

File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) reported 5 days ago (Wed, 1 Nov at 10:55 PM) via Portal Meta
To Whom it May Concern --

It has come to my attention that Rep. Steve Kirby has habitually and willfully committed frequent and multiple violations of **RCW 42.17A**. Additionally, I have reason to believe that other violations of this chapter have occurred beyond what I have identified below.

1) Failure to file accurate, timely C3 and C4 reports. (Violation of RCW 42.17A.235)

State law requires that candidates and committees file frequent, accurate reports of contributions, expenditures, in-kind contributions, and debt. Unfortunately, Rep. Steve Kirby has failed on numerous occasions to do this. (See **Exhibits A - "Illegally late reported C3 and C4 reports"**)

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

State law requires that the name and address of any person and the amount owed for any debt, obligation, note, unpaid loan, or other liability in the amount of more than two hundred fifty dollars or in the amount of more than fifty dollars that has been outstanding for over thirty days be reported on form C4. Per **WAC 390-05-295**, this includes any oral or written order placed, debt or obligation to purchase goods or services or anything of value, or any offer to purchase advertising space, broadcast time or other advertising related product or service.

Rep. Steve Kirby illegally failed to report the following debts: (See **Exhibit B - "Illegal failure to timely report debts"**).

3) Failure to properly break down, describe expenses. (Violation of RCW 42.17A.235, see WAC 390-16-205, WAC 390-16-037)

State law requires that expenditures made on behalf of a candidate or political committee by any person, agency, firm, organization, etc. employed or retained for the purpose of organizing, directing, managing or assisting the candidate's or committee's efforts shall be deemed expenditures by the candidate or committee. In accordance with **WAC 390-16-037** and **WAC 390-16-205**, such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly. Additionally, in accordance with **WAC 390-16-037**, the exact purpose of the expenditure, the quantity of items printed, and the individual value of broadcast ads distributed on various media outlets must be disclosed on form C4.

Rep. Steve Kirby illegally failed to break down the following expenses. (See **Exhibit C - "Illegal failure to break down expenditures"**)

The PDC should investigate the possibility that Rep. Steve Kirby committed the above violations maliciously, which would be a class C felony per **RCW 42.17A.750 (2)(c)**. If the PDC determines that is the case, they should refer the case to the Attorney General's office for criminal prosecution immediately.

Please don't hesitate to contact me if you need any additional information.

Please note, I have provided all three attachments in both Excel and PDF file formats as requested by PDC staff

Best Regards,

Glen Morgan

Exhibit A -- Illegally Late filed C3 and C4 reports

Approximate Cumulative Days Late -- 524

Violation #	Report #	Report Type	Amended? Y/N	Deposit Date	Due Date	Day Reported	Approximate Days Late
1	100689359	C4	N		1/11/2016	4/10/2016	90
2	100689358	C3	N	12/31/2015	1/11/2016	4/10/2016	90
3	100693685	C4	N		2/10/2016	5/9/2016	89
4	100754574	C4	N		1/10/2017	4/6/2017	86
5	100690526	C3	N	1/29/2016	2/10/2016	4/12/2016	62
6	100690528	C3	N	2/29/2016	3/10/2016	4/12/2016	33
7	100714193	C3	N	7/3/2016	7/4/2016	8/4/2016	31
8	100794677	C3	N	9/30/2017	10/10/2017	10/20/2017	10
9	100794678	C4	Y		10/10/2017	10/20/2017	10
10	100726274	C3	N	10/4/2016	10/10/2016	10/16/2016	6
11	100726275	C3	N	10/6/2016	10/10/2016	10/16/2016	6
12	100709968	C3	N	7/16/2016	7/18/2016	7/22/2016	4
13	100719406	C3	N	9/2/2016	9/5/2016	9/9/2016	4
14	100712000	C3	N	7/24/2016	7/25/2016	7/27/2016	2
15	100690529	C3	N	3/31/2016	4/11/2016	4/12/2016	1

