

Respondent Name

Karen Burke

Complainant Name

Patricia Mullett

Complaint Description

[Patriciamullettwa](#) reported via the portal

(Tue, 17 Oct 2023 at 10:22 PM)

RE: Possible Violations of RCW 42.17A and WAC 390 by Karen Burke (Friends of Karen Burke):

W 42.17A.235 and .240 Failure to timely and accurately file C-3 and C-4 reports

W 42.17A.435 Concealment of contributions and expenditures

W 42.17A.405 and WAC 390-17-302 Acceptance of overlimit contributions

To the Commission:

I am contacting you because Karen Burke (Friends of Karen Burke) (the Committee) appears to have committed a number of violations of RCW 42.17A with regard to her race for Whatcom County Executive in 2019.

Ms. Burke ran for but lost her primary election race for Whatcom County Executive in 2019. Her last Committee report of any kind was C-4 report No. 100930305 which was filed September 10, 2019, and covered the period of July 30, 2019, through August 31, 2019 (attached). That report discloses a cash on hand balance of \$3,154.75 and liabilities of \$19,391.53 for a net deficit of \$16,236.78.

The liabilities disclosed in this report are to Blue Spruce Strategies:

July 29, 2019: \$502.78 for 4,000 walk cards,

July 29, 2019: \$6,588.75 for mailing of unknown number of pieces, and

July 29, 2019: \$6,300.00 for estimated mailing of 18,000 pieces.

The total for these listed liabilities is \$13,391.53.

Blue Spruce Strategies is a political consulting firm located in Whatcom County and still active and involved in this current election cycle in Whatcom County. Importantly the liabilities to Blue Spruce Strategies are not for simple "general consulting" invoices or some kind of win bonus. Instead, they are for hard goods – mailings and walk cards – and as such, it is important that resolution of these liabilities be disclosed to the public.

There are only a few possibilities for what ultimately transpired regarding these liabilities:

It is possible Karen Burke raised funds, either her own or from others or some combination of both, within the limited window of time allowed for that purpose and paid all outstanding liabilities but neglected to report and disclose any of the contributions or expenditures and still hasn't more than 1,000 days after her campaign ended. It is important to note that Karen Burke is still listing an outstanding loan from herself to the campaign for \$6,000.

It is also possible that Blue Spruce strategies forgave the liabilities. If this occurred it would constitute a significant undisclosed, overlimit contribution to the Committee. Overlimit and undisclosed contributions are the most serious violations of Washington state's Fair Campaign Practices Act because of the enormous advantage they provide the recipient. In this case, the \$13,391.53 in unpaid for mail and walk cards would constitute approximately 20% of Karen Burke's entire campaign expenditures. As above, none of these transactions, legal or otherwise, have been disclosed and are over 1,000 days late.

other possibility is that some other donor paid Blue Spruce Strategies directly for these liabilities and bypassed the Committee altogether. As per scenario #2 above, this would constitute an undisclosed inkind contribution to the Committee, and, if so, a hidden, overlimit contribution occurred and was not reported.

Fortunately, resolving these matters should be relatively easy. While requesting that updated or amended filings be made by the committee is useful given the high likelihood that a large number of significant transactions went unreported, because there is also the potential that a significant overlimit contribution(s) has been made, the PDC should also request copies of checks, invoices and bank statements to ensure no overlimit contributions were made and to ensure the integrity of any new filings. Only when this kind of substantial review has taken place will the public be fully informed of the nature and severity of the violations that appear to have occurred here.

Finally, to the extent Blue Spruce Strategies, a well-established consulting and lobbying firm, itself facilitated any concealed contributions or expenditures and/or made any overlimit contributions, a full complaint or investigation of Blue Spruce may also well be warranted.

Sincerely,
Patricia Mullett

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

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

List of potential witnesses with contact information to reach them

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.

Washington State Public Disclosure Commission
P.O. Box 40908
Olympia, WA 98504
October 17, 2023

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3. RCW 42.17A.405 and WAC 390-17-302 Acceptance of overlimit contributions

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There are only a few possibilities for what ultimately transpired regarding these liabilities:

1. It is possible Karen Burke raised funds, either her own or from others or some combination of both, within the limited window of time allowed for that purpose and paid all outstanding liabilities but neglected to report and disclose any of the contributions or expenditures and still hasn't more than 1,000 days after her campaign ended. It is important to note that Karen Burke is still listing an outstanding loan from herself to the campaign for \$6,000.
2. It is also possible that Blue Spruce strategies forgave the liabilities. If this occurred it would constitute a significant undisclosed, overlimit contribution to the Committee. Overlimit and

undisclosed contributions are the most serious violations of Washington state's Fair Campaign Practices Act because of the enormous advantage they provide the recipient. In this case, the \$13,391.53 in unpaid for mail and walk cards would constitute approximately 20% of Karen Burke's entire campaign expenditures. As above, none of these transactions, legal or otherwise, have been disclosed and are over 1,000 days late.

3. Another possibility is that some other donor paid Blue Spruce Strategies directly for these liabilities and bypassed the Committee altogether. As per scenario #2 above, this would constitute an undisclosed inkind contribution to the Committee, and, if so, a hidden, overlimit contribution occurred and was not reported.

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