



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

TO: Commissioners

FROM: Philip E. Stutzman, Director of Compliance *Philip Stutzman*
Kurt Young, Compliance Officer *Kurt Young*

DATE: October 17, 2013

SUBJECT: Michael King, Senate Democratic Campaign Committee, The Roosevelt Fund,
Case No. 13-023

Respondents and Staff Allegations

Since 1993, and through 2012, the Senate Democratic Campaign Committee (SDCC) has been the official caucus political committee of the Senate Democratic Caucus. The committee was formed shortly after the passage of Initiative 134 in 1992. The SDCC registered as a caucus political committee in 1993, and has been timely filing its Cash Receipts Monetary Contributions reports (C-3 reports) and Campaign Summary Receipts & Expenditures reports (C-4 reports) with the Public Disclosure Commission (PDC) disclosing its contribution and expenditure activities.

Since 1994, and through 2012, The Roosevelt Fund has been the registered caucus-related political committee for the SDCC, and has been timely filing its C-3 and C-4 reports.

During 2012, Michael King served as the Executive Director of both the SDCC and The Roosevelt Fund.

On February 21, 2013, officials of the SDCC and The Roosevelt Fund notified PDC Executive Director Andrea McNamara Doyle that it had referred to the King County Prosecuting Attorney's Office evidence that Mr. King had misappropriated SDCC and Roosevelt Fund money for his personal use. Officials of the SDCC and The Roosevelt Fund also noted that the alleged misappropriation of funds over the course of several months had resulted in inaccurate reporting by the SDCC and The Roosevelt Fund that would need to be corrected.

On February 27, 2013, PDC staff filed a complaint against Michael King alleging that he had violated RCW 42.17A.435 by concealing the true nature of committee expenditures, and RCW 42.17A.445 by converting committee funds to his personal use from both the SDCC and The Roosevelt Fund. (See attached) In addition, the PDC staff complaint alleged that the SDCC and The Roosevelt Fund violated RCW 42.17A.240 by filing inaccurate C-4 reports.

Documents filed in King County Superior Court re: Michael King

On September 24, 2013, the King County Prosecutor filed criminal charges against Michael King in King County Superior Court (Case No. 13-1-12450-1 SEA) alleging four counts of Theft in the First Degree; and four counts of Theft in the Second Degree. **(See attached Information)** The Information cited suspicions of financial irregularities concerning Mr. King and the SDCC that came to light after the November 2012 general election. The report accompanying the charging documents provided the following information:

- A review of SDCC expenditures revealed that many thousands of dollars were spent by Mr. King for online polling and auto-dialing companies that appeared unnecessary.
- Jason Bennett of Argo Strategies, hired by the SDCC in 2006 to act as the Treasurer of the SDCC, discovered these irregularities and notified the SDCC Co-Chairs in February of 2013.
- Based on the irregularities and suspicions, the SDCC board hired the Pacifica Law Group to investigate these matters. The Pacifica Law Group reviewed financial documents provided by the SDCC, The Roosevelt Fund, and Argo Strategies, and other documents voluntarily provided by Mr. King. The review indicated that Mr. King deposited thousands of dollars of SDCC funds into his personal bank accounts.
- During his interview with a Seattle Police Department, Mr. King admitted to stealing SDCC funds, stating: "I did these things and I have to accept consequences and I do." He further stated, in response to a question about how much money he stole: "It's probably north of \$200,000, maybe you know up to \$300,000." King said that he took this money because he had a drinking and gambling problem.
- On 42 occasions between March 28, 2011 and January 31, 2013, Mr. King requested and received reimbursements totaling \$125,900 for expenses described as "Survey Monkey."

The report provided no information demonstrating that the SDCC or The Roosevelt Fund knew or had reason to know that the committee C-4 reports were inaccurate.

Michael King pleads guilty in King County Superior Court

On October 3, 2013, Mr. King appeared in King County Superior Court and pleaded guilty to four counts of Theft in the First Degree and four counts of Theft in the Second Degree for embezzling at least \$250,000 in funds from the SDCC. According to King County Superior Court documents, Mr. King is scheduled for sentencing on November 22, 2013, and the state is recommending that Mr. King serve two years in prison and pay \$250,000 in restitution.

Reimbursements to Michael King for personal use

On October 9, 2013, representatives of the SDCC and The Roosevelt Fund provided PDC staff with spreadsheets concerning payments that had been diverted from the SDCC and The Roosevelt Fund to Michael King for his personal use. The spreadsheets identified \$158,248 in SDCC committee expenditures that had been reimbursed or directed to Mr. King for his personal use covering the period November 10, 2011 through February 14, 2013. The spreadsheets

further identified \$127,124 in Roosevelt Fund committee expenditures that had been reimbursed or directed to Mr. King for his personal use covering the period December 12, 2011 through February 14, 2013.

From SDCC

The SDCC C-4 reports filed during the period November 10, 2011 through February 14, 2013, included 68 expenditures made to fictitious vendors for payments that were actually made to Mr. King for his personal use. The fictitious vendors and the purpose of the expenditures included the following:

- Survey Monkey (Reimburse research);
- Callfire.com (Reimburse research);
- Precision Polling (Reimburse Polling minutes);
- Autocalls. Com (Reimburse research);
- More Margin (Research);
- MCS Phones; and
- Winpower.

No vendors were listed for several expenditures that were reimbursements or payments to Mr. King with a purpose listed as “Bonus” or “Research.”

From The Roosevelt Fund

The Roosevelt Fund C-4 reports filed during the period January 1, 2012 through February 14, 2013, included 50 expenditures made to fictitious vendors for payments that were actually made to Mr. King for his personal use. The fictitious vendors and the purpose of the expenditures included the following:

- Survey Monkey (Reimburse research);
- Callfire.com (Reimburse research);
- Precision Polling (Reimburse Polling minutes);
- Autocalls. Com (Reimburse research);
- More Margin (Research);
- MCS Phones; and

The October 9, 2013 communication from the SDCC and The Roosevelt Fund stated they would be filing amended C-4 reports in the near future.

Commission Options:

At this juncture, Staff provides the Commission with the following options for bringing this matter (PDC Case No. 13-023) to conclusion, in accordance with WAC 390-37-103:

Regarding Respondent Michael King, Staff suggests the Commission may wish to either:

- Accept the investigation as complete and issue an order directing staff to take no further action regarding Respondent Michael King, on the grounds that resolution of the criminal matter adequately addresses the same activity that suggests apparent violations of RCW 42.17A and that further investment of state resources are therefore not in the public interest; or
- Direct staff to complete a Report of Investigation regarding Respondent Michael King and schedule an enforcement hearing to consider appropriate civil penalties or other authorized remedies.

Regarding Respondents SDCC and the Roosevelt Fund, the Commission could:

- Accept the investigation as complete and issue an order directing staff to take no further action regarding the Respondents SDCC or The Roosevelt Fund, on the condition that appropriate amended reports are timely filed with the PDC; or
- Direct staff to undertake a PDC investigation regarding Respondents SDCC and The Roosevelt Fund and, if warranted, schedule an enforcement hearing to consider appropriate civil penalties or other authorized remedies.

Comparable Case

The 2001 and 2005 campaigns for Friends of Jane Hague for King County Council, and a Jane Hague 2004 exploratory congressional committee.

Ms. Hague's campaign treasurer/campaign manager (Jennifer Hildebrand) was found to have made a number of unauthorized expenditures from the two King County races and one congressional race totaling \$144,877.

Ms. Hildebrand cooperated with investigators hired by the Jane Hague campaigns and pleaded guilty to felony theft. She was sentenced to 160 hours of community service and paid restitution of more than \$200,000, including the costs of the investigation. No complaint was filed with the PDC against Ms. Hague or Ms. Hildebrand, either by the public or PDC staff.

The Friends of Jane Hague campaigns completed a cover memorandum for each campaign (2001 and 2005) and attached a spreadsheet listing each expenditure that had been misappropriated by Ms. Hildebrand. The Friends of Jane Hague campaigns filed amended C-4 reports for the two campaigns, and no enforcement action was taken by the PDC.

Attachments: Complaint re: Case No. 13-023
Summons & Information filed in King Co. Superior Court against Michael King



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MEMORANDUM

TO: Philip E. Stutzman, Director of Compliance

FROM: Andrea McNamara Doyle, Executive Director

DATE: February 27, 2013

SUBJECT: PDC staff generated complaint filed against Michael King, Executive Director of Senate Democratic Campaign Committee, SDCC, and The Roosevelt Fund


On February 21, 2013, the Senate Democratic Campaign Committee (SDCC) notified me that it has referred to the King County Prosecuting Attorney's Office evidence of misappropriation of SDCC campaign funds by Michael King, its Executive Director. The SDCC also noted that the alleged misappropriation of funds over the course of the past several months means the SDCC's campaign finance filings with the PDC during that same time period likely contain inaccuracies that the committee will need to correct.

Upon receiving this notice, PDC staff conducted a preliminary review of campaign finance filings from the 2012 election cycle and early 2013 involving Michael King. These reports disclose numerous expenditures made by SDCC and The Roosevelt Fund to Michael King as reimbursements for goods and services which, if provided, appear to substantially exceed the reasonable costs of such goods and services.

Alleged Violations:

The facts referenced above provide reason to believe that Michael King has violated RCW 42.17A.435 and RCW 42.17A.445, and that reports filed by SDCC and The Roosevelt Fund are not in compliance with RCW 42.17A.240.

Based on this information, I am filing this complaint and directing staff to open an investigation into the allegations that Michael King, SDCC, and The Roosevelt Fund may have violated chapter 42.17A RCW.



Andrea McNamara Doyle
Executive Director

2/27/13
Date

FILED

13 SEP 24 PM 3:34

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 13-1-12450-1 SEA

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
	Plaintiff,)
v.)	No. 13-1-12450-1 SEA
)	
MICHAEL WALTER KING,)	
	Defendant.)
)	MOTION, FINDING OF PROBABLE
)	CAUSE AND ORDER DIRECTING
)	ISSUANCE OF SUMMONS OR
)	WARRANT AND FIXING BAIL

The plaintiff, having informed the court that it is filing herein an Information charging the defendant with the crime(s) of **Theft In The First Degree, Theft In The Second Degree, Theft In The Second Degree, Theft In The Second Degree, Theft In The First Degree, Theft In The First Degree, Theft In The First Degree**, now moves the court pursuant to CrR 2.2(a) for a determination of probable cause and an order directing the issuance of a summons or warrant for the arrest of the defendant, and

fixing the bail of the defendant in the amount of , cash or approved surety bond.

directing the issuance of a summons.

In connection with this motion, the plaintiff offers the following incorporated materials: The Seattle Police Department certification or affidavit for determination of probable cause; the Seattle Police Department suspect identification data; and the prosecutor's summary in support of order directing issuance of summons or order fixing bail and/or conditions of release.

If the defendant is not in custody, the plaintiff has attempted to ascertain the defendant's current address by searching the District Court Information System database, the driver's license

MOTION, FINDING OF PROBABLE CAUSE AND
ORDER DIRECTING ISSUANCE OF SUMMONS OR
WARRANT AND FIXING BAIL - 1

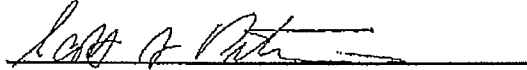
Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
W554 King County Courthouse
516 Third Avenue
Seattle, WA 98104-2385
(206) 296-9010 FAX (206) 296-9009

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and identicard database maintained by the Department of Licenses, and the database maintained by the Department of Corrections listing persons incarcerated and under supervision.

DANIEL T. SATTERBERG, Prosecuting Attorney

By:



Scott A. Peterson, WSBA #17275
Senior Deputy Prosecuting Attorney

FINDING OF PROBABLE CAUSE AND ORDER FOR ARREST WARRANT

The court finds that probable cause exists to believe that the above-named defendant committed an offense or offenses charged in the information herein based upon the police agency certification/affidavit of probable cause incorporated and pursuant to CrR 2.2(a).

IT IS ORDERED that the Clerk of this Court issue a summons or warrant of arrest for the above-named defendant; and

IT IS FURTHER ORDERED that

the bail of the defendant be fixed in the amount of , cash or approved surety bond.

directing the issuance of a summons; if the defendant is incarcerated on the investigation charge herein the defendant shall be released from custody.

Additional Conditions: _____

IT IS FURTHER ORDERED that the defendant be advised of the amount of bail fixed by the court and/or conditions of his or her release, and of his or her right to request a bail reduction. Service of the warrant by telegraph or teletype is authorized.

SIGNED this _____ day of September, 2013.

JUDGE

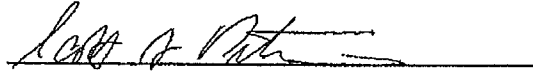
MOTION, FINDING OF PROBABLE CAUSE AND ORDER DIRECTING ISSUANCE OF SUMMONS OR WARRANT AND FIXING BAIL - 2

Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
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Seattle, WA 98104-2385
(206) 296-9010 FAX (206) 296-9009

1 Presented by:

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Scott A. Peterson, WSBA #17275
Senior Deputy Prosecuting Attorney

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MOTION, FINDING OF PROBABLE CAUSE AND
ORDER DIRECTING ISSUANCE OF SUMMONS OR
WARRANT AND FIXING BAIL - 3

Daniel T. Satterberg, Prosecuting Attorney
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FILED

13 SEP 24 PM 3:34

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 13-1-12450-1 SEA

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
)	
v.)	No. 13-1-12450-1 SEA
)	
MICHAEL WALTER KING,)	INFORMATION
)	
Defendant.)	
)	

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse MICHAEL WALTER KING of the following crime[s], which are based on the same conduct or a series of acts connected together or constituting parts of a common scheme or plan: **Theft In The First Degree, Theft In The Second Degree, Theft In The Second Degree, Theft In The Second Degree, Theft In The First Degree, Theft In The First Degree, Theft In The First Degree**, committed as follows;

Count 1 Theft In The First Degree

That the defendant MICHAEL WALTER KING in King County, Washington, on or about January 31, 2013, with intent to deprive another of property, to-wit: lawful United States currency, did wrongfully obtain and exert unauthorized control over such property belonging to The Senate Democratic Campaign Committee, that the value of such property did exceed \$5,000;

Contrary to RCW 9A.56.030(1)(a) and 9A.56.020(1)(a), and against the peace and dignity of the State of Washington.

Count 2 Theft In The Second Degree

That the defendant MICHAEL WALTER KING in King County, Washington, on or about January 21, 2013, with intent to deprive another of property, to-wit: lawful United States currency, did wrongfully obtain and exert unauthorized control over such property belonging to The Senate Democratic Campaign Committee, that the value of such property did exceed \$750;

INFORMATION - I

Daniel T. Satterberg, Prosecuting Attorney
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2 Contrary to RCW 9A.56.040(1)(a) and 9A.56.020(1)(a), and against the peace and dignity
3 of the State of Washington.

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5 Count 3 Theft In The Second Degree

6 That the defendant MICHAEL WALTER KING in King County, Washington, on or
7 about January 18, 2013, with intent to deprive another of property, to-wit: lawful United States
8 currency, did wrongfully obtain and exert unauthorized control over such property belonging to
9 The Senate Democratic Campaign Committee, that the value of such property did exceed \$750;

10 Contrary to RCW 9A.56.040(1)(a) and 9A.56.020(1)(a), and against the peace and dignity
11 of the State of Washington.

12 Count 4 Theft In The Second Degree

13 That the defendant MICHAEL WALTER KING in King County, Washington, on or
14 about December 28, 2012, with intent to deprive another of property, to-wit: lawful United
15 States currency, did wrongfully obtain and exert unauthorized control over such property
16 belonging to The Senate Democratic Campaign Committee, that the value of such property did
17 exceed \$750;

18 Contrary to RCW 9A.56.040(1)(a) and 9A.56.020(1)(a), and against the peace and dignity
19 of the State of Washington.

20 Count 5 Theft In The Second Degree

21 That the defendant MICHAEL WALTER KING in King County, Washington, on or
22 about December 22, 2012, with intent to deprive another of property, to-wit: lawful United
23 States currency, did wrongfully obtain and exert unauthorized control over such property
24 belonging to The Senate Democratic Campaign Committee, that the value of such property did
exceed \$750;

Contrary to RCW 9A.56.040(1)(a) and 9A.56.020(1)(a), and against the peace and dignity
of the State of Washington.

Daniel T. Satterberg, Prosecuting Attorney
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Count 6 Theft In The First Degree

That the defendant MICHAEL WALTER KING in King County, Washington, on or about December 21, 2012, with intent to deprive another of property, to-wit: lawful United States currency did wrongfully obtain and exert unauthorized control over such property belonging to The Senate Democratic Campaign Committee, that the value of such property did exceed \$5,000;

Contrary to RCW 9A.56.030(1)(a) and 9A.56.020(1)(a), and against the peace and dignity of the State of Washington.

Count 7 Theft In The First Degree

That the defendant MICHAEL WALTER KING in King County, Washington, on or about December 20, 2012, with intent to deprive another of property, to-wit: lawful United States currency, did wrongfully obtain and exert unauthorized control over such property belonging to The Senate Democratic Campaign Committee, that the value of such property did exceed \$5,000;

Contrary to RCW 9A.56.030(1)(a) and 9A.56.020(1)(a), and against the peace and dignity of the State of Washington.

Count 8 Theft In The First Degree

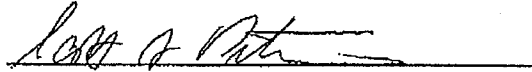
That the defendant MICHAEL WALTER KING in King County, Washington, on or about December 17, 2012, with intent to deprive another of property, to-wit: lawful United States currency, did wrongfully obtain and exert unauthorized control over such property belonging to The Senate Democratic Campaign Committee, that the value of such property did exceed \$5,000;

Contrary to RCW 9A.56.030(1)(a) and 9A.56.020(1)(a), and against the peace and dignity of the State of Washington.

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DANIEL T. SATTERBERG
Prosecuting Attorney

By:



Scott A. Peterson, WSBA #17275
Senior Deputy Prosecuting Attorney

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CAUSE NO. 13-1-12450-1 SEA

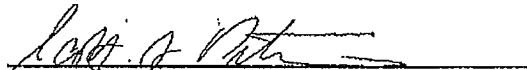
PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause prepared by Detective Keith D Savas of the Seattle Police Department for case number 13-064846.

Defendant Michael Walter King embezzled between \$250,000 and \$300,000 of campaign contributions deposited to accounts owned by the Senate Democratic Campaign Committee between March 28, 2011, and January 31, 2013 while employed by the committee as Executive Director. King concealed his thefts by recording them on the records as reimbursements for polling or personal expenses or as bonuses. King made a full confession to police after his thefts were discovered.

Defendant is not a flight risk or danger to the community. The State does not request bail at this time.

Signed and dated by me this ____ day of September, 2013.



Scott A. Peterson, WSBA #17275
Senior Deputy Prosecuting Attorney

Certification for Determination of Probable Cause

That **Keith Savas** is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case number **13-064846**. There is probable cause to believe that **Michael Walter King** committed the crimes of **Theft in the First Degree** and **Theft in the Second Degree** within the City of Seattle, County of King, State of Washington. This belief is predicated on the following facts and circumstances.

On February 25th, 2013 I was assigned Seattle Police incident report 13-064846, a theft case involving Michael King, the Executive Director of the now defunct Senate Democratic Campaign Committee (SDCC) from March 1st, 2011 until February 20th 2013. The SDCC was established as a statewide organization to help democratic incumbents and candidates win election to the Washington State Senate. The Executive Director is responsible for working with the SDCC Co-Chairs, currently State Senators Frockt, Nelson and Murray and SDCC staff to recruit Democratic candidates to run for the Washington State Senate and assist current democratic state senators with their reelection campaigns. The Executive Director manages the SDCC budget, consisting mainly of campaign donations from PACS, companies, and private citizens and works with the SDCC Co-Chairs allocating resources to campaigns across the state. The Executive Director acts as the primary political contact for all democratic stakeholders. When he first became the Executive Director of the SDCC King did not have check signing capabilities, the Executive Director historically did not have check signing capabilities. However in February of 2012 he asked for and was given direct access to SDCC accounts including check signing capabilities.

Suspicious of financial irregularities came to light after a review of expenditures revealed what appeared to be significant payments made by King from SDCC accounts to online polling and auto-dialing companies made after the November 2012 elections. These businesses are often used by campaigns, to obtain information from voters that are used to help shape election strategies. Those payments however were made for services performed well after the November 2012 elections where the need for such services is limited. A review of these expenditures revealed that many thousands of dollars were spent by King on polling that appeared unnecessary. Jason Bennett of Argo strategies, hired by the SDCC in 2006 to act as the Treasurer of the SDCC, discovered these irregularities and notified the SDCC Co-Chairs in February of 2013.

Based on these suspicions the board of the SDCC hired the Pacifica Law Group to investigate. They determined after a review of financial documents provided by the SDCC, Argo, and some voluntarily provided by King, that King deposited thousands of dollars of SDCC funds into his personal bank accounts while explaining to others at SDCC the funds were being spent for legitimate SDCC purposes. They placed the loss to the SDCC from King's actions at as much as \$330,000.

DPA Peterson and Pacifica Law Group attorney's Paul Lawrence and Greg Wong and I reviewed the documents compiled by Pacifica and I reviewed King's personal bank records from the Bank of America. We discovered that hundreds of SDCC checks were cashed and electronic withdrawals made totaling \$327,023.76 between March 28th, 2011 and January 31st, 2013 from SDCC accounts and negotiated through bank accounts controlled by King. Additionally, King asked for and received reimbursements totaling \$125,900.00 for expenses related to "Survey Monkey 42 times between March 28th, 2011 and January 31st, 2013.

DPA Peterson interviewed King on June 5th, 2013. King was represented by his attorney, Lyle Tenpenny. I reviewed a transcript of that recorded interview. King explained, and this was confirmed by Jason Bennett of Argo Strategies, that submitting reimbursements for expenses was a simple informal process. Before he obtained check signing capabilities King would forward, or have his employees forward, requests for reimbursement directly to

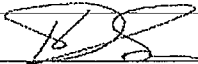
Argo Strategies and Bennett would issue a check. After he received check signing authority for the SDCC bank accounts in early 2012 King would write himself a check for reimbursements, and then notify Bennett of the expense for accounting purposes. Argo did not verify the accuracy of these expenses but relied on King to provide accurate information for inclusion in campaign finance reports prepared by Argo.

King admitted during this interview to stealing SDCC funds telling Peterson, "I did these things and I have to accept consequences and I do." He added, in response to the question by Peterson asking him how much money he stole, King replied, "It's probably north of \$200,000.00, maybe you know up to \$300,000.00." King said that he took this money because he had a drinking and gambling problem.

King signed releases for his personal bank accounts. A review of King's bank records confirms King's claims that he used the stolen money to fund his drinking and gambling problem. I discovered many deposits and/or instances where checks were cashed through those accounts that correspond with "reimbursement" checks issued to King. I also discovered many dozens of withdrawals occurring to such entities as Goldie's casino in Shoreline, the Tulalip Casino in Marysville and the Silver Dollar Casino in SeaTac.

In conclusion, based on the evidence I have set out above, there is probable cause to believe that Michael King embezzled funds from the now defunct Senate Democratic Campaign Committee for which he was the Executive Director, by submitting false requests for reimbursement for work or other expenditures not conducted, receiving reimbursements of SDCC funds then taking and spending that money for personal use and therefore has committed numerous instances of Theft in the First Degree and Theft in the Second Degree between 2011 and 2013.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief. Signed and dated by me this 17th day of September, 2013, at Seattle, Washington.



Detective Keith Savas, #5624
Seattle Police Fraud, Forgery and Financial Exploitation Unit