



December 9, 2019

**BY E-MAIL ONLY**

*Re: Case No. 19-2-1029-1 and  
Case No. 19-2-1029-2*

Dear M\*\*\*\*\*:

On October 29, 2019, you filed two complaints regarding over the limit contributions made to the Seattle for Strauss committee (the “Committee”), use of City resource to support a campaign, and false advertising. The City’s Elections Code does not address truth in advertising in any way, so I do not address those allegations below. I am dismissing your complaints of violations of the Elections Code for the reasons stated below.

**Allegations**

You alleged that the Strauss committee accepted several over-the-limit contributions. As we told you, a campaign committee must deposit contributions within five days and report those contributions. When those contributions exceed the City’s contribution limits, they must timely refund that portion to the contributor. The Committee did that in every case.

*Mary Ferguson*

On October 12, 2019, Mary Ferguson made a contribution of \$1,000 to the Committee. The Committee refunded \$750 of the contribution on October 17, 2019, bringing the contributor’s aggregate contribution amount to \$500 when added to her prior contributions. The C4 reporting the refund was timely filed on October 29, 2019.

*Sean Kent*

On October 22, 2019, the Committee learned that it had a duplicate record for Mr. Kent. Upon combining the records, the treasurer realized Mr. Kent had exceeded the contribution limit. The treasurer refunded \$100 to Mr. Kent the same day. The C4 reporting the refund was timely filed on October 29, 2019.

*Gerald Edwards*

On October 10, 2019, the treasurer reported a contribution of \$200 from North Beach Marine Surveyors. Upon learning that North Beach Marine Surveyors shared a contribution limit with Gerald Edwards, the treasurer, in an effort to be transparent amended the report on October 31, 2019 to show that the contribution was from Mr. Edwards and issued a refund the same day. The refund will appear of the post-Election C4 due on December 10, 2019.

I am dismissing the above allegations because the refunds were timely made and reported.

*Use of City resources to support a campaign*

The City's Elections Code says that "[n]o elected official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition."

You wrote that "a candidate for Seattle office cannot use symbols of city office to campaign for office." The mailer that you sent us was produced and mailed to its members by the Martin Luther King County Labor Council of Washington. The individual pictured with Mr. Strauss is not in a Seattle Police Department (SPD) uniform, is not wearing an SPD badge, and is not even a Seattle police officer.

I am dismissing this complaint because no City resources were used in the mailing. While someone could mistake the person in uniform for a Seattle police officer, that is not sufficient to violate any laws administered by this office.

**Conclusion**

For the foregoing reasons, I am dismissing your complaints. You may appeal this decision by submitting to this office, a written request for appeal, pursuant to the

Commission's Administrative Rule 4.<sup>1</sup>

Very truly yours,



Wayne Barnett  
Executive Director

cc: Seattle Ethics and Elections Commission (*Complainant's name and address redacted*)  
Andy Lo, Treasurer, Seattle for Strauss (*Complainant's name and address redacted*)

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<sup>1</sup> 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.