Mr. Grigorenko's spending of \$140.92 for "Domain Names" and \$107.09 for "Stickers" (Attachment 8).

Students First has not reported an expenditure for website design nor filed a C6 to report the independent expenditure on behalf of the three candidates. A dedicated volunteer such as a software engineer may have designed the website, however then the committee may have been required to report the fair market value of professional website design services.

The website's sponsor identification states:

No candidate authorized this website, nor provided any content. Content has been pulled from publicly available sources, including voter pamphlet guide and various websites. It is paid for by Students First (PO Box 2718, Woodinville, WA 98072). Top 5 Contributors: Tom Neider, Peter Zieve, Dmitry Grigorenko, Larry Chapman (https://www.nsdvote.com/ accessed 11/1/2021)

The website sponsor identification shows four donors. However, by October 1, Students First could fill all five slots, as here:

- 1) Tom Neider \$10,000, various dates, latest 9/30/2021;
- 2) Peter Zieve \$2,500 9/18/2021;
- 3) Jon Neider \$2,000 10/1/2021;

- 4) Snohomish County Republican Party \$2,000 10/12/2021; (add "top three" contributors to the party when any of "top five" is a political party)
- 5) Dmitry Grigorenko \$1,248.01 various dates, latest 10/1/2021.

Independent Expenditures without C6 Reports

In 1972, the people of Washington voted 72.02% to 27.98% to approve Initiative 276 that established the Public Disclosure Commission. As the new law said, "our representative form of government is founded on a belief that those entrusted with the offices of government have nothing to fear from full public disclosure of their financial and business holdings."

So, it is unusual to see a committee vigorously advocate for candidates in an election without disclosing C6 expenditures. The Students First postcard and website unambiguously identify Elizabeth Crowley, Chris Roberdeau, and Amy Felt as candidates backed by Students First, and plainly urge the public to vote for the three candidates. The postcard and website meet the definition of political advertisement for mass communication. The postcard was mailed and the website was designed within the 60 days before the election. The postcard expenditure was well over the \$1,000 threshold for reporting, although the only record for the website was Dmitry Grigorenko's in-kind contribution of \$248.01. No C4 expenditure report for website design was filed.

By the sponsor statements, it appears Students First intended to be viewed as an independent

Sponsor of Inde

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this expenditure was not made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate's authorized committee, or an agent of a candidate nor does it otherwise constitute a contribution under RCW 42.17A.005. I further certify that the above information is tFigure 1: Sworn non-cooperation statement of from a C6 report

campaign. Students First has not filed C6 reports that contain a sworn statement of non-cooperation. There may be no PDC record that the committee's expenditures are independent expenditures. Without disclosure, the public cannot be assured of the integrity of the election process or of these three races. Relying on public complaints to catch problems can allow a well-planned campaign to roll on through, especially in local, lower profile races.

Relevant Law:

Each report must be certified by the candidate and the treasurer and "shall" disclose contributions and expenditures and other information required by the commission, per RCW 42.17A.240. Required disclosures include: "The name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by this report, the amount, date, and purpose of each expenditure, and the total sum of all expenditures."

A report filed by candidate or political committee "shall disclose" the occupation and employer's name and address of each person who has "made one or more contributions in the aggregate amount of more than one hundred dollars", per WAC 390-16-034.

For any person required to report expenditures, the purpose of the expenditure must be disclosed, according to <u>WAC 390-16-037(1)</u>. Further, if the expenditure is pursuant to an agreement, the report "must describe in detail that agreement and the goods and/or services to be provided" and must include vendor, purpose (and number of items), and amount of expenditure, per <u>WAC 390-16-037(2)</u>.

According to <u>WAC 390-16-205</u>, independent expenditures to vendors and subvendors, as well as to consultants, must be disclosed. Expenditures made "on behalf of a candidate...by any person" who is "employed or retained" for the purpose of organizing, directing, managing or assisting" the candidate shall be reported "as if" made or incurred by the candidate directly.

RCW 42.17A.255 and RCW 42.17A.260 provide deadlines for reporting independent expenditures.

<u>RCW 42.17A.320</u>, <u>RCW 42.17A.350</u>, and <u>WAC 390-18-010</u> describe the "top five" contributors rule for sponsor statements, including the requirement that if a political committee, such as any party organization, is in the top five, the independent committee must publish the names of the political committee's top three donors.

WAC 390-05-210 and WAC 390-05-235 define contributions and fair market value.

The political advertising definition for "mass communication" includes "fliers" under <u>WAC 390-05-290(1)(b)</u>.

"All written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address" per RCW 42.17A.320(1). In addition, the required information shall be "set apart from any other printed matter" and at least "10-point type" according to RCW 42.17A.320(3)(c).

