

Respondent Names
Green Jobs PAC
Complainant Name
Let's Go Washington
Complaint Description
<u>Callie Castillo</u> reported via the portal <i>(Wed, 27 Nov 2024 at 7:07 PM)</i> Please see attached letter.
What impact does the alleged violation(s) have on the public?
Please see attached letter.
List of attached evidence or contact information where evidence may be found
Please see attached letter.
List of potential witnesses with contact information to reach them
Please see attached letter.
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.



CALLIE A. CASTILLO
206.223.7145
castilloc@lanepowell.com

November 25, 2024

VIA ELECTRONIC MAIL

Public Disclosure Commission
711 Capitol Way S. #206
P.O. Box 40908
Olympia, WA 98504

E-Mail: Submitted via online complaint form

Re: Green Jobs PAC Violations of the Fair Campaign Practices Act, RCW 42.17A

Dear Commissioners:

In accordance with RCW 42.17A.755(1) and RCW 42.17A.775, Let's Go Washington submits the following complaint against Green Jobs PAC, a political committee, for numerous violations of the Fair Campaign Practices Act (FCPA), Chapter 42.17A RCW.

Green Jobs PAC is a continuing political committee registered as of January 29, 2024, with the PDC. The committee was organized to oppose Initiative 2117 which appeared on the November 2024 ballot. As of today, the committee reported receiving \$3,167,015.00 in contributions and expending \$3,167,015.00 for the 2024 election cycle.

Violation #1: Failure To Timely File 7-Day Pre-General C4 Report

RCW 42.17A.235(2) provides in relevant part that political committees participating in a particular election must file C4 reports “[o]n the twenty-first day and the seventh day immediately preceding the date on which the election is held.” RCW 42.17A.235(2)(a) (emphasis added).

RCW 42.17A.235(4), in turn, provides that the C4 report,

filed twenty-one days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. The report filed seven days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report.

(Emphasis added).

Additionally, the FCPA defines “election” as “*any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters.*” RCW 42.17A.005(18) (emphasis added).

Finally, RCW 42.17A.005(38)(a) provides that a political committee “participates” in a particular election when it makes a monetary or in-kind contribution to a candidate for that election.

Green Jobs PAC violated the FCPA by failing to timely file a C4 report at the seven-day interval before the November 2024 general election. The 7-day pre-general C4 was due to be filed on October 29, 2024. The committee did not file this form until November 13, 2024. The late-filed form disclosed \$1,073,669.17 in spending that directly related to election-related advocacy experienced by voters, e.g. digital advertising and direct mailers. The late-filed form also disclosed a \$50,000 pledge from Shell USA, Inc.

See link to form: <https://apollo.pdc.wa.gov/public/registrations/campaign-finance-report/110260255>

This form was required to be filed before the general election and was not filed until after the general election. By failing to file this report on time, Green Jobs PAC violated one of the key tenets of the FCPA: that the voters are entitled to view campaign finance information about political committees prior to voting.

Violation #2 – Failure To Provide A Subvendor Breakdown.

WAC 390-16-205 requires that:

[e]xpenditures made on behalf of a candidate or political committee by any person, agency, consultant, firm, organization, etc., employed or retained for the purpose of organizing, directing, managing or assisting the candidate's or committee's efforts shall be deemed expenditures by the candidate or committee. In accordance with WAC 390-16-037, such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly.

Green Jobs PAC failed to comply with this requirement. See link: <https://pdc.wa.gov/political-disclosure-reporting-data/browse-search-data/committees/co-2024-35771#expenditures>. For example, in October 2024, the committee made four payments totaling \$941,015 to AMS Communications Inc. for the purported design, printing, postage, and mailing of campaign postcards. AMS Communications, however, is a public relationship consulting practice – not a printshop. See <https://amscommunicationspr.com/about/>. Moreover, the address associated with this vendor on Green Jobs PAC’s C4 reports indicates that AMS Communications is located in a residential home – not a printshop.

Violation #3 – Failure To Identify The Ballot Measure Supported By Committee Expenditures.

WAC 390-16-037(1) requires that political committees “*identify any candidate(s) or ballot proposition(s) that are supported or opposed by the expenditure*” required to be disclosed on C4 reports. (Emphasis added). Prior to May 2024, committees were not required to disclose this information if the committee identified the ballot proposition(s) to be supported or opposed on the committee’s statement of organization. In May 2024, the PDC revised the rule to require disclosure of the information for any expenditures spent to support or oppose a particular ballot proposition. Despite this change in requirement, the committee has not disclosed which of its expenditures were spent to oppose I-2117. See link: <https://pdc.wa.gov/political-disclosure-reporting-data/browse-search-data/committees/co-2024-35771#expenditures>

Conclusion

In light of the above, Let’s Go Washington respectfully requests that the PDC investigate Green Job PAC’s lack of compliance with the FCPA and issue an appropriate enforcement order pursuant to RCW 42.17A.755(1)(b).

Please let us know if we can be of any further assistance to the PDC in resolving this matter.

Respectfully,

LANE POWELL PC

A handwritten signature in blue ink that reads "Callie A. Castillo". The signature is written in a cursive, flowing style.

Callie A. Castillo