Exhibit B -- Illegal failure to timely report Debt

Approximate Cumulative Days Late --		4408		As of -- 11/1/2017		
Violation #	Vendor	Date	Amount	Description	Debt that was illegally not reported.	Approx. days late
1	PROGRESSIVE STRATEGIES NW	12/9/2015	\$ 1,500.00	RETAINER	This should have been reported as debt on the C4 covering the time period of November 2015.	692
2	MAIN STREET MARKETING	4/19/2016	\$ 2,000.00	CAMPAIGN CONSULTANTS	This should have been reported as debt on the C4 covering the time period of March 2016.	569
3	ANAHAUC MEXICAN RESTAURANT	5/12/2016	\$ 750.51	FUNDRAISER EXP	This should have been reported as debt on the C4 covering the time period of April 2016.	539
4	PROGRESSIVE STRATEGIES NW	5/12/2016	\$ 1,741.00	POSTAGE	This should have been reported as debt on the C4 covering the time period of April 2016.	539
5	PROGRESSIVE STRATEGIES NW	5/12/2016	\$ 2,684.92	MAILER PRODUCTION	This should have been reported as debt on the C4 covering the time period of April 2016.	539
6	PROGRESSIVE STRATEGIES NW	5/15/2016	\$ 1,741.00	POSTAGE	This should have been reported as debt on the C4 covering the time period of April 2016.	539
7	PROGRESSIVE STRATEGIES NW	5/15/2016	\$ 2,904.02	MLR PRODUCTION	This should have been reported as debt on the C4 covering the time period of April 2016.	539
8	MAINSTREET MARKETING	6/2/2016	\$ 2,000.00	CAMPAIGN CONSULTING	This should have been reported as debt on the C4 covering the time period of May 2016.	509
9	WASHINGTON STATE DEMOCRATS	6/2/2016	\$ 608.33	VOTER LISTS	This should have been reported as debt on the C4 covering the time period of May 2016.	509
10	MAIN STREET MARKETING	7/1/2016	\$ 2,000.00	CONSULTING SERVICES	This should have been reported as debt on the C4 covering the time period of May 2016.	509
11	PROGRESSIVE STRATEGIES NW	7/25/2016	\$ 6,831.30	POSTAGE	This should have been reported as debt on the 21 day pre-primary C4.	477
12	PROGRESSIVE STRATEGIES NW	7/25/2016	\$ 10,401.18	PRINTING	This should have been reported as debt on the 21 day pre-primary C4.	477
13	CERILLION N4 PARTNERS	7/27/2016	\$ 3,750.00	JT. MAILING	This should have been reported as debt on the 7-day pre-primary C4.	463
14	PROGRESSIVE STRATEGIES NW	7/27/2016	\$ 2,546.02	INVOICE 6091/POSTAGE	This should have been reported as debt on the 7-day pre-primary C4.	463
15	PROGRESSIVE STRATEGIES NW	7/27/2016	\$ 4,458.58	INVOICE 6091 & 6100/PRINTING	This should have been reported as debt on the 7-day pre-primary C4.	463
16	PROGRESSIVE STRATEGIES NW	8/2/2016	\$ 2,356.43	POSTAGE	This should have been reported as debt on the 7-day pre-primary C4.	463
17	PROGRESSIVE STRATEGIES NW	8/2/2016	\$ 3,732.58	PRINTING	This should have been reported as debt on the 7-day pre-primary C4.	463
18	MAIN STREET MARKETING	8/19/2016	\$ 2,000.00	DIGITAL CONSULTING	This should have been reported as debt on the 7-day pre-primary C4.	463
19	ANAHAUC MEXICAN RESTAURANT	9/8/2016	\$ 408.04	FUNDRAISER EXP	This should have been reported as debt on the post-primary C4.	415
20	REBECCA SUMMERS	10/4/2016	\$ 1,500.00	CAMPAIGN MGT	This should have been reported as debt on the post-primary C4.	415
21	PROGRESSIVE STRATEGIES NW	10/21/2016	\$ 5,452.30	MAILER 1G	This should have been reported as debt on the 21 day pre-general C4.	379
22	PROGRESSIVE STRATEGIES NW	10/21/2016	\$ 3,574.01	POSTAGE	This should have been reported as debt on the 21 day pre-general C4.	379
23	PROGRESSIVE STRATEGIES NW	10/31/2016	\$ 5,643.08	PROFESSIONAL SERVICES/MAILER	This should have been reported as debt on the 21 day pre-general C4.	379
24	PROGRESSIVE STRATEGIES NW	10/31/2016	\$ 3,052.61	POSTAGE	This should have been reported as debt on the 21 day pre-general C4.	379
25	PROGRESSIVE STRATEGIES NW	11/3/2016	\$ 2,630.09	MAILER	This should have been reported as debt on the 7 day pre-general C4.	365
26	PROGRESSIVE STRATEGIES NW	11/3/2016	\$ 2,625.13	POSTAGE	This should have been reported as debt on the 7 day pre-general C4.	365
27	PROGRESSIVE STRATEGIES NW	11/15/2016	\$ 325.00	GRAPHIC DESIGN	This should have been reported as debt on the 7 day pre-general C4.	365
		Total	\$ 79,216.13			

Exhibit C -- Illegal Failure to breakdown expenditures.

Approximate Cumulative Days Late --		2076	As of --	11/1/2017		
Violation #	Vendor	Date	Amount	Description	Violation	Report # Approx. days late as of today
1	CERILLION N4 PARTNERS	7/27/2016	\$ 3,750.00	JT. MAILING	Failure to identify subvendor, number of items printed.	100718955 415
2	PROGRESSIVE STRATEGIES NW	7/27/2016	\$ 4,458.58	INVOICE 6091 & 6100/PRINTING	Failure to identify subvendor, number of items printed.	100718955 415
3	PROGRESSIVE STRATEGIES NW	8/2/2016	\$ 3,732.58	PRINTING	Failure to identify subvendor, number of items printed.	100718955 415
4	PROGRESSIVE STRATEGIES NW	5/12/2016	\$ 2,684.92	MAILER PRODUCTION	Failure to identify subvendor, number of items printed.	100700917 509
5	PROGRESSIVE STRATEGIES NW	5/15/2016	\$ 2,904.02	MLR PRODUCTION	Failure to identify subvendor, number of items printed.	100700917 509
6	PROGRESSIVE STRATEGIES NW	7/25/2016	\$ 10,401.18	PRINTING	Failure to identify subvendor, number of items printed.	100710701 463
7	PROGRESSIVE STRATEGIES NW	10/21/2016	\$ 5,452.30	MAILER 1G	Failure to identify subvendor, number of items printed.	100732428 365
8	PROGRESSIVE STRATEGIES NW	10/31/2016	\$ 5,643.08	PROFESSIONAL SERVICES/MAILER	Failure to identify subvendor, number of items printed.	100732428 365
9	PROGRESSIVE STRATEGIES NW	11/3/2016	\$ 2,630.09	MAILER	Failure to identify subvendor, number of items printed.	100736672 324
		Total	\$ 41,656.75			