"All advertising must clearly state, in an area set apart from any other printed matter, that it has been paid for by the sponsor (Example: (1) Paid for by the XYZ committee, mailing address, city, state, zip code; (2) Vote for John Doe, paid for by John Doe, mailing address, city, state, zip code)", as described by WAC 390-18-010(2), (emphasis added).

Attachments

Attachment 1 – Students First C1 Registration 9/18/2021 https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=47209

Attachment 2 – PDC 2021 Contribution Records for "Students First" (accessed 11/1/2021) As attached.

Attachment 3 – Students First C3 10/10/2021 (PDC #110052739) https://web.pdc.wa.gov/rptimg/default.aspx?docid=4972554

Attachment 4 – Students First C3 10/21/2021 (PDC #110056727)

https://web.pdc.wa.gov/rptimg/default.aspx?docid=4976780

Attachment 5 – Students First C4 10/30/2021 (PDC corrected filing #110059507 amends 10/20/2021 #110056733, that amends 10/11/2021 #110053794) https://web.pdc.wa.gov/rptimg/default.aspx?docid=4979972

Attachments 6a, 6b, 6c – Students First 5.5" x 8.75" postcard, received 10-18-2021 As attached.

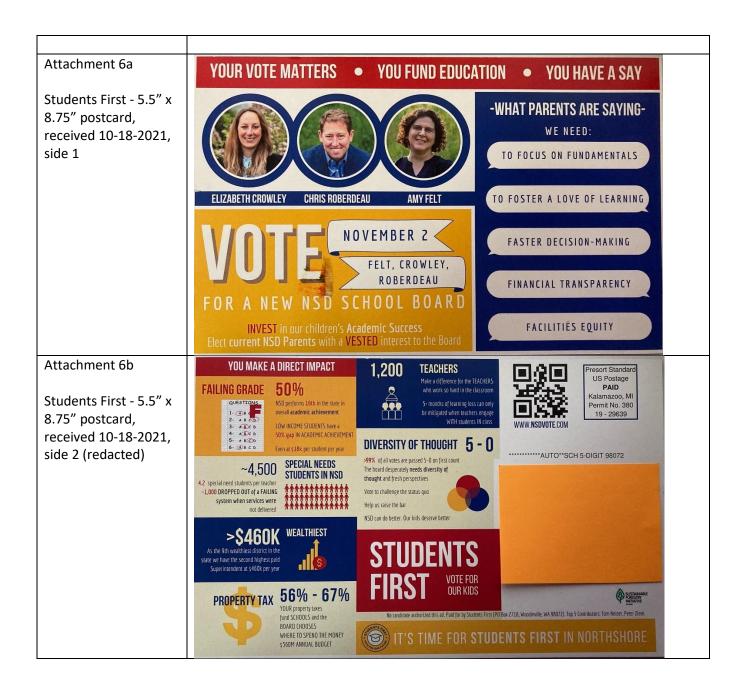
Attachment 7 – Whois NSdVote.com, domain registered on Google LLC 8-30-2021 As attached.

Attachment 8 – Dmitry Grigorenko C6 9/16/2021 (PDC #10866) https://web.pdc.wa.gov/rptimg/default.aspx?batchnumber=C6-10866

Attachment 2 - PDC 2021 Contribution Records for "Students First" (accessed 11/1/2021)

contributor_name	contributor_address	contribu cont	electio	receipt_date	amount	cash_	contributor_emplo	contributor_oc	report_num
BAILEY KRISS	21923 43rd Dr SE	Bothell WA	2021	9/28/2021	\$10.00	Cash			110050329
BAMFORD ELISSA	9615 NE 201st St	Bothell WA	2021	10/3/2021	\$200.00	Cash	Edward Jones	FRONT OFFICE	110052746
BARLOW ADAM	14910 Bear Creek Rd	Woodin WA	2021	9/28/2021	\$999.00	Cash	Microsoft	TECHNOLOGY	110052742
BASSE JOE F	15304 NE 144th PI	Woodin WA	2021	9/18/2021	\$50.00	Cash			110049550
BAUTISTA KATSIARYNA	3927 243rd PI SE	Bothell WA	2021	10/21/2021	\$25.00	Cash			110056727
BAUTISTA KATYA	3927 243rd PI SE	Bothell WA	2021	9/20/2021	\$100.00	Cash			110052739
BEST DEBBIE	15325 SE 155th PI	Renton WA	2021	9/22/2021	\$100.00	Cash			110050326
BLODGETT DEBRA	19619 61st Ave SE	Snohom WA	2021	9/18/2021	\$200.00	Cash		RETIRED	110052740
BORBOT MIKHAIL	14426 SE 10th PI	Bellevue WA	2021	9/18/2021	\$50.00	Cash			110052736
BOSSE JOE MRS	15304 NE 144th PI	Woodin WA	2021	9/18/2021	\$50.00	Cash			110049550
BROCKEBROUGH SUSAN	12929 170th Ave NE	Redmon WA	2021	9/21/2021	\$100.00	Cash			110050325
CASPERSON SUSAN	14326 166th Ave NE	Woodin WA	2021	10/10/2021	\$350.00	Cash		RETIRED	110052749
CHAPMAN ANGELA	15903 175th Ave NE	Woodin WA	2021	10/1/2021	\$250.00	Cash	Chapman Institute	SELF EMPLOYE	110052744
CHAPMAN LARRY	17420 44th Ave NE	Lake ForWA	2021	10/1/2021	\$1,000.00	Cash	Chapman Institute	SELF EMPLOYE	110052744
CHEN SUMMER	8630 NE 177th PI	Bothell WA	2021	9/21/2021	\$100.00	Cash			110050325
COBB SUSAN	124 Strong Branch Dr	Ponte V FL	2021	9/21/2021	\$25.00	Cash			110050325
COFFEY RAYMOND	2155 N 153rd St	Shorelin WA	2021	9/30/2021	\$200.00	Cash		RETIRED	110052743
COLVIN WENDY	9007 NE 190th St	Bothell WA	2021	9/21/2021	\$250.00	Cash			110050325
CONE MARIA	18603 66th Ave NE	Kenmor WA	2021	9/28/2021	\$35.00	Cash			110050329
CONNELLY DIANE	PO Box 2277	Bothell WA	2021	9/26/2021	\$300.00	Cash	Diane Connelly Ins	SELF EMPLOYE	110049636
CONYERS MEGAN	15614 NE 179th St	Woodin WA	2021	9/18/2021	\$100.00	Cash			110052736
EIS KRISTIN	22323 4th Ave SE	Bothell WA	2021	9/18/2021	\$50.00	Cash			110050327
ENGLER GABE	19007 80th Ave NE	Kenmor WA	2021	10/2/2021	\$100.00	Cash			110052745
FITZPATRICK KATHLEEN	1608 Hoyt Ave	Everett WA	2021	9/18/2021	\$25.00	Cash			110052736
FRANCE DOMINIQUE	PO Box 2718	Woodin WA	2021	9/18/2021	\$59.00	In kin	Deloitte	MANAGING DII	110056733
FRANCE NOAH	14267 15th PI NE	Woodin WA	2021	9/18/2021	\$999.00	Cash	Chermak Construct	OWNER	110049550
GELLER KARLI	20822 33rd Dr SE	Bothell WA	2021	9/18/2021	\$100.00	Cash			110052736
GRIGORENKO DMITRY	18030 30th Ave SE	Bothell WA	2021	9/18/2021	\$248.01	In kin	Software Engineer	FACEBOOK	110056733
GRIGORENKO DMITRY	18030 30th Ave SE	Bothell WA	2021	10/1/2021	\$1,000.00	Cash	Software Engineer	FACEBOOK	110052744
HENSEN JUDY	19727 9th Dr SE	Bothell WA	2021	9/18/2021	\$100.00	Cash			110052736
HILL KELLY	10111 NE 200th St	Bothell WA	2021	9/22/2021	\$100.00	Cash			110050326
HOERLEIN JON	20007 27th Dr SE	Bothell WA	2021	9/28/2021	\$100.00	Cash			110052742
HOKE KYM	2409 238th PI SE	Bothell WA	2021	10/5/2021	\$50.00	Cash			110052748
HOLCOMB DEANNA	23124 19th PI West	Bothell WA	2021	9/28/2021	\$50.00	Cash			110050329

