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ATTORNEY GENERAL OF WASHINGTON

Campaign Finance Unit
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Delivered by electronic mail

April 20, 2017

Glen Morgan
1001 Cooper Point Road SW #140-222
Olympia, WA 98502
glenmorgan89@gmail.com

**RE: Citizen Action Notice against EMS Saves Lives, a political committee
Notice of Results**

Dear Mr. Morgan:

I am writing on behalf of the Attorney General's Office to notify you of the outcome of your citizen action notice filed on February 21, 2017. Your notice alleges that EMS Saves Lives, a political committee, committed multiple violations of the state campaign finance disclosure laws contained in RCW 42.17A. You also brought these allegations to the attention of the state Public Disclosure Commission.

The Attorney General's Office reviewed the allegations and assessed the same as follows:

1. *Failure to properly break down expenses.* You alleged EMS Saves Lives failed to report sub-vendor information for thirteen expenditures totaling \$21,366. 87% of the payments (\$18,586) identified were for payroll withholding or postage, where the sub-vendor was implicitly identified as the IRS or US postal service. Only the payment to Whatcom Marketing appears to omit a required sub-vendor. However, Whatcom Marketing did not inform EMS Saves Lives with which sub-vendor it placed the ad in question.
2. *Failure to accurately disclose expenditures.* You alleged EMS Saves Lives failed to disclose the run dates of various advertisements. However, this information is not required by statute or rule. With the exception of a single expenditure to an individual for "pay for August," all expenditures appear to be fully explained. However, even this expenditure is not in and of itself a reporting violation; there is no evidence that its stated purpose is inaccurate. Further, EMS Saves Lives stated that addresses for certain vendors were still not available.
3. *Failure to disclose contributions and expenditures related to photography.* EMS Saves Lives says it disclosed this information in a C-4 expenditure report, with the expense dated August 13, 2016.

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4. Failure to file timely and accurate reports of monetary contributions. You alleged EMS Saves Lives received a \$1,000 monetary contribution on 7/8/16, and disclosed it seven days late on 7/18/16; EMS Saves Lives responded that the deposit did occur on 7/18/16 but the date identified in its report was a typographical error. Next, EMS Saves Lives allegedly misstated the name of a contributor, correcting it eight days later. Finally, contrary to your allegation, EMS Saves Lives did not owe a last-minute contribution report for a contribution received 10/31/16 because the applicable \$1,000 threshold for contributions during the last-minute window was not met.
5. Failure to disclose debts and obligations. EMS Saves Lives denies that any of the expenses identified were reportable debts. That said, it appears that two “good performance” bonuses paid the day of the election, were likely incurred more than 30 days prior to the election, meaning they should have been reported as debt.
6. Failure to identify committee officers / unauthorized expenditures by individuals not listed as officers. EMS Saves Lives denies that either Lisa McShane or Erica Littlewood acted as an officer or made final decisions on expenditures or fiscal matters.

Having completed the review of the allegations in your notice, the AGO has decided not to proceed with an enforcement action under RCW 42.17A on these allegations. We determined, in an exercise of our prosecutorial discretion, that any viable allegations in your notice are more appropriate for resolution by the Public Disclosure Commission, as opposed to the Superior Court. The Commission has jurisdiction over the allegations because you first filed the complaint there; as such, any decision on how to respond to the allegations will be left with the Commission. Following review, the Commission may choose to institute an enforcement proceeding related to your notice. If you have further questions, please contact me at (360) 586-0710.

Sincerely,



WALTER M. SMITH
Assistant Attorney General
WMS:kj

cc: Darwin Roberts, Deputy Attorney General
Robert Glorioso, EMS Saves Lives, Respondent
Elizabeth Petrich, Thurston County Prosecuting Attorney's Office
David S. McEachran, Whatcom County Prosecuting Attorney's Office
Evelyn Fielding Lopez, Public Disclosure Commission