



City of Seattle

Ethics and Elections Commission

February 7, 2017

BY E-MAIL

Glen Morgan

Re: Case No. 16-2-1228-1

Dear Mr. Morgan:

On January 13, 2017, the Public Disclosure Commission (PDC) referred to the Seattle Ethics and Elections Commission (SEEC) your December 28, 2016 complaint against Seattle City Councilmember Kshama Sawant and the Vote Sawant Committee. The PDC and the SEEC have concurrent jurisdiction over City of Seattle candidates, and historically the PDC has deferred to the SEEC on matters involving Seattle races.

As you may know, the SEEC fined the Vote Sawant committee twice for campaign finance violations in the 2015 election cycle. On September 14, 2015, we fined the committee \$500 for failing to timely file multiple reports, and on January 7, 2016, we fined the committee \$1,500 for failing to report obligations in the final two reports before the general election.

I reviewed the 11 allegations in your December 28, 2016 complaint, and the January 9, 2017 response to those allegations submitted by Councilmember Sawant's attorneys, and do not believe that any further action against the Councilmember or her campaign committee is warranted. The majority of your allegations are unfounded, as Councilmember Sawant's lawyers demonstrate. Those that are not unfounded either already lead to fines imposed by the SEEC (Allegation #8) or are not material violations (the misspelling of Seattle in Councilmember Sawant's e-mail address).

I do need to point out that the SEEC *requires* City committees to report refunds in the manner you object to in your eleventh allegation. (This manner of reporting also triggered your sixth allegation as well.) The SEEC believes that the public is better informed when candidates report all the money that comes into their coffers and all the money that leaves. The public may have an interest in knowing about over-the-limit campaign contributions and other contributions that candidates refund, and that information can be more difficult to find when candidates simply amend their reports to remove the refunded contribution.

CONCLUSION

I am dismissing your complaint. If you would like to appeal this dismissal, you may do so under the Ethics and Elections Commission's Administrative Rule 4.¹

Very truly yours,



Wayne Barnett
Executive Director

cc: Seattle Ethics and Elections Commission
Evelyn Fielding Lopez, Executive Director, PDC
Tony Perkins, Investigator, Attorney General's Office
Dmitri Iglitzin and Laura Ewan, Attorneys for Kshama Sawant

¹ Rule 4 APPEALS

- A. Upon the written request of a party aggrieved by the Executive Director's decision to dismiss a complaint, or to impose late-filing penalties under SMC 2.04.330, the action may be reviewed by the Commission.
- B. An appeal of a dismissal shall be served at the Commission's office no later than 21 days after the date of mailing the decision of which review is sought.
- C. An appeal of late-filing penalties shall be served at the Commission's office no later than 14 days after the date of mailing the decision of which review is sought.
- D. A request for review shall state the grounds therefor, and shall be no longer than twelve 8-1/2" x 11" double-spaced pages in length with margins of at least 1" on every side, and no more than 12 characters per inch.
- E. When an appeal is filed, the Executive Director's decision shall not be final until the Commission has acted on the appeal.
- F. The Commission shall act on the request at the next meeting at which it may be practicable by:
1. deciding whether to review the Executive Director's decision; and
 2. if it decides to do so, either affirming, reversing, or amending the decision.
- G. In reviewing the Executive Director's decision, the Commission shall base its review on whether the Executive Director had a rational basis for the decision, and shall only reverse or amend a decision to the extent that a rational basis is lacking.