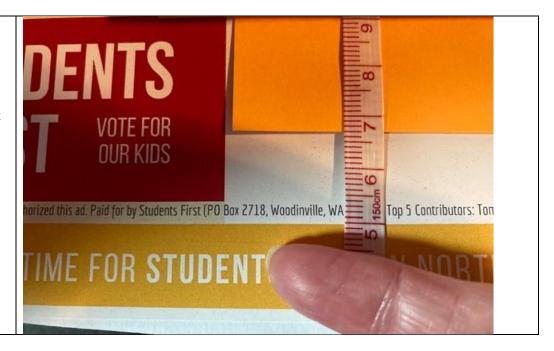
JAKOBOSKI EVE 16630 NE 143th St	Woodin WA	2021	9/20/2021	\$250.00	Cash	Swift HR Solutions	HUMAN RESOL	110052739
JOHNSON KEITH 14246 157th PI NE	Woodin WA	2021	9/28/2021	\$250.00	Cash	Self Employed	SELF EMPLOYE	110052742
KIM JOHN 18118 28th Dr SE	Bothell WA	2021	9/25/2021	\$100.00	Cash			110049635
KREYENBUHL STEPHAN 18209 NE 146th Way	Woodin WA	2021	9/18/2021	\$100.00	Cash			110052736
LARSON LINDA 8116 NE 155th St	Kenmor WA	2021	10/21/2021	\$10.00	Cash			110056776
MIKOLASY STEPHANIE 17017 NE 179th St	Woodin WA	2021	9/28/2021	\$25.00	Cash			110050329
MOEN DANIEL 15518 NE 155th St	Woodin WA	2021	-,,			Swym Corporation		
NEIDER JON 18311 244th Ave NE	Woodin WA	2021	10/1/2021	\$2,000.00	Cash		RETIRED	110052747
NEIDER TOM 18311 244th Ave NE	Woodin WA	2021		\$3,000.00				110050325
NEIDER TOM 18311 244th Ave NE	Woodin WA	2021	9/28/2021	\$2,000.00			RETIRED	110052741
NEIDER TOM 18311 244th Ave NE			-,,	\$5,000.00			RETIRED	110053776
NICHOLS KATHERINE 17117 161st Ave NE	Woodin WA		9/19/2021	\$100.00				110049631
NIEMAN ELAINE 6131 41St NE	Marysvi WA			\$50.00				110050960
RAAUM CHRISTIAN 17015 NE 135th Ct	Redmon WA	2021	10/13/2021	\$100.00	Cash			110055251
RILEY JENNIFER 19419 200th Ave NE	Woodin WA	2021	9/21/2021	\$100.00	Cash			110050325
RYAN MICHAEL 16210 NE 160th St	Woodin WA	2021	9/22/2021	\$100.00	Cash			110052735
SEPE AMANDA 18008 176th Ave NE			-,,	\$150.00		Self	SELF EMPLOYE	
SNOHOMISH COUNTY REPUBLICPO Box 5314	Everette WA	2021	10/12/2021	\$2,000.00	Cash			110056447
SOKOLOV DANIIL 8448 NE 203rd PI	Bothell WA	2021	-,,	\$100.00	Cash			110052739
WALTIER CYNTHIA 12955 NE 201st PI	Woodin WA	2021	10/1/2021	\$200.00	Cash		UNEMPLOYED	110052744
WIMSATT KELLY 13009 176th PI NE	Redmon WA	2021	9/21/2021	\$50.00	Cash			110050325
WOLFF TORY 17812 NE 154th St	Woodin WA	2021	10/21/2021	\$500.00	Cash		RETIRED	110056727
WOODARD KIM 22303 38th Ave SE	Bothell WA	2021	9/18/2021	\$50.00	Cash			110052736
WOODARD PATRICK 22303 38th Ave SE	Bothell WA	2021	9/28/2021	\$100.00	Cash			110050329
ZIEVE PETER 4413 Chennault Beach	hMukilte WA	2021	9/18/2021	\$2,500.00	Cash	Electroimpact, Inc	CEO	110052736



Attachment 6c

Detail of font size (scale in mm)

Students First - 5.5" x 8.75" postcard, received 10-18-2021, side 2 (redacted)



Whois Record for NSdVote.com

- Domain Profile

Registrant	Contact Privacy Inc. Customer 12410971952			
Registrant Org	Contact Privacy Inc. Customer 12410971952			
Registrant Country	ca			
Registrar	Google LLC			
	IANA ID: 895			
	URL: https://domains.google.com,http://domains.google.com			
	Whois Server: whois.google.com			
	registrar-abuse@google.com			
	(p) 18772376466			
Registrar Status	clientTransferProhibited			
Dates	61 days old			
	Created on 2021-08-30			
	Expires on 2022-08-30			
	Updated on 2021-08-30			
Name Servers	NS-CLOUD-A1.GOOGLEDOMAINS.COM (has 7,499,363 domains			
	NS-CLOUD-A2.GOOGLEDOMAINS.COM (has 7,499,363 domains			
	NS-CLOUD-A3.GOOGLEDOMAINS.COM (has 7,499,363 domains			
	NS-CLOUD-A4.GOOGLEDOMAINS.COM (has 7,499,363 domains			
Tech Contact	Contact Privacy Inc. Customer 12410971952			
	96 Mowat Ave,			
	Toronto, ON, M4K 3K1, ca			
	yakiqo4xydnk@contactprivacy.email			
	(p) 14165385487			
IP Address	74.125.142.121 - 842,151 other sites hosted on this server			
IP Location	California - Mountain View - Google			
ASN	AS15169 GOOGLE, US (registered Mar 30, 2000)			
Domain Status	Registered And Active Website			