

Respondent Names

Smith-Barbieri Progressive Fund

Complainant Name

John Estey

Complaint Description

John Estey

Thu, 21 Sep 2023 at 5:06 AM

Smith-Barbieri Progressive Fund is a 501(c)3 tax exempt organization based in Spokane, WA that receives donations. Despite being a 501(c)3, they have made several political contributions throughout the years: \$10,000 contribution to SCAR PAC in 2023, \$2,000 contribution to the Coalition for Economic Vitality in 2015, \$5,000 contribution to Spokane City for Parks & Streets in 2014, and a \$595 contribution to Washington Alliance for Gun Responsibility Victory Fund in 2014 (Exhibit 1).

As defined by statute RCW 42.17A.005 the Smith-Barbieri Progressive Fund is a “Committee” RCW 41.17A.055(12) because they make political contributions and also a “continuing political committee” and a “continuing political committee” RCW 41.17A.055(14) as they’ve given several times over different election cycles. (Exhibit 1).

Violations:

The Smith-Barbieri Foundation in violation of RCW 42.17A.205 for years by not registering as a political committee within two weeks after having the expectation of making political expenditures. (Exhibit 1)

Smith-Barbieri Progressive Fund is an unregistered Political Action Committee in violation of RCW 42.17A.001(1) by keeping political contributions and expenditures secret from the public.

The Smith-Barbieri Progressive Fund is in violation of RCW 42.17A.005(7a) as they fail to report any contributions nor expenditures of their unregistered Political Action Committee.

Smith-Barbieri Progressive Fund is in violation of RCW 42.17A.435. Their website clearly states that they receive donations from their founders, Don Barbieri and Sharon Smith, along with other donors (Exhibit 2). They are soliciting contributions from many individuals towards the Smith-Barbieri Progressive Fund and using those funds for political causes - hiding the true identity of the donors. Those donations are then used to fund political causes (Exhibit 1).

The Smith-Barbieri is in violation of RCW 42.17A225 because they are a continuing political committee given that they have made multiple contributions over different elections cycle but have never filed any of the required disclosure reports as required by this statute.

The Smith-Barbieri Foundation is in violation RCW 42.17A.055 and RCW 42.17A.145 as they have never filed an electronic disclosure report despite making political expenditures.

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

Dark money has no place in Washington State politics. Decades of dedicated public servants in the state legislature and at the Public Disclosure Commission have fulfilled the promise to Washington State taxpayers for transparency when it comes to our elections. It is particularly alarming when an organization, like the Smith-Barbieri Progressive Fund, which touts itself to be philanthropic non-profit, circumvents state and federal laws, participates in electioneering activity and keeps the the source of their funds secret from the public.

I am confident the Commission will agree that years of this political activity is in direct conflict with the intent of the law and will immediately move to change their official status to that of a registered political committee requiring them to report and disclose their activities.

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

Exhibit 1: is a comprehensive list from the Washington State Public Disclosure Commission of all the political contributions the Smith-Barbieri Progressive Fund has given throughout the years.

Exhibit 2: is a screenshot of Smith-Barbieri Progressive Fund website highlighting that their founders donate to the organization, in addition to receiving donations from other individuals and entities. A link to this page: <https://www.smith-barbieri.com/donate/>

List of potential witnesses with contact information to reach them

Witnesses:

Lerria Schuh, Executive Director for Smith-Barbieri Progressive Fund

Don Barbieri, Trustee/Governor for Smith-Barbieri Progressive Fund

Sharon Smith, Trustee/Governor for Smith-Barbieri Progressive Fund

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.

Exhibits:

- Exhibit 1: is a comprehensive list from the Washington State Public Disclosure Commission of all the political contributions the Smith-Barbieri Progressive Fund has given throughout the years.
- Exhibit 2: is a screenshot of Smith-Barbieri Progressive Fund website highlighting that their founders donate to the organization, in addition to receiving donations from other individuals and entities. A link to this page: <https://www.smith-barbieri.com/donate/>

Exhibit 1:

Smith-Barbieri Progressive Fund	SCAR PAC	2023	Political Committee	Spokane	WA	\$10,000.00	Cash	08/01/2023	Organization	View Report
SMITH-BARBIERI PROGRESSIVE FUND	COALITION FOR ECONOMIC VITALITY	2015	Political Committee	SPOKANE	WA	\$2,000.00	Cash	03/27/2015	Organization	View Report
SMITH-BARBIERI PROGRESSIVE FUND	SPOKANE CIT FOR PARKS & STREETS	2014	Political Committee	SPOKANE	WA	\$5,000.00	Cash	10/29/2014	Organization	View Report
SMITH-BARBIERI PROGRESSIVE FUND	WASHINGTON ALLIANCE FOR GUN RESPONSIBILITY VICTORY FUND	2014	Political Committee	SPOKANE	WA	\$594.00	Cash	11/08/2013	Organization	View Report

Exhibit 2: A screen shot from their website - <https://www.smith-barbieri.com/donate/>

To designate a donation toward a specific project, please make a note of it in the memo line of your check or select the button when making your online donation (when available). Donations received without designation will be used toward our core **missions**.

The Foundation Trustees, Sharon Smith and Don Barbieri, personally donate to the Foundation to cover all overhead costs including the Executive Director salary and our nonprofit incubation (sponsorship) program. The Trustees draw no salaries or fees and receive no personal benefit from the Foundation.

Donations made personally by Smith and Barbieri may at times be invested to endow the Foundation for future projects and long-term sustainability. All investments are made in ESG (environmental, social, and governance) funds such as those managed by **Trillium Asset Management**.

Donations and grants made by the Foundation are chosen carefully by the Foundation Trustees, Sharon Smith and Don Barbieri, and Executive Director, Lerria Schuh, to align with the Foundation's core **missions**.

All donations to the Smith-Barbieri Progressive Fund are tax-deductible to the extent permitted by law. All gifts are acknowledged and the Foundation will provide a receipt for tax purposes.

Have a question or want more info? Please **contact us!**