

File a Formal Complaint - Walter Smith (Complaint submitted on behalf of Karen Hardy)

[Walter](#) (Fri, 27 Oct at 12:50 PM) via Portal [Meta](#)

To whom it may concern,

I write on behalf of my client, Karen Hardy, to notify you that there is good reason to believe violations of chapter 42.17A RCW, Washington State's campaign finance law, have been committed by State Representative Jacquelin Maycumber and her authorized committee (the "Respondent"), earlier this year. My client has requested that you treat this filing as a complaint to the Public Disclosure Commission as provided by RCW 42.17A.105(5). A related citizen action notice was sent to the Attorney General's Office and county authorities today. The Respondent has apparently violated chapter 42.17A RCW as follows:

A. Acceptance of contributions from 7th Legislative District Republican Party in violation of session freeze

By law, an incumbent legislator may not accept contributions during regular or special legislative sessions. RCW 42.17A.560(1); WAC 390-17-400. On the dates identified below, while the legislature was in the midst of special session, the Respondent accepted two contributions totaling \$3,058 in value from the 7th Legislative District Republican Party for reimbursement for her campaign's purchase of signs. This was a payment to either retire a campaign debt (for the signs purchased by the campaign), or a contribution to the candidate's campaign, in violation of the session freeze. WAC 390-17-400(12)(a), (12)(e). The Respondent reportedly violated the session freeze rule as follows:

- 7th LD Republican Party payment of \$906.00 to Committee to Elect Jacquelin Maycumber, dated 6/13/17 (deposited to campaign's account 6/13/17 per form C-3 of same date, number 100769279).
- 7th LD Republican Party payment of \$2,152.00 to Committee to Elect Jacquelin Maycumber, dated 6/30/17 (deposited to campaign's account 6/30/17 per form C-3 of same date, number 100771864).

B. Failure to Report In-Kind Contribution or Expenditure for Political Advertising, and to Include Sponsor Identification on Political Advertising

The attached photograph shows a political advertisement currently being presented to the public near Interstate 90 in the Spokane Valley area (from a digital display clearly visible from the freeway). This advertisement promoting the Respondent's campaign is featured as a slide shown on a rolling basis over a jumbotron-style display. Many vehicles pass daily over the stretch of highway next to the sign and it appears the Respondent enjoys a significant value from this advertising.

The Respondent's campaign most likely approved the advertisement shown in the attached photograph, as it presents a digital version of her campaign poster which is also featured on her website and elsewhere. *See* attached photograph retrieved from Respondent's campaign website showing campaign sign in small version. However, no identifiable in-

kind contribution, expenditure, or independent expenditure has been reported to date showing who sponsored Respondent's political advertisement featured on the sign, or its value. To the extent Respondent's campaign approved of the advertising or paid for it, an in-kind contribution or expenditure should be reported but has not been disclosed as required by law. RCW 42.17A.005(13)(b)(vii).

RCW 42.17A.320(1) provides that "[a]ll written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address." Respondent's sign is a form of written political advertising that omits the "Paid for by" whom statement. To the extent Respondent's campaign sponsored the advertisement, she would be responsible for the violation.

Please advise if you should have any question about this complaint, and please let me know if the Commission schedules any hearing, or Commission staff takes enforcement action or issues any other final action about the allegations listed above.

Sincerely,

Walter Smith

Enclosure: Photographs showing advertising on Spokane Home Builders' Association signage; Respondent's campaign sign in small version.