

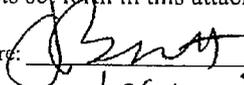
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AUG 12 2011

Public Disclosure Commission

**Certification for a
Complaint to the Washington State Public Disclosure Commission Relating to an
Elected Official or Candidate for Public Office
(Notary Not Required)**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this attached complaint are true and correct.

Your signature: 

Your printed name: JASON BENNETT

Street address: PO Box 9100

City, state and zip code: Seattle WA 98109

Telephone number: 206-718-8620

E-Mail Address: (Optional) JASON@ARGOSTRATEGIES.COM

Date Signed: 8/12/11

Place Signed (City and County): Seattle King
City County

*RCW 9A.72.040 provides that: "(1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."

COMPLAINT ATTACHED

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Public Disclosure Commission

August 12, 2011

Public Disclosure Commission
PO Box 40908
Olympia, WA 98504

To Whom It May Concern,

Attached is the following complaint and supporting documentation against John W Creighton III, candidate for King County Council, Position 6.

By analyzing his PDC reports and other relevant documents that have been secured, it has been discovered that **John has broken the law in 111 instances of RCW 42.17 and WA Title 390.**

*****Most troubling are the gross violations of exceeding contribution limits, totaling \$35,300; the \$19,000 in obligations hidden from the July 25th C4 report; and, the 84 instances where the received date of donations are falsely reported.*****

Attached is the supporting documentation and detail of this complaint. Your immediate attention to this matter is appreciated.

Sincerely,



Jason Bennett

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Public Disclosure Commission

1 Violation of WAC 390-05-243 and RCW 42.17.040 – No listing of ministerial duties

Mr. Creighton's C1 form, filed on 1/18/2011, does not indicate whether his treasurer, Ms. Jennifer Holms, is "ministerial-only" in function. Without an indication of whether his treasurer is or is not performing only ministerial duties, we cannot know if she has access to the plans and details of Mr. Creighton's campaign or whether she has a more heightened role on the campaign. If she does, this might lead her role to more scrutiny – should she be working for other organizations or political committees that are influencing this election. The omission is a violation of 390-05-243 and RCW 42.17.040.

 PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40808 OLYMPIA WA 98546-0808 (360) 753-1111 Toll Free 1-877-601-2822		Candidate Registration		C1 (11-10)	JAN 18 2011
Candidate's Name (Give candidate's full name) John Watson Creighton III				Telephone Number (425) 636-8924	
Candidate's Committee Name (Do not abbreviate.) Citizens for John Creighton				Fax Number ()	
Mailing Address 6619 – 132 nd Avenue N.E., PMB 182				Candidate's E-Mail Address jwcreighton3@yahoo.com	
City Kirkland	County King	Zip + 4 98033	Campaign E-Mail Address john@johncreighton.org		
1. What office are you running for? County Council		Legislative District, County or City ML King County	Position No. 6	Do you now hold this office? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
2. Political party (if partisan office) N/A		3. Date of general or special election November 8, 2011			
4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports required and changing reporting options.					
<input type="checkbox"/> Option I MINI REPORTING: In addition to my filing fee of \$_____, I will raise and spend no more than \$3,000, including any charges for inclusion in state and local voters pamphlets. I will not accept more than \$500 as the aggregate from any contributor except myself.					
<input checked="" type="checkbox"/> Option II FULL REPORTING: I will use the Full Reporting system. I will file the required, detailed campaign reports required by law.					
5. Treasurer's Name and Address. Does treasurer perform only ministerial functions? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				in WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet.	
Jennifer A. Holms 8723 – 132 nd Place NE Redmond, WA 98052				Daytime Telephone Number (206) 930-9038	
6. Persons who perform only ministerial functions on your behalf and on behalf of other candidates or political committees. List name, title and address of these persons. See WAC 390-05-243 and next page for details.					
<input type="checkbox"/> Continued on attached sheet					

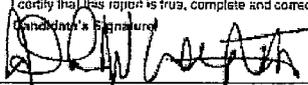
1 Violation of RCW 42.17.040 (2)(c) – No listing of officers who authorize expenditures.

It is a violation of RCW 42.17.040 to not include on your C1 those folks who are authorizing expenses and making decisions on behalf of the campaign. The initial C1 was filed on 1/18/2011 and was never amended to reflect changes or additions to the committee officers. This is clearly hiding information from the public as its clear that his consultant authorizes expenditures relating to voter contact and their internal budget. Clearly, Mr. Creighton is hiding this information from the public intentionally.

Additionally, according to RCW 42.17.040, no expenditure may legally be made unless it's authorized by the candidate or a person named on the candidate's C-1 registration. Therefore, the C1 is either in violation of state law or all expenditures during the course of his campaign are in violation of state law.

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8723 – 132 nd Place NE Redmond, WA 98052		
6 Persons who perform only ministerial functions on your behalf and on behalf of other candidates or political committees. List name, title and address of these persons. See WAC 390-05-243 and next page for details. <input type="checkbox"/> Continue on attached sheet.		
7 Committee Officers and other persons who authorize expenditures or make decisions on your behalf. List name, title and address. See next page for definition of "officer." <input type="checkbox"/> Continue on attached sheet.		
8 Campaign Bank or Depository Wells Fargo Bank, N.A.	Branch Kirkland - Bridle Trails	City Kirkland, WA
9 Related or Affiliated Political Committees. List name, address and relationship. <input type="checkbox"/> Continue on attached sheet.		
10 Campaign books must be open to the public by appointment between 8 a.m. and 5 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address. Street Address, Room Number, City where campaign books will be available for inspection 8723 – 132 nd Place NE Kirkland, WA 98033 In order to make an appointment, contact the campaign at (telephone, fax, e-mail): (206) 930-9038		
11 CERTIFICATION: I certify that this report is true, complete and correct to the best of my knowledge.  Date: 1/16/2010		

SEE INSTRUCTIONS ON NEXT PAGE

84 Violations of RCW 42.17.080 (7) – Certifying Misleading Information on C3s

Every single C3 report that was filed for John Creighton shows the ‘received date’ of the contribution as the exact date of the C3 filed.

Additionally, there are several “credit card donation fees” on Mr. Creighton’s Schedules A so that would indicate several of these donations on C3s were made online. It is impossible to have all online donations received on the same day they are deposited. At a minimum each C3 for an online deposit is a violation of RCW 42.17.080 (7); and, at most, every contribution received is reflecting misleading received dates.

These deposits clearly are filed to mislead the public. When were these contributions actually received? Were some of them outside the 5 business day window that’s allowed and required per RCW 42.17.060? Are they are legitimate?

A sample of one of the 84 misleading C3s that were filed is included below.

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- The treasurer, Ms. Holms, was signed up as the treasurer as listed the C1 form on January 16, 2011. Her \$800 set up fee does not appear until 2/10. It should have been listed as a Debt and Obligation on the January C4, filed 2/8/2011. It is not listed.
- On the March Schedule A, there is a fundraising consulting fee, listed on 3/3 for fundraising consulting services. This is clearly for February work and should have been listed on the February C4 report, filed on March 3rd. It is also not listed.
- The Jennifer Holms bookkeeping fee on March 4th also is clearly a February expense and should have been listed on the February C4, filed on March 3rd, as a debt and obligation. This is also omitted.
- April 4th payment to WinPower for campaign consulting should have been listed as a debt and obligation on the March C4.
- April 5th payments to McKenna Hartman Consulting for fundraising services should have been listed as a debt/obligation on the March C4.
- April 5th payment to Jennifer Holms and Associates for bookkeeping services should have been listed on the March C4.
- May 1 payment to WinPower for campaign consulting should have been listed as a debt/obligation on the April C4. There is another invoice for consulting services on 5/23 for the same amount, so clearly that is the May invoice and the payment on 5/1 is for April work.
- May 3 payment to Jennifer Holms and Associates for bookkeeping services should have been listed as a debt/obligation on the April C4.
- May 3rd payment to WinPower for "consulting services" should have been listed as a debt/obligation on the April C4.
- May 11th payment to McKenna Hartman Consulting for fundraising services should have been listed as a debt/obligation on the April C4.
- June 2nd payment to McKenna Hartman consulting for fundraising services should have been listed as a debt/obligation on the May C4.
- June 7th payment to Jennifer Holms & Associates for bookkeeping services should have been listed as a debt/obligation on the May C4.
- July 26th debt and obligation listing to WinPower for \$6,956 for intro card mailer #1. This piece hit mailboxes on July 26th; therefore, it should have been listed with the July 21 postage expenditure on the June 1 thru July 25 report.
- July 26th debt and obligation listing to WinPower for \$6,956 for intro card mailer #2. This piece hit mailboxes on July 30th. Since it takes longer than five days to print and mail an intro card, this campaign was obligated to Intro Card #2 before July 25th and should have been listed on the June 1 thru July 25 C4 report.

- July 28th payment for postage totaling \$4,160.53 for mailing should have been filed on the June 1 thru July 25 C4. This mailpiece was the 2nd in a series and hit mailboxes on July 30th. Between printing and mailing, the campaign was obligated to this mail piece prior to July 25, but no debt and obligations exist on that June 1 - July 25th C4 report.

 PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40406 OLYMPIA WA 98504-0406 (360) 753-1111 TOLL FREE 1-877-601-2828		SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURES		C4 (2011)		PDC OFFICE USE 100421626 07-26-2011	
Candidate or Committee Name (Do not abbreviate. Include full name) JOHN W CREIGHTON III CITIZENS FOR JOHN CREIGHTON							
Mailing Address 6619-152nd Ave NE PMB 182						City Kirkland, WA	
Zip + 4 98031		Office Sought (Candidates) COUNTY COUNCIL MEMBER		Election Date 2011		*For PACs, Parties & Caucus Committees: During this report period, did the committee make an <u>independent expenditure</u> (i.e., an expense not considered a contribution) supporting or opposing a state or local candidate?	
Report Period From (last C-4) Covered 06/01/11		To (end of period) 07/25/11		Final Report? Yes No X			
RECEIPTS							
						*See next page	
						Yes No	
1. Previous total cash and in kind contributions (From line 8, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) \$ 66,835.48							
2. Cash received (From line 2, Schedule A) \$ 14,510.00							
3. In kind contributions received (From line 1, Schedule B) 1,664.12							
4. Total cash and in kind contributions received this period (Line 2 plus 3) 16,174.12							
5. Loan principal repayments made (From line 2, Schedule L) 0.00							
6. Corrections (From line 1 or 3, Schedule C)..... Show + or (-) 0.00							
7. Net adjustments this period (Combine line 5 & 6)..... Show + or (-) 0.00							
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) 16,174.12							
9. Total pledge payments due (From line 2, Schedule B)..... 0.00							
EXPENDITURES							
10. Previous total cash and in kind expenditures (From line 17, last C-4) (if beginning a new campaign or calendar year, see instruction booklet) 33,024.92							
11. Total cash expenditures (From line 4, Schedule A) 19,572.23							
12. In kind expenditures (goods & services) (From line 1, Schedule B) 1,664.12							
13. Total cash and in kind expenditures made this period (Line 11 plus line 12)..... 21,236.35							
14. Loan principal repayments made (From line 2, Schedule L) 0.00							
15. Corrections (From line 2 or 3, Schedule C)..... Show + or (-) 0.00							
16. Net adjustments this period (Combine lines 14 & 15)..... Show + or (-) 0.00							
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)..... 21,236.35							
CANDIDATES ONLY Won Lost Unopposed Name not on ballot				CASH SUMMARY			
Primary election <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				18. Cash on hand (Line 8 minus line 17) 28,549.34 (Line 18 should equal your bank account balances) plus your petty cash balance)			
General election <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				19. Liabilities: (Sum of loans and debts owed) 0.00			
Treasurer's Daytime Telephone No.: (360) 930-9038				20. Balance (Surplus or deficit) (Line 18 minus line 19) 28,549.34			
CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge							
Candidate's Signature JOHN CREIGHTON				Treasurer's Signature Jennifer A Holmes			
Date 07/26/11				Date			

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are:

- 1) If expenditures are in-kind or earmarked contributions to a candidate or committee or independent expenditures that benefit a candidate or committee, identify the candidate or committee in the Description block;
- 2) When reporting payments to vendors for travel expenses, identify the traveler and travel purpose in the Description block; and
- 3) If expenditures are made directly or indirectly to compensate a person or entity for soliciting signatures on a statewide initiative or referendum petition, use code "V" and provide the following information on an attached sheet: name and address of each person/entity compensated, amount paid each during the reporting period, and cumulative total paid all persons to date to gather signatures.

<p>CODE DEFINITIONS ON NEXT PAGE</p>	<p>C - Contributions (monetary, in-kind & transfers) I - Independent Expenditures L - Literature, Brochures, Printing B - Broadcast Advertising (Radio, TV) N - Newspaper and Periodical Advertising O - Other Advertising (yard signs, buttons, etc.) V - Voter Signature Gathering</p>	<p>P - Postage, Mailing Permits S - Surveys and Polls F - Fundraising Event Expenses T - Travel, Accommodations, Meals M - Management/Consulting Services W - Wages, Salaries, Benefits G - General Operation and Overhead</p>
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3. EXPENDITURES

- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures and show the total in the amount column on the first line below.
- b) Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of detailed expenses or copies of receipts/invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Amount
N/A	Expenses of \$50 or less	N/A	N/A	
07/28/11	CAPITOL CITY PRESS 2975-37th Ave SW Tumwater, WA 98512		postage for mailing	4,163.53
08/01/11	JENNIFER HOLMS & ASSOCIATES 9723-132ND PL NE REDMOND, WA 98052		bookkeeping services	500.00
08/05/11	IAN JACOBSON 12605-125th Ave NE Woodinville, WA 98077		office supplies	136.52
08/02/11	CAPITOL CITY PRESS 2975-37th Ave SW Tumwater, WA 98512		postage	4,159.70
	CAPITOL CITY PRESS		postage for mailing #4	

9 Violations of WAC 390-16-037 – Failure to Report Subvendor Information on Schedule A

It's clear that the number of violations listed on Mr. Creighton's C3s and C4s represent gross carelessness at a minimum or malfeasance or malice. In addition to all the other omissions on Mr. Creighton's reports, there are also several missing subvendors from expenses "needing fuller explanations." For the purposes of focusing on only more serious violations, we did not include missing subvendor information for things like "postage reimbursements" – those are fairly obvious.

- Feb 24 expense to WinPower for "brochure" – who designed, who printed?
- 8/5 expense to Ian Jacobson for "office supplies" for \$136.52
- 7/26 D & O to WinPower for "intro card mailer #1"
- 7/26 D & O to WinPower for "intro card mailer #2"
- 8/8 D & O to WinPower for "intro card mailer #3"
- 8/8 D & O to WinPower for "intro card mailer #4"
- 8/8 D & O to WinPower for "intro card mailer #5"
- 8/8 D & O to WinPower for "robocalls and poll"

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- 8/8 D & O to WinPower for “reprint of walkinpiece”

A sample of the missing subvendor information from the 8/10 C4 report is included below.

ORDERS, DEBTS, OBLIGATIONS		1004	(11/03)
Candidate or Committee Name (Do not abbreviate. Use full name.) JOHN W CREIGHTON III (Citizens For John Creighton)			Report Date 07/26/11 08/08/11
3. ORDERS PLACED, DEBTS, OBLIGATIONS. (Give estimate if actual amount not known. Exclude loans. Report loans on Schedule L.)			
Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code OR Description of Obligation
07/26/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	6956.00	intro card mailer #2 X
07/26/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	6956.00	intro card mailer #1 X
07/29/2011	TRADE PRINTERY 2512-1st Ave Seattle, WA 98101	507.74	postcard printing & mailing
07/29/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	1326.00	campaign consulting & management
08/09/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	6956.00	intro card mailer #3 X
08/08/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	2417.00	intro card mailer #5 X
08/08/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	1200.00	robocalls & poll X
08/08/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	1099.00	intro card mailer #4 X
08/08/2011	WINPOWER 1402-3rd Ave #505 Seattle, WA 98101	1400.00	reprint of walkinpiece X

1 major violation of WAC 390-17-300 – Violating Contribution limits by spending general election money before the Primary election.

According to the PDC website, Mr. Creighton has \$19,100 in general election contributions (see below) he is not allowed to spend prior to the primary election. However, he has violated WAC 390-17-300.

BRONSON JOHN	2011-01-27	800	G
CREIGHTON JANET	2011-01-27	800	G
CREIGHTON JENNIFER	2011-02-07	800	G
CREIGHTON JOHN JR	2011-01-27	800	G
CREIGHTON JULIA	2011-01-27	800	G
GARVEY LYNN	2011-04-22	800	G
GARVEY MIKE	2011-04-22	800	G
GRIMM FREDERICK	2011-02-17	800	G
GRINSTEIN GERALD	2011-03-18	800	G
KAYE LINDA	2011-08-04	800	G
MEISENBACH GINNY	2011-02-17	800	G

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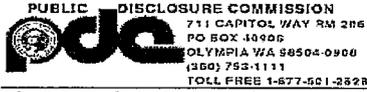
MEISENBACH JOHN	2011-02-17	800	G ^{Public Disclosure Commission}
PERRY WAYNE	2011-04-14	800	G
REESER DENNIS	2011-02-25	800	G
REESER ROXANN	2011-02-25	800	G
RUCKELSHAUS WILLIAM	2011-02-09	800	G
SUBELBIA LEE ANN	2011-03-11	800	G
TERMINAL FREEZERS	2011-04-22	800	G
WASHINGTON MACHINISTS COUNCIL	2011-08-01	800	G
WHITSETT JERRY	2011-02-10	800	G
BROTMAN JEFF	2011-06-30	700	G
MP 28 LLC	2011-07-21	700	G
MPMP LLC	2011-07-21	700	G
PARACOM SOUTH	2011-02-17	400	G
BARER STANLEY	2011-07-11	200	G
CHEN ANDY	2011-02-19	200	G
SCHAFFER CRAIG	2011-05-24	200	G
		19100	

According to his August 8th report, his ending balance was \$-16,195.76 when you include all of his primary expenses and current primary debts. Therefore, with one week to go before the election, Mr. Creighton needs to raise or self-fund \$35,295.76. This is unrealistic since his best week of fundraising to date has been \$6,800. Additionally, his current employment at the Port of Seattle does not lend itself to a \$35,000 personal donation, so it is hard to understand how he intends to pay for his expenses without violating the law. Therefore, it is obvious he has grossly violated WAC 390-17-300. We ask the PDC to rectify this immediately by forcing Mr. Creighton to self-fund the remaining balance or fining him equitable to the difference he does not fundraise.

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SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURES

C4 (357) PDC OFFICE USE 100423830 08-09-2011

Candidate or Committee Name (Do not abbreviate. Include full name) JOHN W CREIGHTON 111 (Citizens for John Creighton) Mailing Address 8610-132nd Ave NE PMB 182 City Kirkland, WA

Zip + 4 98033 Office Sought (Candidates) COUNTY COUNCIL MEMBER Election Date 2011 Report Period Covered From (last C-4) 07/28/11 To (end of period) 08/08/11 Final Report? Yes No X

*For PACs, Parties & Caucus Committees: During this report period, did the committee make an independent expenditure (i.e., an expense not considered a contribution supporting or opposing a state or local candidate?

RECEIPTS table with 3 columns: Description, Amount, and Yes/No. Includes rows for previous total cash, cash received, in-kind contributions, loan repayments, corrections, and net adjustments.

EXPENDITURES table with 3 columns: Description, Amount, and Yes/No. Includes rows for previous total cash, total cash expenditures, in-kind expenditures, loan repayments, corrections, and net adjustments.

CANDIDATES ONLY section with checkboxes for Won, Lost, Unopposed, Name not on ballot for Primary and General elections.

CASH SUMMARY table with 3 columns: Description, Amount, and Yes/No. Includes rows for Cash on hand, Liabilities, and Balance.

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true and correct to the best of my knowledge. Candidate's Signature: JOHN CREIGHTON Date: 08/09/11 Treasurer's Signature: Jennifer A Holms Date: