

RCW 42.17A.765 (4) Notice (re: Frank Chopp)

[Glenmorgan89](#) reported 12 hours ago (Wed, 28 Dec at 11:04 PM) via Email

To: linda.dalton@atg.wa.gov, bobf@atg.wa.gov [1 more](#)

Cc: olsenl@co.thurston.wa.us, pdc@pdc.wa.gov

Hello --

I am writing to you today pursuant to RCW 42.17A.765 (4). This e-mail serves as notification to the Attorney General's Office and King County Prosecuting Attorney's Office that there is reason to believe a variety of provisions of RCW 42.17A have been violated by Frank Chopp, during his 2016 political campaign for the Washington State 43rd Legislative District position.

Additionally, by request, I have also copied the Thurston County Prosecutor's office.

Please see a copy of the formal complaint I submitted to the PDC below my signature line. I submitted the complaint on December 28, 2016.

Let me know if you would like me to provide you with any additional information.

Best regards,

Glen Morgan

[\(360\)](#) 791-6556 cell

(the following PDC complaint was filed December 28, 2016):

To Whom it May Concern (and that should be anyone reading this notice)--

It has come to my attention that Frank Chopp has committed many violations of RCW 42.17A in his campaign for the State House.

1) Illegal expenditures from surplus funds to organizations not registered in accordance with RCW 19.09. (Violation of RCW 42.17A.430(4))

Chopp has made the following improper and illegal donations:

TEMPLE BETH AM 10/30/2016 \$200.00 NONPROFIT DONATION

YES! MAGAZINE 8/28/2016 \$500.00 NONPROFIT DONATION

Neither of these organizations are registered as charities pursuant RCW 19.09, and therefore these donations are improper and illegal. Representative Chopp must personally reimburse his campaign fund for these violations.

2) Failure to report occupation and employer information for a donor. (Violation of RCW 42.17A.240, see WAC 390-16-034)

Susan Byers made a contribution of \$250 on 8/2/2016, however her occupation and employer was not reported, in violation of PDC rules.

3) Illegal personal use of campaign funds for undocumented mileage expenses and a personal home printer. (Violation of RCW 42.17A.445)

a) The Frank Chopp campaign paid Frank Chopp \$1000 for "mileage" on 11/26/16. This expense was made post-election.

Frank Chopp failed to take meticulous notes in a travel log: accurately detail the miles traveled on each trip and describe how the trips related to the campaign. The claimed legal reimbursement amount of \$1000 is entirely fictitious.

According to the PDC's guidebook, reimbursements to candidates must be made within 21 days, or it is considered a loan (which must be documented). For this expense to be legitimate, Chopp would have had to have driven approximately 1850 miles, or an average of 88 miles a day for the time period of 11/5/16 to 11/26/16. (This is according to 2016 IRS reimbursement amounts of \$0.54 per mile, which is not a PDC compliant approach to tracking fuel reimbursements, but which is useful to illustrate the problem here)

b) On 11/26, Chopp purchased a home printer, paper, and ink. This was a post-election expense that also constitutes personal use of campaign funds. Additionally, the claimed reimbursement amount of exactly \$200.00 is also likely fictitious and undocumented.

4) Failure to list Frank Chopp as a committee officer on C1. (Violation of 42.17A.205(2)(c), see WAC 390-05-245)

The Chopp election committee failed to list Frank Chopp as an officer, which is required by RCW 42.17A.205(2)(c).

Chopp met the definition of officer under WAC 390-05-245 because he, in conjunction with others, made, directed, or authorized expenditures, strategic or policy decisions on behalf of the committee.

5) Accepting over-limit contributions from the Puyallup Indian Tribe, failure to refund in timely manner. (Violation of RCW 42.17A.405 & .235, see WAC 390-16-312)

The Puyallup Indian Tribe made the following contributions to Frank Chopp's campaign:

PUYALLUP TRIBE OF INDIANS	11/8/2016	\$1,000.00	G	TACOMA	WA	98404
PUYALLUP TRIBE OF INDIANS	11/8/2016	\$1,000.00	G	TACOMA	WA	98404
PUYALLUP TRIBE OF INDIANS	10/24/2015	\$950.00	P	TACOMA	WA	984044926
PUYALLUP TRIBE OF INDIANS	10/24/2015	\$850.00	G	TACOMA	WA	984044926

Cumulatively, these contributions by the Puyallup Indian Tribe exceed the general election contribution limit by \$1850.00.

According to WAC 390-16-312, the over-limit contributions must have been returned within 10 calendar days of receipt. One of these contributions was not returned until 11/26/16, well past the deadline set by rule.

Moreover, the Chopp campaign also failed to follow the appropriate PDC instructions for fixing this issue: "Do not use the corrections or adjustment feature. The contribution must be "deleted" and an amended C3 and C4 filed for the adjustment to be reflected in the PDC database. The contribution must be 'undeposited', deleted and the C3 amended and any affected C4's amended." Instead, the Chopp campaign illegally reported the over-limit contributions and also illegally reported the refunds as expenditures on their C4s.

