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STATE OF WASHINGTON
THURSTON COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Plaintiff,

v.

SERVICE EMPLOYEES
INTERNATIONAL UNION
LEADERSHIP COUNCIL 14, aka
SEIU WASHINGTON STATE
COUNCIL,

Defendant.

NO. 17-2-04061-34

COMPLAINT FOR CIVIL
PENALTIES AND FOR INJUNCTIVE
RELIEF FOR VIOLATIONS OF
RCW 42.17A

I. NATURE OF ACTION

The State of Washington (State) brings this action to enforce the State's campaign finance disclosure law, RCW 42.17A. The State alleges that Defendant, SERVICE EMPLOYEES INTERNATIONAL UNION LEADERSHIP COUNCIL 14, aka SEIU WASHINGTON STATE COUNCIL, violated provisions of RCW 42.17A by 1) failing to timely register and report as a political committee, 2) failing to identify a treasurer for the political committee, and 3) failing to identify a depository for funds collected by the political committee, all as required by law to be made with the State Public Disclosure Commission. The State seeks relief under RCW 42.17A.750 and .765, including penalties, costs and fees, and injunctive relief.

II. PARTIES

2.1 Plaintiff is the State of Washington. Acting through the Washington State

1 Public Disclosure Commission, Attorney General, or a local prosecuting attorney, the State
2 enforces the state campaign finance and disclosure laws contained in RCW 42.17A.

3 2.2 Defendant SERVICE EMPLOYEES INTERNATIONAL UNION
4 LEADERSHIP COUNCIL 14, aka SEIU WASHINGTON STATE COUNCIL is the
5 leadership council of SEIU local units in Washington State. Defendant describes itself as a
6 council that “coordinates the joint political and legislative work of SEIU Locals in Washington
7 State, together representing over 100,000 members in the fields of health care, long-term care,
8 public services & education, and property services.”

9 III. JURISDICTION AND VENUE

10 3.1 This Court has subject matter jurisdiction over the present case, in accordance
11 with RCW 42.17A. The Attorney General has authority to bring this action pursuant to RCW
12 42.17A.765.

13 3.2 This Court has personal jurisdiction over Defendant as a person that, based on
14 its conduct, should have registered and reported as a Washington state political committee.
15 Additionally, the acts alleged below occurred in whole or in part in Thurston County,
16 Washington.

17 3.3 Venue is proper in this Court pursuant to RCW 4.12.020(1).

18 IV. FACTUAL ALLEGATIONS

19 4.1 RCW 42.17A declares as a matter of public policy “[t]hat political campaign
20 and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is
21 to be avoided.” RCW 42.17A.001(1). Further the statute provides that the provisions of the law
22 “shall be liberally construed to promote complete disclosure of all information respecting the
23 financing of political campaigns. . . .”

24 4.2 Washington’s campaign finance law requires a person to timely register and
25 report as a political committee within the definition of “political committee” when the person
26 has the expectation of receiving contributions or making expenditures to support or oppose

1 candidates or ballot propositions.

2 4.3 The law further requires a political committee to disclose the name and address
3 of the source of contributions that exceed \$25 in the aggregate, and the employer and
4 occupation of any individual contributor giving more than \$100 in the aggregate.
5 RCW 42.17A.240; WAC 390-16-037. Contribution disclosures are reported on a Public
6 Disclosure Commission form "C3" which is called the "Cash Receipt Monetary Contributions"
7 form. Each week's contributions must be reported on the following Monday during the five
8 months prior to a general election. RCW 42.17A.235(3).

9 4.4 RCW 42.17A.235, RCW 42.17A.240, WAC 390-16-207, and WAC 390-16-041
10 require committees to timely disclose in-kind contributions, monetary expenditures, and debts
11 incurred or orders placed when the estimated value of the debt exceeds two hundred fifty
12 dollars, or exceeds fifty dollars and has been outstanding for over thirty days. These activities
13 are reported on the "Summary, Full Report Receipts and Expenditures," designated by the
14 Commission as form C-4 pursuant to WAC 390-16-041. This report is due monthly, until 21
15 days before a primary or general election during which a committee must file reports 21 days
16 and seven days before the election.

17 4.5 During the statute of limitations for actions under RCW 42.17A, Defendant met
18 the definition of political committee as defined by RCW 42.17A.010(37) because it had the
19 expectation to, and did, make expenditures to support or oppose candidates and ballot
20 propositions.

21 4.6 According to data filed with the state Public Disclosure Commission, Defendant
22 made over \$6.2 million in contributions to Washington state and local candidates and political
23 committees including its own registered political committee. However, some of the
24 contributions attributed to Defendant were actually made by Defendant's registered political
25 committee. After eliminating the misattributed contributions, Defendant made over \$5 million
26 in contributions to political committees.

1 4.7 During the same timeframe, Defendant did not disclose making any
2 independent expenditures or sponsoring any electioneering communications.

3 4.8 In 2014, Defendant received approximately \$1.65 million. Defendant spent over
4 \$1.65 million that year. Additionally, Defendant expended \$902,005 in contributions to
5 political committees that same year. This amounted to almost 55% of its income.

6 4.9 In 2016, Defendant received approximately \$2.36 million. Defendant also spent
7 over \$3 million that year. Of the \$3 million spent, Defendant made \$2.25 million in
8 contributions. This accounted for 95% of its income for the year and 75% of its expenditures.

9 **V. CLAIM**

10 The State re-alleges and incorporates by reference all the factual allegations contained
11 in the preceding paragraphs, and based on those allegations, makes the following claims:

12 5.1 First Claim: The State reasserts the factual allegations made above and further
13 asserts that Defendant, in violation of RCW 42.17A.205, failed to timely register as a political
14 committee within two weeks of first having the expectation of making expenditures to support
15 or oppose candidates or ballot propositions.

16 5.2 Second Claim: The State reasserts the factual allegations made above and
17 further asserts that Defendant, in violation of RCW 42.17A.210 and RCW 42.17A.215, failed
18 to identify a treasurer for its political committee and a depository for its funds.

19 5.3 Third Claim: The State reasserts the factual allegations made above and further
20 asserts that Defendant, in violation of RCW 42.17A.235, .240, and .245, failed to regularly,
21 timely, and electronically report the financial activities of its political committee, including
22 identifying the sources of the funds it used to make its expenditures.

23 5.4 Fourth Claim: The State reasserts the factual allegations made above and further
24 asserts that the actions of Defendant as stated above were negligent and/or intentional.

25 **VI. REQUEST FOR RELIEF**

26 WHEREFORE, the State requests the following relief as provided by law:

