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**STATE OF WASHINGTON  
THURSTON COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

NO. 17-2-00972-34

Plaintiff,

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

v.

THURSTON COUNTY  
DEMOCRATIC CENTRAL  
COMMITTEE, a Washington nonprofit  
corporation,

Defendant.

**I. NATURE OF ACTION**

The State of Washington (State) brings this action to enforce the state's campaign finance and disclosure law, RCW 42.17A. The State alleges that Defendant THURSTON COUNTY DEMOCRATIC CENTRAL COMMITTEE, a Washington nonprofit corporation, violated provisions of RCW 42.17A by failing to timely disclose contributions and expenditures in filings with the Public Disclosure Commission. The State seeks relief under RCW 42.17A.750 and .765, including civil penalties, costs and fees, and injunctive relief.

**II. PARTIES**

2.1 Plaintiff is the State of Washington. Acting through the Washington State Attorney General, a local prosecuting attorney, or the Public Disclosure Commission, the State enforces the state campaign finance disclosure laws contained in RCW 42.17A.

2.2 Defendant THURSTON COUNTY DEMOCRATIC CENTRAL COMMITTEE

1 (Thurston County Democrats) is registered as a Washington nonprofit corporation. As the term  
2 is used under RCW 42.17A.005(6)(c), it is the county central committee for the Washington  
3 State Democratic Party in Thurston County, Washington.

### 4 III. JURISDICTION AND VENUE

5 3.1 This Court has subject matter jurisdiction over the present case, in accordance  
6 with RCW 42.17A. The Attorney General has authority to bring this action pursuant to  
7 RCW 42.17A.765.

8 3.2 This Court has personal jurisdiction over the Thurston County Democrats, a  
9 Washington nonprofit corporation with active membership and representatives in the State of  
10 Washington. The Thurston County Democrats headquarters is located in Olympia,  
11 Washington. Additionally, the acts and omissions complained of here took place in Thurston  
12 County.

13 3.3 Venue is proper in this Court pursuant to RCW 4.12.020(1).

### 14 IV. FACTUAL ALLEGATIONS

15 4.1 RCW 42.17A declares as a matter of public policy “[t]hat political campaign  
16 and lobbying contributions and expenditures be fully disclosed to the public and that secrecy is  
17 to be avoided.” RCW 42.17A.001(1). The statute further provides that the state’s campaign  
18 finance and disclosure law “shall be liberally construed to promote complete disclosure of all  
19 information respecting the financing of political campaigns.”

20 4.2 Washington’s campaign finance law requires political committees to timely  
21 report contributions received, including in-kind contributions. The information required to be  
22 disclosed includes the name and address of the source of contributions that exceed \$25 in the  
23 aggregate, and the employer and occupation of any individual contributor giving more than  
24 \$100 in the aggregate. RCW 42.17A.235, .240; WAC 390-16-037. Contribution disclosures are  
25 reported on a Public Disclosure Commission form “C-3” which is called the “Cash Receipt  
26 Monetary Contributions” form.

1 4.3 Washington's campaign finance law also requires political committees to timely  
2 report expenditures related to state campaigns, including any debts incurred by the political  
3 committee. RCW 42.17A.235, .240(8); RCW 42.17A.005(20). The PDC form to report  
4 expenditures is called a "Summary, Full Report Receipts and Expenditures" and is a form  
5 "C-4." An expenditure is defined to include "a *promise to pay*, . . . . For the purposes of this  
6 chapter, agreements to make expenditures, contracts, and promises to pay may be reported as  
7 estimated obligations until actual payment is made." RCW 42.17A.005(20).

8 4.4 The Thurston County Democrats is a political committee as the term is used in  
9 RCW 42.17A, and is more specifically a county central committee of the Democratic Party. As  
10 such, the Thurston County Democrats routinely raises funds in order to support various  
11 Democratic candidates and ballot propositions. During 2016, the Thurston County Democrats  
12 received contributions and made expenditures, all of which should have been reported in  
13 accordance with RCW 42.17A.

14 4.5 The Thurston County Democrats failed to timely disclose all of its contributions  
15 as required by law. On September 2, 2016, the Thurston County Democrats filed an amended  
16 C-4 report disclosing a \$1,250 in-kind contribution dated July 11, 2016 from Walt Bowen for  
17 sound systems for the Democratic Party convention. The filing amended the Thurston County  
18 Democrats' C-4 report filed July 11, 2016, for the reporting period from June 1, 2016 through  
19 and including July 11, 2016 which did not disclose this information. Thus, the disclosure was  
20 made 52 days late.

21 4.6 The Thurston County Democrats failed to timely disclose all of their  
22 expenditures as required by law.

23 a. On September 2, 2016, the Thurston County Democrats filed an amended C-4  
24 report for the April 1 through April 30, 2016 reporting period. The amended C-4 report  
25 disclosed three expenditures totaling \$1,131, which should have been reported May 10, 2016.  
26 These disclosures were therefore reported 115 days late each.

1           b.     On September 2, 2016, the Thurston County Democrats filed an amended C-4  
2 report for the May 1 through May 31, 2016 reporting period. The amended C-4 report  
3 disclosed four expenditures totaling \$1,571, which should have been reported by  
4 June 10, 2016. These disclosures were therefore reported 84 days late each.

5           c.     Also on September 2, 2016, the Thurston County Democrats filed an amended  
6 C-4 report for the reporting period of June 1 through July 11, 2016. On that report, they  
7 disclosed \$5,672.62 in expenditures which should have been disclosed on July 12, 2016;  
8 therefore, the expenditures were disclosed at least 52 days late.

9           d.     On September 2, 2016, the Thurston County Democrats disclosed \$12.01 in  
10 unitemized expenditures of \$50 or less, which should have been reported in their C-4 report  
11 due July 26, 2016; thus, this disclosure was 38 days late.

12          e.     On November 4, 2016, the Thurston County Democrats filed an amended C-4  
13 report for the reporting period of October 18 through October 31, 2016. On that report, they  
14 disclosed a contribution they had made to the Hoffman campaign on October 24, 2016, which  
15 should have been reported by November 1, 2016. This disclosure was three days late.

16          f.     On November 18, 2016, the Thurston County Democrats filed an amended C-4  
17 report for the reporting period of October 18 through October 31, 2016. On that report, they  
18 disclosed an expenditure made to Verizon Wireless for \$86.79 (dated October 29, 2016), which  
19 should have been reported on November 1, 2016. This payment was disclosed 17 days late.

20          g.     On February 9, 2017, the Thurston County Democrats filed an amended C-4  
21 report for the reporting period of March 1 through March 31, 2016. On that report, they  
22 disclosed \$6,782 in expenditures made (six different expenditures), which should have been  
23 reported on April 11, 2016. These disclosures were reported 304 days late each.

24          g.     Also on February 9, 2017, the Thurston County Democrats filed an amended  
25 C-4 report for the reporting period of April 1 through April 30, 2016. On that report, they  
26 disclosed two expenditures totaling \$4,757 which should have been reported on May 10, 2016.

1 These expenditures were reported 275 days late each.

2 4.7 The Thurston County Democrats failed to timely disclose debts and obligations  
3 incurred during the 2016 election. The Democratic Party caucuses took place in the early  
4 spring of 2016. The Thurston County Democrats arranged to pay for meeting space for caucus  
5 activity to take place on March 26, 2016. They ultimately disclosed payment of \$4,826.63 to  
6 rent meeting space for the party caucuses. These disclosures were made on July 11, 2016  
7 (\$2,075 worth of rental expenses), and September 2, 2016 (\$2,751.63 worth of rental  
8 expenses). On information and belief, these disclosures should have been made as debts or  
9 orders placed no later than April 10, 2016, the next reporting date from the date of the  
10 caucuses. As such, these disclosures were at least 92 days late.

## 11 V. CLAIMS

12 Plaintiff re-alleges and incorporates by reference all the factual allegations contained in  
13 the preceding paragraphs, and based on those allegations, makes the following claims:

14 5.1 First Claim: Plaintiff reasserts the factual allegations made above and further  
15 asserts that Defendant, in violation of RCW 42.17A.235, failed to timely disclose contributions  
16 it received to the Public Disclosure Commission.

17 5.2 Second Claim: Plaintiff reasserts the factual allegations made above and further  
18 asserts that Defendant, in violation of RCW 42.17A.235, failed to timely disclose expenditures  
19 it made, including but not limited to debts and obligations as of the time Defendant knew or  
20 should have known those amounts would exceed \$250 in value, to the Public Disclosure  
21 Commission.

## 22 VI. REQUEST FOR RELIEF

23 WHEREFORE, Plaintiff requests the following relief as provided by law:

24 6.1 For such remedies as the court may deem appropriate under RCW 42.17A.750,  
25 including but not limited to imposition of a civil penalty, all to be determined at trial;

26 6.2 For all costs of investigation and trial, including reasonable attorneys' fees, as

1 authorized by RCW 42.17A.765(5);

2 6.3 For temporary and permanent injunctive relief, as authorized by RCW  
3 42.17A.750(1)(h); and

4 5.4 For such other legal and equitable relief as this Court deems appropriate.

5 DATED this 6th day of March, 2017.

6 ROBERT W. FERGUSON  
7 Attorney General

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9 LINDA A. DALTON, WSBA No. 15467  
10 Senior Assistant Attorney General  
11 WALTER M. SMITH, WSBA No. 46695  
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13 Attorneys for Plaintiff State of Washington  
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