6) Failure to accurately file C3 and C4 reports by deadline. (Violation of RCW 42.17A.235)

a) According to the PDC, the accurate C3 report of contributions for the time period of 10/17/16 to 10/23/16 was due on 10/24/16.

Unfortunately, Chopp's campaign failed to file an accurate report containing all contributions. Namely, Chopp's original C3 for this time period (Ref. # 100730097) failed to include the following contributions received on 10/20:

- GAH Benjamin -- \$200
- Kroger -- \$500
- Vigor Industrial LLC -- \$1000
- Physicians Insurance -- \$1000
- WA Dairy PAC -- \$250
- WA State Bail Association -- \$500
- United Psychologists PAC -- \$200
- NW Motorcycle Assn -- \$1000

Spokane Tribe of Indians -- \$500

b) Because his C4 report for this time period (filed on 11/1/16) also failed to include the accurate cumulative sum in the cash receipt section, it also illegally failed to include the correct information.

c) According to the PDC, the accurate C4 report of contributions for the time period of 1/01/16 to 1/31/16 was due on 2/10/16.

Unfortunately, Chopp's campaign failed to file an accurate report containing all expenditures/debts by that deadline. Namely, Chopp's original C4 for this time period failed to include the following expenditures:

Paychex -- \$97 -- q4 taxes -- 1/12/15

Paychex -- \$85.20 -- w2 processing -- 1/21/15

NW Passage Consulting -- \$6379.75 -- Printing Mailer (Overnight printing) -- 1/24/15

The report also failed to list the following debt:

Argo Strategies -- \$150 -- Feb. Fee -- 2/28/15

7) Failure to properly break down expenses. (Violation of RCW 42.17A.235, see WAC 390-16-205)

Chopp reimbursed himself \$574.48 on 8/28/2016 for the following expenses: PARKING (CITY OF SEATTLE), POSTAGE (USPS), FERRY FARE (WSF), OFFICE SUPPLIES (OFFICE DEPOT).

These expenses need to be individually broken down with the accurate amounts for all of them.

8) Failure to accurately report debt. (Violation of RCW 42.17A.240, see WAC 390-05-295)

Chopp failed to accurately report the following ongoing expenses as debt on C4s:

ARGO STRATEGIES	2015-10-22	750	SEATTLE	WA	981090100	NOV TREASURY
ARGO STRATEGIES	2016-09-29	750	SEATTLE	WA	981090100	SEPT TREASURY
ARGO STRATEGIES	2016-09-29	750	SEATTLE	WA	981090100	JULY TREASURY
ARGO STRATEGIES	2016-09-29	750	SEATTLE	WA	981090100	AUGUST TREASURY
ARGO STRATEGIES	2016-07-16	500	SEATTLE	WA	981090100	JUNE TREASURY
ARGO STRATEGIES	2015-10-22	500	SEATTLE	WA	981090100	DEC TREASURY
ARGO STRATEGIES	2016-06-08	400	SEATTLE	WA	981090100	APRIL TREASURY
ARGO STRATEGIES	2016-07-16	400	SEATTLE	WA	981090100	MAY TREASURY
ARGO STRATEGIES	2016-06-08	275	SEATTLE	WA	981090100	NOV TREASURY
ARGO STRATEGIES	2016-06-08	275	SEATTLE	WA	981090100	DEC TREASURY
ARGO STRATEGIES	2015-10-31	275	SEATTLE	WA	981090100	SEPT TREASURY
ARGO STRATEGIES	2015-10-31	275	SEATTLE	WA	981090100	MAY FEE TREASURY
ARGO STRATEGIES	2015-10-31	275	SEATTLE	WA	981090100	TREASURY FEE JUNE
ARGO STRATEGIES	2015-10-31	275	SEATTLE	WA	981090100	APRIL FEE
ARGO STRATEGIES	2015-10-31	275	SEATTLE	WA	981090100	JULY TREASURY
ARGO STRATEGIES	2015-10-31	275	SEATTLE	WA	981090100	AUGUST TREASURY
ARGO STRATEGIES	2015-10-31	275	SEATTLE	WA	981090100	OCT TREASURY
ARGO STRATEGIES	2015-10-22	225	SEATTLE	WA	981090100	TREASURY FEE - JAN
ARGO STRATEGIES	2015-10-22	225	SEATTLE	WA	981090100	MARCH TREASURY
ARGO STRATEGIES	2016-06-08	225	SEATTLE	WA	981090100	JANUARY TREASURY
ARGO STRATEGIES	2016-06-08	225	SEATTLE	WA	981090100	MARCH TREASURY
ARGO STRATEGIES	2016-06-08	150	SEATTLE	WA	981090100	FEB TREASURY
ARGO STRATEGIES	2015-10-22	150	SEATTLE	WA	981090100	FEB FEE

Because Argo Strategies provided these services to Chopp on an ongoing basis (either contractually or via oral agreement), they were required to report this as debt on an on-going basis, per RCW 42.17A.240 and WAC 390-05-295.

I encourage the PDC to investigate these claims immediately and take action.

Best regards,

Glen Morgan