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*Submitted via email to [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)*

July 17, 2024

Washington Public Disclosure Commission  
PO Box 40908  
Olympia, WA 98504-0908

Re: PDC Referral of Case No. 140213 - Let's Go Washington (Sponsored by Brian Heywood)

Dear Commissioners:

SEIU 775, Washington Conservation Action (WCA), Civic Ventures, and Planned Parenthood write to direct your attention to the Public Disclosure Commission's unresolved investigation into numerous apparent violations of the Fair Campaign Practices Act (FCPA) and other state laws by the state's top-spending political committee, Let's Go Washington (Sponsored by Brian Heywood). This investigation originates with citizen complaints filed in July and October 2023. Because these alleged violations have a significant ongoing impact on the public, and the PDC's investigation is still ongoing after eleven months, SEIU 775, WCA, Civic Ventures, and Planned Parenthood ask that the Commission refer the case to the Attorney General for further investigation and enforcement.

### **Background**

In the late spring of 2023, political committee Let's Go Washington (Sponsored by Brian Heywood) (Let's Go WA or Committee) commenced what would become an over-seven million dollar paid signature gathering effort to qualify six initiatives to the Washington legislature: I-2081, I-2109, I-2111, I-2113, I-2117, and I-2124 (the Initiatives). Let's Go WA's campaign finance reporting to the Public Disclosure Commission (PDC or Commission) presented immediate challenges to members of the public seeking to understand and track the Committee's spending on paid signature gatherers, campaign consultants, and other expenditures. On July 19, 2023, Heather Weiner filed a complaint with the PDC, presenting evidence of numerous apparent violations of the FCPA by Let's Go WA.<sup>1</sup> These included Let's Go WA's failure to disclose paid signature gathering expenses; its failure to report expenditures by initiative; its failure to adequately report six-figure in-kind expenditures by Committee sponsor Brian Heywood; and its concealment of the identity of a key campaign vendor. Then-Committee treasurer Conner Edwards responded to the complaint on behalf of Let's Go WA.<sup>2</sup>

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<sup>1</sup> Attachment 1.

<sup>2</sup> Attachment 2.

On August 24, 2023, Heather Weiner again wrote to the PDC detailing evidence of further violations of the FCPA by Let's Go WA, including Brian Heywood's sponsorship of multiple political committees supporting the same ballot initiatives.<sup>3</sup> On October 11, 2023, the PDC held an Initial Hearing (Case Status Review) attended by Conner Edwards on behalf of Let's Go WA, and opened a formal investigation into Heather Weiner's complaints.<sup>4</sup>

On October 17, a group of organizations, specifically SEIU 775, Civic Ventures, WCA, and Planned Parenthood Alliance Advocates (the Organizations), filed its own complaint with the PDC detailing evidence of additional violations of state law by Let's Go WA.<sup>5</sup> The Organizations' complaint raised new concerns related to the Committee's reporting of what had become millions of dollars in personal spending by Heywood to advance Let's Go WA's paid signature gathering efforts. Additionally, the complaint called attention to a September 13, 2023, media event in which Future 42, an undertaking by Heywood-directed Section 501(c)(4) organization Project 42, provided discounted gas to drivers to incentivize them to sign petitions for I-2117.<sup>6</sup> While the complaint focused on Let's Go WA's failure to report the event as an in-kind contribution, it also noted that the gas discount likely violated the criminal prohibition in RCW 29A.84.250 against offering consideration or a gratuity to induce a person to sign an initiative petition. The complaint further called attention to a series of campaign videos produced by Glen Morgan embedded in the Committee's website and posted to its Rumble and YouTube accounts and that were not reported as contributions or expenditures. In light of the December 29, 2023, signature gathering deadline for the Initiatives, the Organizations urged the PDC to promptly investigate and resolve the complaints against Let's Go WA. Following the October 17 complaint, the PDC consolidated the complaints into a single case for investigation.<sup>7</sup>

By late December 2023, Let's Go WA submitted over 2.5 million signatures in support of the Initiatives to the Secretary of State. In January 2024, the Secretary certified to the Legislature that all six Initiatives were supported by sufficient signatures. The Legislature subsequently adopted I-2081, I-2111, and I-2113, and these laws went into effect on June 6, 2024. I-2109, I-2117, and I-2124 are slated to appear on the general election ballot this November, and Let's Go WA continues to campaign in support of these initiatives. On May 13, 2024, Let's Go WA amended its statement of registration with the PDC to indicate that it is now also supporting I-2066, an initiative to the people also targeting the November 2024 ballot. The Committee's reporting shows that it is once again financing a significant paid signature gathering effort. Signatures in support of I-2066 were submitted to the Secretary of State by the July 5, 2024, deadline.

In the eleven months since a citizen complaint was first filed against Let's Go WA, during which three of the supported initiatives became law and three were placed on the ballot, the PDC has released no public findings from its investigation and no penalties have been assessed against the Committee. The Organizations' understanding is that PDC staff have been overrun with citizen

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<sup>3</sup> Attachment 3.

<sup>4</sup> Attachment 4.

<sup>5</sup> Attachment 5.

<sup>6</sup> See Conrad Swanson, *Will high gas prices derail WA's climate policy?*, Seattle Times (Oct. 8, 2023), <https://www.seattletimes.com/seattle-news/environment/will-high-gas-prices-derail-was-climate-policy/>.

<sup>7</sup> PDC Case No. 140213.

complaints submitted by two individuals: Conner Edwards and Glen Morgan.<sup>8</sup> The flood of hundreds of low-level complaints filed by Edwards and Morgan has effectively stymied the PDC's ability to address the allegations against the state's highest spending political committee.

In light of the serious allegations against Let's Go WA, the scale and significance of the Committee's spending, the rapidly approaching November general election, and the resource strain at the PDC, the Organizations requests that the PDC refer this matter to the Attorney General.

### **Attorney General Referrals**

#### **I. The Attorney General plays a key role in enforcing the Fair Campaign Practices Act.**

Under current Washington law, citizen complaints of violations of the FCPA must be filed with the PDC. *See* RCW 42.17A.775(2); WAC 390-37-020—040. Following revisions to the citizen action procedures in RCW 42.17A.755 and .775 in 2019, the PDC may forestall a citizen action to prosecute violations of the FCPA if it initiates an investigation into a citizen complaint within 90 days of the complaint being filed. *See* RCW 42.17A.775(2)(a). Thus, under current law, complainants, respondents, and other interested members of the public have little recourse if an investigation is opened within 90 days but subsequently goes unresolved.

However, a citizen complaint to the PDC may be referred by the Commission to the Attorney General at any time for further investigation and prosecution. *See* RCW 42.17A.105(5), .755; WAC 390-37-010, -042. Attorney General referrals have significant enforcement benefits, particularly for complex cases with heightened public significance, allowing additional authority, resources, and remedies to be applied. *See* RCW 42.17A.755(4). Cases warranting referral "may be brought to the executive director's attention by members of the commission, by PDC staff, by another party, or by the attorney general." WAC 390-37-042(2). And referral may be accomplished through majority vote of the Commission or action by the executive director with concurrence of the chair or vice chair. WAC 390-37-042(1). Referral to the Attorney General may also be appropriate where PDC staff lack capacity to address pressing cases in a timely fashion due to overall case volumes.

#### **II. The criteria from RCW 42.17A.755(4) for Attorney General referral are met.**

Under RCW 42.17A.755(4) the Commission may refer a matter to the Attorney General when it believes:

- (a) Additional authority is needed to ensure full compliance with the FCPA;
- (b) An apparent violation potentially warrants a penalty greater than the Commission's penalty authority; or

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<sup>8</sup> *See* Jim Brunner, *Why one man filed 800 campaign finance complaints against WA candidates*, Seattle Times (May 9, 2024), <https://www.seattletimes.com/seattle-news/politics/why-one-man-filed-800-campaign-finance-complaints-against-wa-candidates/>; Glen Morgan, *Catching the Lawbreakers – So many PACs and politicians – never enough time*, We the Governed (Sept. 15, 2023), <https://www.wethegoverned.com/catching-the-lawbreakers-so-many-pacs-and-politicians-never-enough-time/>.

- (c) The maximum penalty the Commission is able to levy is not enough to address the severity of the violation.

All three of these criteria support referral of the Let's Go WA investigation to the Attorney General.

**A. Additional authority is needed to address the allegations against Let's Go WA.**

Over the course of the last eleven months, the PDC has been unable to investigate and resolve the complaints against Let's Go Washington on a timeline that provides meaningful information to voters deciding whether to sign initiative petitions and how to vote on the initiatives once on the ballot. This delay is due to the hundreds of complaints filed by former Let's Go WA treasurer Conner Edwards and undisclosed Let's Go WA campaign contributor/vendor Glen Morgan with the express purpose of reshaping the PDC's enforcement priorities for their own ends.<sup>9</sup> Edwards' focus on minor, technical violations by small, inexperienced campaigns, and Morgan's focus on political committees affiliated with Democratic Party-aligned candidates and progressive causes, have together diverted the PDC's resources away from addressing citizen complaints against committees like Let's Go WA.<sup>10</sup>

Referral to the Attorney General is necessary to ensure that the investigation into Let's Go WA is given the urgency and attention that it deserves. While the PDC has taken steps to expedite its review of lower-level cases, referral of complex matters of broad public significance such as the Let's Go WA complaints will help ensure that the strategic use of the citizen complaint process by Edwards and Morgan does not undermine overall enforcement of the FCPA.

Additional authority is also needed to address the potential violations of criminal law raised in the October 17, 2023, complaint against Let's Go WA. The PDC lacks the authority to investigate whether Let's Go WA and/or Future 42 violated RCW 29A.84.250 when Future 42 provided discounted gas to individuals signing petitions in support of I-2117. The Attorney General is better positioned to investigate this claim in tandem with any related campaign finance violations and may seek to prosecute any apparent violations of state criminal law under RCW 43.10.232.

**B. The violations alleged warrant penalties greater than the Commission's penalty authority and the maximum penalty the Commission is able to levy is not enough to address the severity of the violations.**

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<sup>9</sup> See Jim Brunner, *Why one man filed 800 campaign finance complaints against WA candidates*, Seattle Times (May 9, 2024) <https://www.seattletimes.com/seattle-news/politics/why-one-man-filed-800-campaign-finance-complaints-against-wa-candidates/> (Edwards' "intention is to get the PDC to adopt more automatic reminders and enforcement instead of waiting for complaints before taking action."); Joseph O'Sullivan, *Is this guy a Washington state watchdog or a partisan annoyance?*, Seattle Times (May 30, 2017) <https://www.seattletimes.com/seattle-news/politics/citizen-watchdog-peppers-washington-state-with-campaign-finance-complaints-against-dems/> (Morgan's efforts are to "hold Democrats accountable.")

<sup>10</sup> The complaints against Let's Go WA also directly implicate both Edwards and Morgan. As treasurer of Let's Go WA at the time of the initial complaint, Edwards was responsible for filing the Committee's reports under RCW 42.17A.235 and certified to their correctness. See RCW 42.17A.240. It has also been alleged that Let's Go WA violated the FCPA by failing to report Morgan's production of videos for the campaign.

The PDC is authorized to seek a variety of penalties under RCW 42.17A.755(3)(a). In practice, however, the Commission adheres to the penalty schedule set forth in WAC 390-37-182. This penalty schedule contains monetary penalties ranging from \$0 to \$1,500 for a first-time violation.

Several penalty factors weigh in favor of more significant penalties in this case. The evidence of numerous violations in the existing citizen complaints indicate that Let's Go WA's disclosure issues are part of a larger pattern and include efforts to conceal the involvement of particular individuals and organizations with the Committee's campaign. *See* RCW 42.17A.750(1)(d)(i). Let's Go WA's apparent violations of the FCPA have also had a significant impact on the public, depriving initiative signers and potential voters of information related to paid signature gathering and financial incentives offered to petition signers, both of which are areas of heightened public interest and concern. *See* RCW 42.17A.750(1)(d)(ii); *see also* RCW 29A.84.280 (describing the legislature's finding that per-signature payments to petition circulators encourages the introduction of fraud and threatens the integrity of the initiative process); RCW 29A.84 (criminalizing giving or offering any consideration or gratuity to any person to induce him or her to sign for an initiative measure). Let's Go WA has engaged in a high volume of financial activity, having spent over nine million dollars from the start of 2023 to date. *See* RCW 42.17A.750(1)(d)(iv). And the Committee has had ample access to experienced and professional compliance staff. *See* RCW 42.17A.750(1)(d)(iii).

The above factors indicate that the Commission's standard penalty schedule is inadequate to address the scope and severity of potential violations by Let's Go WA. Investigation and prosecution of the case against Let's Go WA will additionally enable the Attorney General to seek injunctive relief, punitive damages, and other remedies as warranted. *See* RCW 42.17A.750(a), (i); .780. The Attorney General is also better positioned to investigate and potentially prosecute any criminal law violations related to the Committee's reporting violations.

### Next Steps

Given the time-sensitive nature of the complaints against Let's Go WA and the significant delay to date, we urge the Commission to immediately refer PDC Case No. 140213 to the Attorney General. Attached to this letter, you will find the three complaint letters against Let's Go WA along with the Committee's response and record of the PDC's initial hearing on this matter dating from October 11, 2023.

Sincerely,



Dmitri Iglitzin  
Abby Lawlor  
Counsel for SEIU 775, WCA, Civic Ventures, and  
Planned Parenthood

# **ATTACHMENT 1**

<b>Respondent Name</b>
Let's Go Washington (Sponsored by Brian Heywood)
<b>Complainant Name</b>
Abby Lawlor
<b>Complaint Description</b>
<a href="#">Abby Lawlor</a> reported via the portal (Wed, 19 Jul 2023 at 3:46 PM) <b>Please see attached letter setting forth our complaint.</b>
<b>What impact does the alleged violation(s) have on the public?</b>
<b>List of attached evidence or contact information where evidence may be found</b>
<b>List of potential witnesses</b>
<b>Certification (Complainant)</b>
I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.



July 19, 2023

Peter Frey Lavalley, Executive Director  
Public Disclosure Commission  
P. O. Box 40908  
Olympia, WA 98504-090

RE: Complaint re: violations of RCW 42.17A by Let's Go Washington  
BIL File No. 3263-331

Dear Executive Director Lavalley:

We are writing on behalf of Heather Weiner to call your attention to apparent violations of the Fair Campaign Practices Act by political committee Let's Go Washington (Sponsored by Brian Heywood). If true, these violations undermine transparency in Washington State elections. This letter contains the evidence we believe supports a finding of multiple violations with significant impacts on the public. We ask that the PDC investigate this matter and take swift and appropriate action.

Let's Go Washington (Sponsored by Brian Heywood) (hereinafter "Let's Go WA" or "the Committee") is a registered political committee in Washington State.<sup>1</sup> The Committee first filed a statement of organization with the PDC on April 14, 2022.<sup>2</sup> According to its most recently amended C-1pc, Let's Go WA currently supports the following 2023 statewide ballot propositions: I-2113, I-2117, I-2124, I-2109, I-2111, and I-2081.<sup>3</sup> The Committee's contributions and expenditures consist almost entirely of in-kind donations of expenditures by its sponsor and chair Brian Heywood, amounting to just under \$600,000 to date.<sup>4</sup>

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<sup>1</sup> <https://www.pdc.wa.gov/political-disclosure-reporting-data/browse-search-data/committees/co-2023-30644>.

<sup>2</sup> *Id.*

<sup>3</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=54053](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=54053). The Committee's registration was recently updated on July 7, 2023 and information reported on prior forms C-1pc is not readily available to the public via the PDC website. Let's Go WA campaign materials indicate that the Committee supported eleven ballot propositions in 2022 targeting the 2023 legislative session: I-1474, I-1475, I-1480, I-1491, I-1495, I-1502, I-1505, I-1508, I-1509, I-1510, and I-1512. *See*

<https://www.facebook.com/photo/?fbid=154103167371537&set=ecnf.100082138546950>. It is not clear when the Committee first updated its registration to reflect ballot propositions supported in 2023 or whether prior registrations accurately reflected those ballot propositions supported in 2022.

<sup>4</sup> <https://www.pdc.wa.gov/political-disclosure-reporting-data/browse-search-data/committees/co-2023-30644>.



## Let's Go Washington (Sponsored by Brian Heywood) - 2023

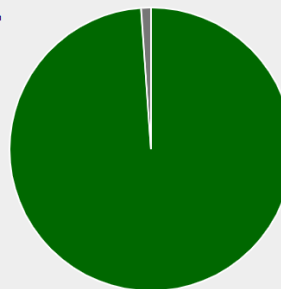
### Itemized Expenditures

\$598,232.03

Shown below are the campaign's expenditures. Small expenses may be grouped together and reported as one sum. Donated goods and services (known as in-kind contributions) also appear here as expenditures, with the contributor listed in the recipient column.

Expenditures by Expense Type

- In-kind contribution
- Accounting, legal, regulatory...
- Not Provided



Our review of Let's Go WA's campaign finance reports over this period has identified at least three major deficiencies in the Committee's disclosures to the PDC. First, Let's Go WA has failed to report the ballot proposition(s) supported by specific expenditures as required by RCW 42.217A.235(1)(a) and RCW 42.17A.240(7). Second, the Committee has failed to fully and accurately report expenditures to an entity called "R.M. Consulting Services" (hereinafter "R.M.")<sup>5</sup> in apparent violation of RCW 42.17A.435, RCW 42.17A.235(1)(a) and RCW 42.17A.240. Lastly, the Committee's almost exclusive reliance on in-kind expenditures has undermined public transparency, including by reducing the frequency of reporting and concealing plans for future spending, in possible violation of RCW 42.17A.235 and RCW 42.17A.240.

### I. Failure to report the ballot proposition(s) supported by specific expenditures as required by RCW 42.17A.240(7)

Political committees must report "all contributions received and expenditures made."<sup>6</sup> RCW 42.17A.235(1)(A). Under RCW 42.17A.240(7), this reporting must include the purpose of all expenditures greater than fifty dollars. Further, the "purpose" of an expenditure "must identify any . . . ballot proposition(s) that are supported or opposed by the expenditure unless such . . . ballot proposition(s) have been previously identified in a statement of organization." WAC 390-16-037. This requirement ensures that, for committees formed to support or oppose several ballot propositions, members of the public are nonetheless able to identify spending in support or opposition to individual propositions.

Since its initial registration in April, 2022, Let's Go WA has reported well over 100 expenditures through C-4 reports filed with the PDC. Some of these expenditures likely relate to multiple supported ballot propositions, such as rent, phone expenses, and web hosting. Others, such as the printing of initiative petitions, must necessarily relate to one ballot proposition and one ballot proposition only. In all but two instances, C-4 reports filed by Let's Go WA fail to identify the individual ballot propositions supported by its expenditures.<sup>7</sup>

For example, on C-4 report number 110097944, filed July 11, 2022, Let's Go WA lists two separate expenses for initiative printing, each incurred on the same date (June 30, 2022), from the same vendor

<sup>5</sup> As discussed below, Let's Go WA has reported in-kind expenditures to this entity using various names: "R.M Consulting Services," "R.M. Consulting," "RM Consulting Service," and "RM Consulting," none of which appear to reflect the entity's true name. For the sake of simplicity, this entity will be referred to throughout as "R.M."

<sup>6</sup> Subject to certain thresholds and in compliance with prescribed deadlines. *See* RCW 42.17A.235, .240.

<sup>7</sup> In an expenditure reported on C-4 report number 110105055 filed July 31, 2022 and an expenditure reported on C-4 report number 110158134 filed June 30, 2023, the Committee did identify a specific ballot proposition for which initiative petitions were printed.

(Pixelpure Media), for the same number of petitions (10,000), at different costs. However, the Committee does not provide any information that would enable the public to determine the initiative petition(s) being printed.

06/30/2022	HEYWOOD BRIAN 12025 154th Place NE, Redmond, WA 98052	Retired / Retired Redmond, WA	Printing Initiatives (10000 - Pixelpure Media)	Fair market value: \$18,577.13 Aggregate total (N): \$97,164.04
06/30/2022	HEYWOOD BRIAN 12025 154th Place NE, Redmond, WA 98052	Retired / Retired Redmond, WA	Printing Initiatives (10000 - Pixelpure Media)	Fair market value: \$19,018.13 Aggregate total (N): \$97,164.04

Let's Go WA has also incurred significant expenses related to radio and other advertising, SMS messages, and "initiative outreach and distribution services" (discussed further below). These expenses are of particular public interest as they relate to outreach efforts that voters will directly experience. But the Committee's failure to adequately state the purpose of these expenses undermines voters' ability to connect communications they are receiving to expenditures reported to the PDC.

Let's Go WA's failure to disclose the ballot proposition(s) supported by specific expenditures is also particularly harmful to transparency because the Committee has supported at least 17 ballot propositions in the 15 months since first registering with the PDC, 11 of which are no longer reflected on its statement of organization. Because the PDC's website only displays a committee's most recent statement of organization, members of the public cannot currently connect reported expenditures to prior supported ballot propositions absent adequate disclosure of the purpose of each individual expenditure.

## **II. Failure to fully and accurately report expenditures to R.M. as required by RCW 42.17A.435, RCW 42.17A.235(1)(a) and RCW 42.17A.240**

Let's Go WA's reported pattern of in-kind expenditures to R.M. suggest at least three distinct violations of the Fair Campaign Practices Act. First, by inaccurately reporting the name of the entity to which payments were made on behalf of the Committee, Let's Go WA appears to have engaged in unlawful concealment in violation of RCW 43.17A.435. Second, by failing to report promises to pay for services rendered by R.M. as debts incurred by the Committee, the Committee appears to have violated RCW 43.17A.235(1)(a), and RCW 43.17A.240(9)(a). Third, Let's Go WA has likely violated RCW 42.17A.235(1)(a) and RCW 43.17.240(7) by failing to report TDM Strategies as a subvendor of R.M. Alternatively, if TDM Strategies is in fact a direct vendor, the Committee has instead likely violated RCW 43.17A.235(1)(a) and RCW 43.17A.240(9)(a) by failing to report expenses related to paid signature gathering.

### **A. Unlawful concealment of the true identity of R.M. in violation of RCW 42.17A.435**

Under RCW 42.17A.435, "no expenditure shall be incurred, directly or indirectly, in a fictitious name . . . or by one person through an agent, relative, or other person . . . so as to effect concealment." According to the PDC's general guidance, compliance with RCW 42.17A.435 entails that all campaigns "accurately record and report . . . the true recipients and amounts of expenditures."<sup>8</sup> Furthermore, "It is a serious violation of the law to use a fictitious name, no name, or substitute name in order to conceal the truth."<sup>9</sup>

Let's Go WA has reported in-kind expenditures with an aggregate value of \$123,743.45 to an entity referred to variously as "R.M. Consulting Services," "RM Consulting Service," "R.M. Consulting," and "RM Consulting." No address or other identifying information is provided for the entity, as required by RCW 42.17A.240(7). A search of Washington Department of Revenue business license records indicates

<sup>8</sup> <https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/concealment>.

<sup>9</sup> *Id.*

four licensed businesses in the State of Washington with the business name “RM Consulting” and one with the name “RM Consulting Services.”<sup>10</sup> According to Department of Revenue records, RM Consulting Services is a sole proprietorship governed by Roberta L Marta. However, this entity is almost certainly not the entity to which Brian Heywood has made significant payments on behalf of Let’s Go WA. Instead, R.M. is most likely “Research Mom Consulting Service,” a sole proprietorship governed by Sharon R Koshi-Hanek that also operates under the registered trade name “Let’s Go Washington.”

**License Information:** [New search](#) [Back to results](#)

**Entity name:** KOSHI-HANEK, SHARON R

**Business name:** RESEARCH MOM CONSULTING SERVICE

**Entity type:** Sole Proprietor

**UBI #:** 600-572-793

**Business ID:** 001

**Location ID:** 0002

**Location:** Active

**Location address:** 21502 CONNELLS PRAIRIE RD  
BUCKLEY WA 98321-9710

**Mailing address:** PO BOX 8055  
BONNEY LAKE WA 98391-0897

**Excise tax and reseller permit status:** [Click here](#)

**Governing People** May include governing people not registered with Secretary of State

Governing people	Title
KOSHI-HANEK, SHARON R	

**Registered Trade Names**

Registered trade names	Status	First issued
LETS GO 11 PAC	Active	Nov-16-2022
LETS GO WASHINGTON	Active	Nov-09-2022
RESEARCH MOM CONSULTING SERVICE	Active	Nov-16-2022
RESEARCH MOM CONSULTING SERVICES	Active	Jul-27-2009

Sharon Hanek is a repeat candidate for elected office in Washington State,<sup>11</sup> a current member of the Pierce County Planning Commission,<sup>12</sup> and a regular contributor to Washington political campaigns as well as frequent recipient of campaign expenditures. Let’s Go WA’s apparent failure to accurately report the true name of her consulting business or to provide an address for R.M. amounts to concealment of her receipt of in-kind expenditures. This has deprived the public of vital information not only about how Brian Heywood is spending money on behalf of the Committee, but of the relationship between the Committee and other political actors in the state.

**B. Failure to report apparent services rendered by R.M. as in-kind contributions or debts incurred by the Committee as required under RCW 42.17A.235(1)(a) and RCW 42.17A.240**

As discussed above, a political committee must timely report all contributions received and expenditures made. RCW 42.17A.235(1)(a). Contributions received include donations of “personal and

<sup>10</sup> There appear to be no businesses licensed in Washington State under the name “R.M. Consulting” or similar.

<sup>11</sup> Hanek has previously filed with the PDC as a candidate for state representative, state treasurer, Pierce County charter review commissioner, and Pierce County councilmember.

<sup>12</sup> <https://www.piercecountywa.gov/5944/Planning-Commission>.

professional services for less than full consideration.” RCW 42.17A.005(15)(a)(i).<sup>13</sup> Expenditures made include “a promise to pay.” RCW 42.17A.005(22). Additionally, a committee must report “[t]he name and address of any person and the amount owed for any debt with a value of more than seven hundred fifty dollars that has not been paid for any invoices submitted, goods received, or services performed.” RCW 42.17A.240(9)(a).

According to Let’s Go WA’s reporting to the PDC, on June 30, 2022, the Committee incurred an in-kind expenditure reimbursing R.M. for mileage.<sup>14</sup> The committee reported substantial additional mileage and other reimbursements to R.M. on August 10, 2022, September 7, 2022, October 5, 2022, and November 10, 2022.<sup>15</sup> However, the Committee did not report a single expenditure related to services rendered by R.M. until November 21, 2022.<sup>16</sup> After November 21, 2022, the Committee reported numerous expenditures to R.M. for “consulting,” “consulting fees,” and “initiative outreach and distribution services.”<sup>17</sup>

This pattern of reporting indicates two possible arrangements. R.M. could have donated its services for the period from June to November 2022 for less than fair market value, claiming only mileage and other reimbursements. Alternatively, R.M. could have provided services with an expectation of future payment. Regardless of the arrangement between the Committee and its consultant, Let’s Go WA has failed to fulfill its reporting obligations. Under the first arrangement, services rendered by R.M. were reportable as in-kind contributions to the Committee. Under the second arrangement, services rendered by R.M. were reportable as outstanding debts of the Committee until paid. Therefore, the Committee is either in violation of its obligations to report in-kind contributions under RCW 42.17A.235(1)(a) and RCW 42.17A.240(2) or its obligations to report expenditures including debts under RCW 42.17A.235(1)(a) and RCW 42.17A.240(9)(a).

### **C. Failure to provide subvendor information as required by RCW 42.17A.240(7)**

As discussed, RCW 42.17A.240(7) requires a political committee to report the purpose of all expenditures in excess of fifty dollars. When a committee enters into an agreement with a vendor to provide specific services, its reporting “must describe in detail” the services to be provided. WAC 390-16-037(2). Thus, “[i]f any person, agency, consultant, firm, organization, etc. employed or retained by the . . . political committee, subcontracts or otherwise has an agreement with a subvendor or third party to provide or perform services, the expenditures paid to that subvendor or other third party must also be disclosed.” WAC 390-16-205(2).<sup>18</sup>

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<sup>13</sup> While certain volunteer services or labor are exempted, services or labor rendered for which the individual is compensated by any person must be reported. RCW 42.17A.005(15)(b)(vi); WAC 390-17-405.

<sup>14</sup> Let’s Go WA C-4 report no. 110097944 filed July 11, 2022.

<sup>15</sup> Let’s Go WA C-4 report no. 110112262 filed September 12, 2022; C-4 report no. 110118390 filed October 11, 2022; C-4 report no. 110126431 filed November 11, 2022; C-4 report no. 110128915 filed December 11, 2022. During this period, Brian Heywood reimbursed R.M. on behalf of the Committee for just shy of 6,000 miles of driving—the equivalent of traversing the state from Seattle to Spokane twenty-one times.

<sup>16</sup> Let’s Go WA C-4 report no. 110128915 filed December 11, 2022.

<sup>17</sup> See Let’s Go WA C-4 report no. 110132961 filed January 10, 2023; C-4 report no. 110139093 filed March 10, 2023; C-4 report no. 110146568 filed May 10, 2023; C-4 report no. 110151153 filed June 9, 2023; C-4 report no. 110158134 filed July 10, 2023. These payments for services range from \$1,212.64 to \$22,136.94, all well in excess of the \$750 threshold for reporting a debt.

<sup>18</sup> Where expenditures are made by agents of a campaign, including “any person, agency, consultant, firm, organization, etc., employed or retained for the purpose of organizing, directing, managing or assisting the candidate’s or committee’s efforts,” such expenditures “shall be reported by the . . . committee as if made or incurred by the . . . committee directly.” WAC 390-16-205(1).

On April 27, 2023, “TDM Strategies LLC” filed a certificate of formation with the Washington Secretary of State listing Sharon Hanek as its registered agent and executor.<sup>19</sup> As early as May 2, 2023, Let’s Go WA began to advertise paid signature gathering opportunities through TDM Strategies on the Committee’s Facebook page.<sup>20</sup>



To date, Let’s Go WA has not reported any direct or in-kind expenditures to TDM Strategies for paid signature gathering, nor has it reported any in-kind contributions or debts associated with services provided by TDM Strategies. However, on six separate occasions beginning February 7, 2023 through June 15, 2023, the Committee has reported payments to R.M. for “initiative outreach and distribution services” totaling over \$75,000.<sup>21</sup>

Given the timing of these payments and Sharon Hanek’s apparent role in both R.M. and TDM Strategies, it appears likely that payments to R.M. are financing TDM Strategies’ paid signature gathering efforts on behalf of Let’s Go WA. However, the Committee has failed to report any payments to subvendors of R.M. for “initiative outreach and distribution services” as required under RCW 42.17A.240(7).

If TDM Strategies is not operating as a subvendor of R.M., its activities are nonetheless reportable, as discussed below.

<sup>19</sup> The LLC’s initial report to the Secretary of State list both Sharon Hanek and Brian Heywood as its governors.

<sup>20</sup> <https://www.facebook.com/photo.php?fbid=211628578251759&set=pb.100082138546950.-2207520000.&type=3>.

<sup>21</sup> See Let’s Go WA C-4 report no. 110139093 filed March 10, 2023; C-4 report no. 110146568 filed May 10, 2023; C-4 report no. 110151153 filed June 9, 2023; C-4 report no. 110158134 filed July 10, 2023.



**D. Failure to otherwise report expenditures related to TDM Strategies as required by RCW 42.17A.235 and RCW 42.17A.240**

If services provided by TDM Strategies were not reportable as a component of services rendered by R.M., they nonetheless should have been reported as in-kind contributions, or alternatively as expenditures made or debts incurred by Let's Go WA (or Brian Heywood). Instead, the Committee has made no disclosures whatsoever identifying TDM Strategies and the paid signature gathering efforts that kicked off in May of this year if not earlier.

Let's Go WA's failure to report these activities is particularly damaging to public transparency and trust for because the use of paid signature gatherers is of significant public interest. As recently as July 12, 2023, the Let's Go WA website stated that the Committee was not engaged paid signature gathering, stating: "We are using grassroots volunteers to collect signatures all around the state right now." As of July 16, 2023, this language has been scrubbed from the Committee website.<sup>22</sup> However, for a period of over two months, it appears that Let's Go WA was actively hiring for paid signature gatherers through TDM Strategies, not reporting these efforts to the PDC, and representing to the public that it was engaged in an all-volunteer effort.

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**Q: Are you using paid signature gatherers?**

Right now – No we are not. We are using grassroots volunteers to collect signatures all around the state right now. This has been successfully done in the past (without using paid signature gatherers). For example with R-90 (Repeal Sex-Ed in Schools -2020), I-912 (Repeal Gas Tax – 2005), I-695 (\$30 Car Tabs – the first one – 1999), and many other initiatives before paid signature gatherers became legal in Washington State in the early 1990s.

There are several reasons for this strategy. First, paid signature gatherers are absurdly expensive right now. Sometimes charging over \$10 per signature. As generous as donors might be to launch this project, it is just too expensive to use paid signature gatherers. Secondly, if you review these initiatives, most of them are popular initiatives that most people want to see implemented in Olympia, but there are no deep-pocket special interests who would fund them.

So, if we are going to be successful, we have to do this ourselves with hard work, time, and a real grassroots effort involving thousands of volunteers all over the state to pull it off.

**III. Near total reliance on in-kind expenditures in possible violation of RCW 42.17A.235 and RCW 42.17A.240**

The vast majority of the hundred-and-thirty-plus expenses incurred by Let's Go WA to date have taken the form of in-kind expenditures by the Committee's sponsor and chair, Brian Heywood. Let's Go WA's near-exclusive reliance on in-kind expenditures undermines public oversight, including by reducing the frequency of reporting and concealing the Committee's plans for future spending.

The Fair Campaign Practices Act and accompanying regulations require that a political committee establish a bank account and presume that a political committee will collect contributions and incur expenditures in its own name. *See* RCW 42.17A.205(d). Though the frequency of reporting varies depending on the proximity to an election, a committee must generally file a weekly C-3 report detailing any bank deposits made during the prior week. RCW 42.17A.235(5); WAC 390-16-031. A committee must also file a monthly C-4 report indicating contributions and expenditures. RCW 42.17A.235(3), .240; WAC 390-16-041. This includes pledged contributions, RCW 42.17A.005(15)(a)(i), and the PDC has further clarified that "a pledge is a promise from a contributor to make a future contribution to the campaign [and] may be written or verbal and for monetary and/or in-kind contributions." PDC Interpretation No. 12-01.

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<sup>22</sup> *See* <https://letsgowashington.com/faq>.

The C-4 report provides “[a] snapshot of the committee’s finances at any given point in time,” including “cash on hand” as well as expectations for future monetary and in-kind contributions.<sup>23</sup>

By using Brian Heywood’s deep pockets as its near-exclusive source of campaign spending, Let’s Go WA has circumvented the need to use its campaign bank account and has largely avoided filing C-3 reports that would give the public a weekly snapshot of the Committee’s fundraising activities. Let’s Go WA has also never disclosed pledges from Brian Heywood related to planned in-kind expenditures on its monthly C-4 reports. The Committee’s approach to reporting has meant that the public has no insight into the Committee’s capacity or plans for future spending. The public cannot tell how much money Let’s Go WA has in the bank because the Committee is in effect using Heywood’s bank account as a surrogate repository of its funds, rather than its own bank account. And the public cannot glean any sense of what money Heywood is planning to spend on behalf of the Let’s Go WA because the Committee is not reporting planned in-kind expenditures as pledges. Instead, expenditures are reported (if at all) only after the fact—once Brian Heywood has already made them. This approach runs counter to the PDC’s established framework for reporting and likely violates the Committee’s reporting requirements under RCW 42.17A.235 and RCW 42.17.240.

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As detailed above, our review of Let’s Go WA’s reporting to the PDC has revealed evidence of numerous violations of Fair Campaign Practices Act. These violations are particularly troubling because they undermine the public’s ability to know what spending is occurring in support of particular ballot propositions, to accurately identify entities and individuals receiving campaign funds, and to evaluate whether Let’s Go WA is, in its own words, a “a real grassroots effort,” or funded by “deep-pocket special interests.” We urge the Commission to investigate the possible violations set forth in this letter.

Please do not hesitate to contact us if you have any questions, or if we can be of further assistance.

Sincerely,

Abby Lawlor  
Dmitri Iglitzin

Counsel for Heather Weiner

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<sup>23</sup> <https://www.pdc.wa.gov/registration-reporting/forms-reports-directory>.



# **ATTACHMENT 2**

Hi Kurt:

I am writing in response to PDC Complaint #140213, filed against Let's Go Washington (LGW).

As a preliminary matter, I want to note that none of the ballot measures supported by LGW have yet qualified for the ballot. To the extent that future ballot measures will qualify, they will qualify for the 2024 and not the 2023 General Election. This being the case, there has been no material impact to the public as of yet regarding the issues alleged by the complainant.

I will note that many of the allegations in this complaint consist of pure conjecture and are asserted without evidence.

To the extent that there were errors with the PDC filings, these errors were both unintentional and insignificant. I take full responsibility for my work and I am happy to work with the PDC to amend any filings if the agency determines that amendments are necessary.

Below, I will address each allegation in the complaint.

**Response to Allegation #1: Failure to report the ballot proposition(s) supported by specific expenditures as required by RCW 42.17A.240(7)**

The allegations here relate to in-kind contributions and not expenditures. However, I will still provide a response.

Pursuant to WAC 390-16-037: *“any person required to report the ‘purpose’ of an expenditure under RCW 42.17A.240(6), or 42.17A.255 (5)(b), must identify any candidate(s) or ballot proposition(s) that are supported or opposed by the expenditure **unless such candidate(s) or ballot proposition(s) have been previously identified in a statement of organization of the person required to be filed under RCW 42.17A.205 (2)(f) and (g)**”.*

The complainant notes that these ballot propositions have been identified on the committee's statements of organization. As such, the precise initiative numbers need not be disclosed in the “purpose” field on form C4 for each and every expenditure made.

Nevertheless, if the agency determines that WAC 390-16-037 does not apply here, I am happy to work with the agency to amend any reports as needed.

The complainant also writes that: *“[b]ecause the PDC's website only displays a committee's most recent statement of organization, members of the public cannot currently connect reported expenditures to prior supported ballot propositions absent adequate disclosure of the purpose of each individual expenditure.”*

This statement is false: a committee's past statements of organization are available through the agency's website as part of its “Open Data” program under the dataset “Candidate and Committee Registrations”. However, even if this statement were true, it would have no bearing whatsoever on LGW's reporting obligations under the law.

**Response to Allegation #2A: Unlawful concealment of the true identity of R.M. [sic] in violation of RCW 42.17A.435**

There was no concealment here, intentional or otherwise.

The allegations here relate to in-kind contributions and not expenditures. However, I will still provide a response.

As the complainant has noted, Sharon Hanek is indeed the owner of R.M. Consulting Services. Ms. Hanek let me know the name of her business was "R.M. Consulting Services" and so I reported it as such. I was not aware that her business was officially registered as "Research Mom Consulting Services."

There are many businesses/sole proprietorships that have acronyms in their "DBA" tradename but are registered as different entities. Campaign treasurers must necessarily rely on the information that is reported to them by others to file accurate reports.

There are numerous other expenditures on the PDC's website that have been made and disclosed by other campaigns for "Accounting, legal, regulatory compliance, etc." (usually the description used to indicate a payment to a treasurer) paid to RM Consulting where the candidate's treasurer was Sharon Hanek.

Going forward, I am happy to report "Research Mom Consulting Services" as opposed to "RM Consulting Services".

**Response to Allegation #2B: Failure to report apparent services rendered by R.M. as in-kind contributions or debts incurred by the Committee as required under RCW 42.17A.235(1)(a) and RCW 42.17A.240**

We have reported all payments to RM Consulting pursuant to state law.

WAC 390-17-405 provides that: "an individual may perform services or labor for a candidate or political committee without it constituting a contribution, so long as the individual is not compensated by any person for the services or labor rendered and the services are of the kind commonly performed by volunteer campaign workers."

Ms. Hanek performed volunteer services for LGW from June to November of 2022. This involved expenses for mileage that were reimbursed to her sole proprietorship at her request. In light of the quality of the volunteer services she performed, starting in November 2022, she was compensated for subsequent work through her sole proprietorship.

**Response to Allegation #2C: Failure to provide subvendor information as required by RCW 42.17A.240(7)**

The allegations here relate to in-kind contributions and not expenditures, however, I will still provide a response.

The guidance on the agency's website indicates that when disclosing in-kind contributions, the following information must be provided:

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## **Disclosing in-kind contributions**

In-kind donations that are not incidental must be fully reported in Part 1 of Schedule B to the C-4 with the following details:

- the date the contribution was received;
- the name and full address of the contributor;
- if the in-kind contribution is a good or service purchased from a vendor, include the name and the address of the vendor;
- a brief description of the contribution;
- its fair market value;
- the cumulative total this contributor has given for the primary or general election, whichever applies;
- a designation whether this contribution is for the primary or general election; and
- if the contributor is an individual who has cumulatively given more than \$250 to the campaign, including both primary and general contributions, identify the individual's employer (by name, city and state) and occupation.

We complied with that requirement by providing a brief description of the contribution as requested by the PDC. If the agency determines that additional information is required and provides a basis for that request, we are happy to amend our reports to include that information.

**Response to Allegation #2D: Failure to otherwise report expenditures related to TDM Strategies as required by RCW 42.17A.235 and RCW 42.17A.240.**

This allegation is false: TDM Strategies has not been paid by RM Consulting. TDM Strategies was only formed in late April of 2023, and TDM Strategies has not yet rendered any services to LGW, nor does LGW have any reportable debts owed to TDM Strategies.

**Response to Allegation #3: Near total reliance on in-kind expenditures in possible violation of RCW 42.17A.235 and RCW 42.17A.240**

These allegations do not constitute a violation of RCW 42.17A or WAC 390, although I will note that the committee does have a bank account and has disclosed the location of that bank account on our statement of organization (C1PC). Relating to pledges, the complainant conveniently omitted the fact that in order for a pledge to be reportable, it must be for a specific amount with every intention of the giver to pay the stated amount in its entirety. See PDC Interpretation 12-01. A general desire to continue to support a committee with possible future in-kind contributions is not reportable as a pledge.

The complaint also notes that they: *"...cannot glean any sense of what money Heywood is planning to spend on behalf of the Let's Go WA."* Under the FCPA, candidate committees and political committees are not required to attempt to predict what levels of spending it may or may not spend in the future.

It is true that Mr. Heywood has provided "the near-exclusive source of campaign spending" for LGW. This is a fact that should be construed in favor of, and not against, LGW and Mr. Heywood.

RCW 42.17A.005 (41) provides that an individual spending only their own money and having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition is **not** a political committee. If an entity is not a political committee, they have no obligation to file C3 or C4 reports under RCW 42.17A.235 or .240.

Under these statutes, my understanding is that an individual who seeks to qualify an initiative or referendum using exclusively their own funds has no obligation to register as a political committee or file C3 or C4 reports. Notwithstanding this, LGW was filed as a political committee and has filed regular C3 and C4 reports, which has had the result of greater transparency compared with the alternative.

Sincerely,

Conner Edwards  
Professional Campaign Treasurer

# **ATTACHMENT 3**



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August 24, 2023

Kurt Young  
Compliance Officer  
Public Disclosure Commission  
711 Capitol Way S #206  
Olympia, WA 98504

Re: Response to Let's Go Washington in Complaint No. 140213  
BIL File No. 3263-331

Dear Mr. Young:

We are writing on behalf of Heather Weiner to respond to Let's Go Washington's reply in PDC Complaint Number 140213. As the Committee's amended filings do not adequately address the underlying issues raised in our complaint, and new issues have emerged since our initial filing, we ask the PDC to initiate an investigation as soon as possible.

**I. The Public Has an Established Present Interest in Disclosure Related to Efforts to Qualify Ballot Propositions.**

At the outset of his reply, Let's Go WA's campaign treasurer Conner Edwards asserts that deficiencies in reporting related to propositions that have not yet qualified for the ballot "have no material impact to the public." This is plainly false. "Ballot proposition" is defined to include measures, initiatives, recall, or referendum propositions to be submitted to the voters "from and after the time when the proposition has been initially filed with the appropriate election officer . . . before its circulation for signatures." RCW 42.17A.005(4). Thus, the obligation to report contributions and expenditures in support or opposition to a state ballot proposition begins when it is filed with the Secretary of State. *See State v. Evergreen Freedom Found.*, 192 Wash. 2d 782, 796 (2019) (en banc). In *State v. Evergreen Freedom Foundation*, the state Supreme Court found that the state has an "important governmental interest in informing the public about the influence and money behind ballot measures," and that the Fair Campaign Practices Act (FCPA) plays a "vital role" in advancing that interest, including by requiring early disclosure. *Id.* at 801. The court observed that "[t]he high stakes of the ballot context only amplify the crucial need to inform the electorate." *Id.* at 800 (citing *Cal. Pro-Life Council, Inc. v. Getman*, 328 F.3d 1088, 1106 (9th Cir. 2003)). Here, where Let's Go WA is rapidly approaching seven-digits of spending to qualify ballot propositions touching on numerous areas of intense public concern, any violations of the FCPA do immediate harm to public transparency.



## **II. Let's Go WA Cannot Avoid Disclosure by Relying on In-Kind Contributions.**

Throughout Let's Go WA's reply, Mr. Edwards also asserts that various provisions of the FCPA and accompanying regulations are not applicable because they deal with expenditures and not in-kind contributions. However, the cited provisions must be interpreted broadly in this particular case where: 1) the Committee is wholly reliant on in-kind support; and 2) greater disclosure would be required if these same expenditures were made directly by the Committee (rather than its Sponsor/Chair) or were reported as independent expenditures. Washington's campaign reporting requirements "shall be liberally construed to promote complete disclosure of all information respecting the financing of political campaigns." RCW 42.17A.001. Thus, the PDC should interpret the Act based on its "history, purpose, and the particular facts of [the] case," and avoid narrow readings that would create unexpected inconsistencies or loopholes for the very wealthy to exploit. *See State v. Evergreen Freedom Found.*, 192 Wash. 2d at 796.

If the PDC seeks an additional textual basis to require more detailed reporting related to Mr. Heywood's in-kind spending, it may be found in WAC 390-16-205. This rule provides that "[e]xpenditures made on behalf of a . . . political committee by any person, agency, consultant, firm, organization, etc., employed or retained for the purpose of organizing, directing, managing or assisting the . . . committee's efforts shall be deemed expenditures by the . . . committee" and must be reported as if made or incurred by the committee directly. WAC 390-16-205(1). This language does not strictly require that the person or other entity be employed or retained *by the committee*, merely that they be employed or retained for the purpose of advancing its efforts and that they make expenditures on its behalf. Both Mr. Heywood and Ms. Hanek, as governors of TDM Strategies, have been retained (by Mr. Heywood) to make expenditures on behalf of the Committee to conduct paid signature gathering. Thus their expenditures should be reported with the same level of detail as would be required if they had been directly incurred by the Committee.

## **III. Let's Go WA Has Failed to Adequately Report the Ballot Proposition(s) Supported by Specific In-Kind Expenditures (Allegation #1).**

In response to our complaint, Mr. Edwards argues that the ballot propositions supported by the Committee have been adequately identified in the Committee's statements of organization. But Mr. Edwards adopts an overly narrow reading of the language of WAC 390-16-037, one that would undermine the purpose of the rule to allow voters to track the spending in support of or opposition to specific propositions. WAC 390-16-037 provides that associated ballot propositions must be identified for individual expenditures "unless such . . . ballot proposition(s) have been previously identified in a statement of organization." In keeping with a liberal construction in favor of broad disclosure, such language should be read to require reporting at the expenditure level unless there is a total match between the propositions identified on the committee's statement of organization and those supported by a given expenditure. Where a committee has been formed to support or oppose a single ballot proposition, there can be little doubt that any expenditures relate to that proposition, and a committee would have no need to further report at the expenditure level. However, in the case of a committee like Let's Go WA, which is currently supporting six ballot propositions (and previously supported eleven ballot propositions in 2022), regular expenditure-level reporting is necessary to effectuate the language and purpose of WAC 390-16-037.

In calling attention to Let's Go WA's earlier-filed statements of organizations available through the PDC's Open Data program, Mr. Edwards provides further evidence of the need for expenditure-level reporting and of past infirmities in the Committee's disclosures to the PDC. The FCPA requires every political committee to file a statement of organization "within two weeks after organization or within two weeks after the date the committee first has the expectation of receiving contributions or making expenditures in any election campaign."<sup>1</sup> RCW 42.17A.205(1). That statement must include the ballot proposition(s) supported or opposed by the committee. RCW 42.17A.205(2)(g). Let's Go WA first registered with the PDC on April 14, 2022, and listed "#TBD" as the ballot proposition it would be supporting or opposing.<sup>2</sup> The Committee further revised its statement of organization on April 16, 2022<sup>3</sup> and April 19, 2022,<sup>4</sup> but did not update the "#TBD." Meanwhile, according to the Committee's own reporting, Brian Heywood began spending on the Committee's behalf on March 28, 2022. Fully two months later, on May 31, 2022, the Committee finally revised its statement of organization to include the eleven ballot propositions it would be supporting that year.<sup>5</sup> None of these propositions were successfully submitted by the December 30, 2022, deadline to go before the legislature.

Despite its failures in 2022, Let's Go WA continued to receive significant in-kind support from Brian Heywood throughout the first half of 2023. But it appears that its statement of organization was only updated to reflect the six propositions it is supporting this year on July 7.<sup>6</sup> Thus, for many months, the public could not in fact refer to the Committee's statement of organization to at least narrow down to six the field of potential ballot proposition(s) being supported by a particular expenditure. The timely filing of a statement of organization is required by the FCPA and failure to do so is a violation in its own right. *See* 42.17A.205(1), (2)(g). But Let's Go WA's delay in updating its statement of organization from one year to the next, and the sheer number of propositions it has supported over the last two years, also underscores the importance of expenditure-level disclosure under WAC 390-16-037.

#### **IV. Let's Go WA Has Failed to Adequately Report Work Performed by Research Mom (Allegation #2A-B).**

Let's Go WA's stated willingness to accurately report the name of a consultant that has received nearly \$150,000 and counting in the future does not remedy its past violations. While sole proprietorships can register trade names with the state Department of Revenue, and Ms. Hanek has registered several trade names associated with Research Mom Consulting Service (including "Let's Go Washington"), she has not registered any trade name involving the abbreviation "RM." The fact that other campaigns have

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<sup>1</sup> "Election campaign" is defined as "any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition." RCW 42.17A.005(19).

<sup>2</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=48759](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=48759).

<sup>3</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=48780](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=48780).

<sup>4</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=48814](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=48814).

<sup>5</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=49383](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=49383). This delay cannot be excused by the timing of the issuance of the relevant ballot titles, the first of which became public on April 13 and all of which were public by May 19, 2022.

[https://www2.sos.wa.gov/elections/initiatives/initiatives.aspx?y=2022&t=l&\\_gl=1\\*usvmcp\\*\\_ga\\*NjEwODI2ODYyLjE2ODkxODI5ODg.\\*\\_ga\\_7B08VE04WV\\*MTY5MjY2NDA2MC43LjEuMTY5MjY2NDcwMy4wLjAuMA](https://www2.sos.wa.gov/elections/initiatives/initiatives.aspx?y=2022&t=l&_gl=1*usvmcp*_ga*NjEwODI2ODYyLjE2ODkxODI5ODg.*_ga_7B08VE04WV*MTY5MjY2NDA2MC43LjEuMTY5MjY2NDcwMy4wLjAuMA).

<sup>6</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=54053](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=54053). Once again, the relevant ballot titles were issued between May 5 and June 27, 2023. <https://www2.sos.wa.gov/elections/initiatives/initiatives.aspx?y=2023&t=l>.

inaccurately reported the name of Ms. Hanek's sole proprietorship does not excuse the Committee from its own errors. And because those cases were ones in which Ms. Hanek's name was already associated with the committee, the impact on public knowledge and transparency was less consequential.

More significantly, Mr. Edwards' argument that the Committee has no obligation to report services provided by Research Mom from June to November of 2022 pursuant to WAC 390-17-405 must fail. Research Mom's services cannot be excused as volunteer in nature both because Ms. Hanek otherwise receives compensation for the services rendered and because they are not of the kind commonly performed by volunteer campaign workers. Though the Committee's lack of disclosure makes it difficult to know what exactly Ms. Hanek was doing for the campaign from June to November, Mr. Edwards' reply suggests that there was no substantive difference between the "volunteer" services provided during that period and subsequent services for which Ms. Hanek was compensated through her sole proprietorship.

These later payments of well over \$100,000 for "consulting services" and "initiative outreach and distribution services" show that Ms. Hanek's work on behalf of the campaign was both work for which she is otherwise compensated and beyond the scope of work typically performed by campaign volunteers. Indeed, as Mr. Edwards noted, Research Mom has been paid for work on other campaigns. Ms. Hanek registered her sole proprietorship with the State of Washington precisely because she uses it to make money, including by providing campaign services. And her website accepts payment "for accounting, consulting and research" and states that "Research Mom is a private business," not a volunteer undertaking.<sup>7</sup>

Examples of services commonly performed by volunteers include doorbelling, setting up yard signs, and transporting voters to polling places on election day. *See* WAC 390-17-405(1). They also include "campaign consulting and management services"; however, only if "the individual does not ordinarily charge a fee or receive compensation for providing the service." *Id.* The sheer amount of money that Ms. Hanek has now been paid for her services to the Committee should dispel any illusion that they were ever volunteer in nature.

#### **V. Let's Go WA Has Failed to Adequately Report Work Performed by TDM Strategies (Allegation #2D).**

Mr. Edwards states that "TDM Strategies was only formed in late April of 2023, and TDM Strategies has not rendered any services to LGW, nor does LGW have any reportable debts owed to TDM Strategies." This simply cannot be the case. As early as April 25, TDM Strategies began advertising paid signature gathering opportunities on behalf of Let's Go WA. By June 30, 2023, it had sought and obtained a minor work permit to employ people under the age of eighteen and registered with the Washington Department of Revenue. Throughout, its website stated that it was hiring for positions with a start date of July 1. In a mid-July interview, Brian Heywood said that the Committee was seeking to hire 200 people and described paid signature gathering that had already taken place during the All-Star Game, from July 7–11.<sup>8</sup> Though the Committee has now reported an \$89,632 debt to TDM Strategies, that debt is listed as being first incurred on June 30, well after TDM Strategies was formed and first embarked on its

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<sup>7</sup> <http://www.researchmom.org/contact.html>.

<sup>8</sup> [https://www.youtube.com/watch?v=suxEzOue\\_tk](https://www.youtube.com/watch?v=suxEzOue_tk).

considerable hiring efforts. It appears highly likely that at least some of these expenses were reportable many weeks earlier.

## **VI. Let's Go WA Has Failed to Adequately Report Planned Spending (Allegation #3).**

Mr. Edwards characterizes Brian Heywood's continued spending on behalf of Let's Go WA as "a general desire to continue to support a committee" that does not give rise to reportable pledges. However, this significantly downplays both the relationship between Mr. Heywood, Let's Go WA, and various campaign vendors, and Mr. Heywood's apparently longstanding commitment to financing a paid signature gathering effort after his all-volunteer efforts fell short in 2022. Because there is no separation between Let's Go WA's decision to use paid signature gatherers and Mr. Heywood's plan to pay for those signature gatherers, they were reportable as a pledge far earlier than they appeared as a campaign debt.

PDC Interpretation 12-01, which Mr. Edwards cites, provides that "[t]o be considered a pledge for purposes of reporting requirements . . . the promise must be for a specific amount if a monetary pledge *or for specific goods or services if an in-kind pledge.*" (Emphasis added). Mr. Heywood established a new entity, TDM Strategies, specifically for the purpose of providing signature gathering services to the Committee. Thus, when Mr. Heywood formed TDM Strategies in April, 2023, it was clear that he had already committed to purchase paid signature gathering services on the Committee's behalf. Mr. Heywood's later announcement that the Committee was seeking to hire around 200 people at \$18-20 per hour shows how concrete those plans likely were.<sup>9</sup>

Mr. Edwards also greatly mischaracterizes Mr. Heywood's reporting obligations under the FCPA by suggesting that Mr. Heywood has registered as a political committee and filed C3 and C4 reports voluntarily and in the interest of greater transparency. The definition of political committee in the FCPA excepts "an individual dealing with the . . . individual's own funds or property"; however, it nonetheless includes "any person . . . having the expectation of receiving contributions or making expenditures in support of" any ballot proposition. RCW 42.17A.005(41). As Let's Go WA has received in-kind contributions from entities other than Brian Heywood, it was nonetheless required to register as a political committee under state law.

Moreover, even if Mr. Heywood had spent purely his own money to advance the supported ballot propositions, the alternative to registering as a political committee and filing C3 and C4 reports is not no reporting whatsoever, as Mr. Edwards seems to imply. Rather, Mr. Heywood would be subject to the reporting requirements of RCW 42.17A.255 and WAC 390-16-063 governing independent expenditures. Indeed, pursuant to RCW 42.17A.255(5)(b), Mr. Heywood would be required to report the name and address of each person to whom an independent expenditure was made in support of a ballot proposition, and the amount, date, and purpose of the expenditure—the level of disclosure we have argued is appropriate all along.

## **VII. Brian Heywood Is Sponsoring Multiple Committees Supporting the Same Ballot Propositions, in Violation of RCW 42.17A.205(5) (New Allegation).**

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<sup>9</sup> See [https://www.youtube.com/watch?v=suxEzOue\\_tk](https://www.youtube.com/watch?v=suxEzOue_tk).

In preparing our response to Mr. Edwards' reply, it has come to our attention that Mr. Heywood is now sponsoring multiple political committees in support of the same ballot propositions. Mr. Heywood is not only the sponsor of Let's Go WA, supporting 2023 ballot propositions I-2081, I-2109, I-2111, I-2113, I-2117, and I-2124, but the below committees as well:

- Taxpayers Accountability Alliance – Sponsored by Brian Heywood (supporting I-2109, I-2111, I-2117, and I-2124)<sup>10</sup>
- Safer Streets for All Sponsored by Brian Heywood (supporting proposition I-2113)<sup>11</sup>

RCW 42.17A.205(5) states that “[a] person may sponsor only one political committee for the same elected office or same ballot proposition per election cycle. Mr. Heywood is in clear violation of this limitation.

\*\*\*

Mr. Edwards' reply has not alleviated the concerns raised in our initial letter and further research has only revealed additional violations of the FCPA by Let's Go WA and Mr. Heywood. As Mr. Heywood's spending continues apace and has begun to attract greater public attention,<sup>12</sup> we urge the Commission to initiate an investigation into both our initial allegations and those now raised in this response.

Please do not hesitate to contact us if you have any questions, or if we can be of further assistance.

Sincerely,



Abby Lawlor  
Dmitri Iglitzin

*Counsel for Heather Weiner*

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<sup>10</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=54322](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=54322).

<sup>11</sup> [https://apollo.pdc.wa.gov/public/registrations/registration?registration\\_id=54321](https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=54321).

<sup>12</sup> See Danny Westneat, *The great debate about climate and gas prices is only heating up*, *Seattle Times* (Aug. 9, 2023) <https://www.seattletimes.com/seattle-news/politics/the-great-debate-about-climate-and-gas-prices-is-only-heating-up/>.

# **ATTACHMENT 4**





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: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

October 12, 2023

Sent electronically to Dan Brady, legal counsel and Connor Edwards, Treasurer for Let's Go Washington (Sponsored by Brian Heywood)

Subject: Complaint filed against Let's Go Washington (Sponsored by Brian Heywood), PDC Case 140213

Dan Brady and Connor Edwards:

After conducting a preliminary review and assessment of the complaint filed on July 19, 2023, by Abby Lawlor, legal counsel on behalf of her client, Heather Weiner against Let's Go Washington (Sponsored by Brian Heywood), PDC staff has opened a formal investigation into this matter. In addition, PDC staff held an Initial Hearing (Case Status Review) on October 11, 2023, pursuant to RCW 42.17A.755, and WACs 390-37-060 and 390-37-071.

At the hearing it was noted that the Case Status Review is not an adjudicative proceeding and that RCW 42.17A.755 provides PDC staff with additional tools to resolve complaints alleging non-compliance. Those tools include resolving alleged violations through a statement of understanding, or through alternate means in lieu of enforcement such as warning letters, technical corrections, or remediable violations. I am encouraging you to continue to work with PDC staff on resolving this matter.

Thank you both for participating at the Initial Hearing this morning. If you have questions, please contact Kurt Young, PDC Compliance Officer, by replying to the latest staff email concerning this matter.

Sincerely

s/

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Electronically Signed Peter Lavalley, Executive Director  
Public Disclosure Commission





# **ATTACHMENT 5**

<b>Respondent Name</b>
Let's Go Washington (Sponsored by Brian Heywood)
<b>Complainant Name</b>
Abby Lawlor
<b>Complaint Description</b>
<a href="#">Abby Lawlor</a> reported via the portal <i>(Tue, 17 Oct 2023 at 11:30 AM)</i> Please see attached complaint filed on behalf of SEIU 775, Civic Ventures, Washington Conservation Action, and Planned Parenthood Alliance Advocates.
<b>What impact does the alleged violation(s) have on the public?</b>
<b>List of attached evidence or contact information where evidence may be found</b>
<b>List of potential witnesses</b>
<b>Certification (Complainant)</b>
I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.



18 West Mercer Street, Suite 400  
Seattle, WA 98119  
TEL (800) 238.4231  
FAX (206) 378.4132

**Dmitri Iglitzin**  
*Senior Partner*  
**DIR (206) 257-6003**  
iglitzin@workerlaw.com

*Original via webform*

October 17, 2023

Peter Frey Lavallee  
Executive Director  
Public Disclosure Commission  
711 Capitol Way S #206  
Olympia, WA 98504

Re: Violations of the FCPA by Let's Go Washington (Sponsored by Brian Heywood)  
BIL File No. 3263-331

Dear Director Lavallee:

We are writing on behalf of SEIU 775, Civic Ventures, Washington Conservation Action, and Planned Parenthood Alliance Advocates to report numerous apparent violations of RCW 42.17A.225 and .240 by Let's Go Washington (Sponsored by Brian Heywood) (Let's Go WA or Committee) related to the Committee's reporting of paid signature gathering and other campaign expenses. Let's Go WA is already on track to be the costliest effort by an individual to rewrite Washington law since at least the PDC's current era of reporting, and may be the most expensive in the state's history. Because of the unprecedented and unusual nature of Heywood's political spending and the PDC's recently opened formal investigation into the Committee, we urge you to promptly investigate these additional violations before the year-end deadline for Let's Go WA's signature gathering efforts.

**I. Inaccurate and misleading reporting of \$4 million dollar paid signature gathering contract in violation of RCW 42.17A.225 and .240**

Under the Fair Campaign Practices Act (FCPA), continuing committees must report all contributions received at least monthly. RCW 42.17A.225, .240. A contribution includes a loan, forgiveness of indebtedness, advance, pledge, payment, transfer of funds, or anything of value. RCW 42.17A.005(15)(a)(i). This includes in-kind contributions of goods or services. *See* WAC 390-16-207. PDC regulations further define "pledge" as "a promise to make a future contribution." WAC 390-16-245. An in-kind pledge is reportable if it is for a specific amount or for specific goods or services. PDC Interpretation No. 12-01.

On its September 11 C-4 report, Let's Go WA disclosed a \$400,000 in-kind contribution from Brian Heywood for paid signature gathering field work by Your Choice Petitions, LLC made on August 29, 2023.<sup>1</sup> On that same date, the Committee also reported incurring a \$3.6 million debt to Your

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<sup>1</sup> Let's Go WA C-4 Report No. 110172123.

Choice Petitions.<sup>2</sup> From these two data points, it is clear that a massive \$4 million paid signature gathering contract was entered into for the benefit of the Committee on that date.<sup>3</sup> However, what is obscured by the Committee's reporting is whether the contract was entered into by Brian Heywood or by the Committee itself. Given that Heywood made an upfront payment equal to ten percent of the cost of the overall contract to Your Choice Petitions, and the Committee had at that point raised just \$57,000 in cash this year, it seems likely that Heywood entered into the contract or at least served as its guarantor. Assuming this is the case, Heywood's commitment to pay the entirety of the \$4 million signature gathering contract should have been reported as a pledge to the Committee on its September 11 C-4 report because it was a promise to make a future payment for campaign services on behalf of Let's Go WA. However, no such pledge was reported. Instead, the Committee reported a \$3.6 million dollar debt as though the Committee planned to fundraise and exhaust the debt itself.<sup>4</sup>

The Committee's reliance on Heywood to fulfill any payment obligations under a contract with Your Choice Petitions was further evident through Let's Go WA's October 10 C-4 report.<sup>5</sup> On this report, the Committee disclosed a \$500,000 contribution from Brian Heywood on September 11, 2023<sup>6</sup> and a \$427,641 payment to Your Choice Petitions that same day.<sup>7</sup> The Committee also disclosed an \$800,000 loan from Brian Heywood on September 18, 2023<sup>8</sup> and a \$900,000 payment to Your Choice Petitions that same day.<sup>9</sup> Lastly, the Committee disclosed an \$8,000 cash contribution and a \$1,050,000 loan from Brian Heywood on September 25, 2023<sup>10</sup> and a \$1,053,366 payment to Your Choice Petitions that same day.<sup>11</sup> This pattern demonstrates that Heywood was making agreed-to contributions and loans to the Committee for purposes of fulfilling the Your Choice Petitions contract.

The Committee's approach to reporting payments and obligations related to Your Choice Petitions creates confusion as to who is ultimately responsible for financing the colossal paid signature gathering effort currently underway in Washington state. Heywood has almost single-handedly financed the Let's Go WA effort, largely through in-kind contributions of goods and services. There can be little question that he plans to bear the cost of this signature gathering, and has almost certainly entered into an understanding with Your Choice Petitions and the Committee to that effect. And yet the Committee has failed to report this pledge as required under RCW 42.17A.225 and .240. Instead, the Committee has reported its obligations to Your Choice Petitions as being fulfilled through well-timed contributions and purported loans from Heywood (loans valued at over twelve times what the Committee has currently raised outside of Heywood's contributions). As Heywood's commitment to cover the costs of the Your Choice Petitions contract was likely known from the time the contract was entered into, it should have been reported as a pledge beginning on the Committee's September C-4 filing, providing public disclosure of this planned contribution.

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<sup>2</sup> *Id.*

<sup>3</sup> If wholly paid by Brian Heywood, this contract would represent the largest single campaign contribution by an individual in Washington state since at least 2007 and possibly in the state's history.

<sup>4</sup> Let's Go WA C-4 Report No. 110172123.

<sup>5</sup> Let's Go WA C-4 Report No. 110178979.

<sup>6</sup> See Let's Go WA C-3 Report No. 110178982.

<sup>7</sup> Let's Go WA C-4 Report No. 110178979.

<sup>8</sup> See Let's Go WA C-3 Report No. 110178983.

<sup>9</sup> Let's Go WA C-4 Report No. 110178979.

<sup>10</sup> See Let's Go WA C-3 Report No. 110178980.

<sup>11</sup> Let's Go WA C-4 Report No. 110178979.

## **II. Inaccurate and misleading reporting of second paid signature gathering contract in violation of RCW 42.17A.225 and .240**

Let's Go WA's previous reporting of payments to a second paid signature gathering firm, TDM Strategies, LLC, is already the subject of an earlier PDC complaint currently under formal investigation. However, the Committee's reporting related to this entity may have additional flaws obscuring further contributions by Brian Heywood to the Committee. On its last several C-4 reports, Let's Go WA has disclosed a significant and growing debt to TDM Strategies for paid signature gathering, a debt reported to have been initially incurred on June 30, 2023.<sup>12</sup> Heywood and campaign consultant Sharon Hanek formed TDM Strategies in April 2023 for the purpose of conducting paid signature gathering on behalf of Let's Go WA. The company began hiring paid signature gatherers in May with the goal of employing as many as 200 individuals.<sup>13</sup>

As discussed, in-kind contributions of goods and services, including payments to third parties considered in-kind loans, are reportable under RCW 42.17A.225 and .240. TDM Strategies is newly formed, lacks other revenue streams, and likely has significant nondeferrable payroll obligations. Thus, it seems probable that Heywood has personally provided the funds necessary for the company to remain in operation while six-figure debts from Let's Go WA are still outstanding. Any transfers of money from Heywood to TDM Strategies to pay the wages of signature collectors or other nondeferrable expenses should have either been reported as in-kind contributions to the Committee from Heywood or as in-kind loans. By reporting them as debts to TDM Strategies, Let's Go WA has likely failed to disclose Heywood's ongoing role in keeping TDM Strategies' signature gathering operation afloat and underreported Heywood's total contributions to the Committee to date.

## **III. Failure to report significant expenditures made to benefit the campaign in violation of RCW 42.17A.225 and .240.**

### **A. September 13 gas station event**

On September 13, 2023, Let's Go WA was the beneficiary of a stunt signature gathering event hosted by Americans for Prosperity-Washington (AFP-WA) and Future 42 at Jackson's Shell Station in Kent, Washington.<sup>14</sup> During the event, attendees received discounted gas and were encouraged to sign petitions for I-2117, one of six initiatives backed by Let's Go WA.<sup>15</sup> According to *Seattle Times* reporting, hundreds of people waited in line to purchase gas at \$3.82 per gallon,<sup>16</sup> during which time they were a

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<sup>12</sup> See C-4 Reports No. 110165937 (\$29,144.80); 110166000 (\$89,632); 110172123 (\$124,079.73); 110178979 (\$163,435.75).

<sup>13</sup> [https://www.youtube.com/watch?v=X-2IxS\\_tXIw](https://www.youtube.com/watch?v=X-2IxS_tXIw).

<sup>14</sup> See <https://future42.org/media-advisory-gas-will-be-rolled-back-to-3-82-in-kent-to-highlight-why-was-gas-is-among-most-expensive-in-the-country/>.

<sup>15</sup> *Id.*

<sup>16</sup> The gas was marked down from \$5.17, a discount of \$1.35 per gallon. See *Organizations host \$3.82/gallon at Kent gas station to rally support against state gas tax*, KIRO 7 (Sept. 13, 2023), <https://www.kiro7.com/news/local/organizations-host-382gallon-kent-gas-station-rally-support-against-state-gas-tax/KD2FGCJBDZDT7FN775OWMG3UUU/>. According to KIRO 7, AFP-WA and Future 42 "helped pay the price difference," but it is unclear what the financial split was between the two organizations.

captive audience for signature gatherers from Let's Go WA.<sup>17</sup> The Committee's sponsor, Brian Heywood, was also present during the event, which garnered significant media attention.<sup>18</sup>

The sale of discounted gas and costs associated with promoting the event were apparently in-kind contributions from AFP-WA and Future 42. RCW 42.17A.005(22) defines "expenditure" to include "a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of . . . assisting in furthering or opposing any election campaign." This would include the costs associated with a discounted gas promotion that attracted people to a location for purposes of securing their support for I-2117.<sup>19</sup> RCW 42.17A.005(15)(a) defines "contribution" to include a gift, donation, payment, or "transfer or funds, or anything of value, including personal and professional services for less than full consideration." It also includes an "expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political or incidental committee, the person or persons named on the candidate's or committee's registration form who direct the expenditures on behalf of the candidate or committee, or their agents." And WAC 390-05-210 further provides that the term contribution includes "furnishing services, property or rights on an unequal basis or at less than their fair market value . . . for the purpose of assisting any candidate or political committee." This does not require that services, property, or rights be furnished to the committee, merely that they be furnished for the purpose of assisting the committee. If Let's Go WA did not itself pay for the costs of the promotional event, then it was in receipt of an in-kind contribution from those entities that did.<sup>20</sup>

Because Let's Go WA failed to report any contributions associated with the September 13 event on its October 10 C-4 report, it was in violation of RCW 42.17A.225 and .240 requiring timely disclosure of expenditures and contributions.<sup>21</sup>

## **B. We the Governed interviews**

Sometime prior to August 3, 2023, We the Governed produced three video interviews by Glen Morgan with Brian Heywood to promote the signature gathering effort by Let's Go WA. These videos were posted to Let's Go WA-run accounts on Rumble<sup>22</sup> and YouTube,<sup>23</sup> and the Rumble-hosted videos were also directly embedded in the Let's Go WA website homepage.<sup>24</sup> The videos encourage individuals to sign the six Let's Go WA-supported ballot propositions and to volunteer or seek work with the campaign as paid signature collectors.

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<sup>17</sup> Conrad Swenson, *Will high gas prices derail WA's climate policy?* *Seattle Times* (Oct. 8, 2023), <https://www.seattletimes.com/seattle-news/environment/will-high-gas-prices-derail-was-climate-policy/>.

<sup>18</sup> See <https://future42.org/why-we-fight-for-lower-gas-prices/>.

<sup>19</sup> This stunt butts up against, if it does not in fact contravene, the restriction in RCW 29A.84.250, making it a gross misdemeanor in Washington state to "give[] or offer[] any consideration or gratuity to any person to induce him or her to sign or not to sign or to vote for or against any initiative or referendum measure."

<sup>20</sup> While the event arguably served multiple purposes, including not only support for I-2117 but also grassroots lobbying on the issue of statewide climate policy, some portion of the event costs were nonetheless reportable as an expenditure or in-kind contribution to Let's Go WA.

<sup>21</sup> See Let's Go WA C-4 Report No. 110178979.

<sup>22</sup> <https://rumble.com/c/c-3649941>. These videos have each been viewed nearly 20,000 times.

<sup>23</sup> <https://www.youtube.com/@letsgowashington2957>.

<sup>24</sup> See [www.letsgowa.com](http://www.letsgowa.com).

Let's Go WA has also failed to report these campaign videos as either a campaign expenditure or an in-kind contribution from Glen Morgan/We the Governed,<sup>25</sup> in violation of RCW 42.17A.225 and .240. The interviews plainly do not fall within the exception in WAC 390-16-206 for endorsements or other news media exceptions in the FCPA because they were not separately reported by Morgan and were not published through a "regularly scheduled news medium." *See* RCW 42.17A.005(30)(b); WAC 390-05-290. Instead, they were videos produced by a campaign donor<sup>26</sup> and turned over to the campaign for hosting and promotional use on its own video channels and website.

#### **IV. Failure to properly report expenditure details in violation of RCW 42.17A.225 and .240**

Under RCW 42.17A.225, continuing committees are required to file monthly reports "detailing expenditures made and contributions received for the previous calendar month," including the information required by RCW 42.17A.240. For expenditures greater than fifty dollars, this includes the name and address of the person to whom the expenditure was made and the amount, date, and purpose of the expenditure. RCW 42.17A.240(7).

On its May C-4 report, Let's Go WA disclosed a \$1,750 payment to "Palmer K." for "admin work," failing to report the full name of the person who was paid and their address.<sup>27</sup> This same payment recurred on the Committee's June,<sup>28</sup> July,<sup>29</sup> August,<sup>30</sup> and September<sup>31</sup> C-4 reports without any additional disclosure. The Committee also reported a \$7,000 in-kind payment from Brian Heywood to Palmer K. for "wages" on its August C-4<sup>32</sup> and a \$3,500 debt on its September C-4 also for "wages."<sup>33</sup> By failing to timely report the full name and address of the recipient of ongoing campaign expenditures, Let's Go WA has violated RCW 42.17A.225 and .240.

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As the PDC has already opened a formal investigation into Let's Go WA and the Committee's activities have only accelerated, we urge you to promptly investigate the numerous allegations that Let's Go Washington has violated the FCPA in advance of the December cutoff for signature gathering.<sup>34</sup> Given the unprecedented spending underway by a single individual seeking to enact statewide policy on pressing issues of climate, tax policy, long-term care, policing, and education, the Committee's compliance with the FCPA is a matter of pressing public concern.

Please do not hesitate to contact us if you have any questions, or if we can be of further assistance.

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<sup>25</sup> *See* Let's Go WA C-4 Reports No. 110166000, 110172123.

<sup>26</sup> *See* Let's Go WA C-4 Report No. 110097944.

<sup>27</sup> Let's Go WA C-4 Report No. 110165997.

<sup>28</sup> Let's Go WA C-4 Report No. 110165999.

<sup>29</sup> Let's Go WA C-4 Report No. 110166000.

<sup>30</sup> Let's Go WA C-4 Report No. 110172123 (this time reported as an in-kind contribution from Brian Heywood).

<sup>31</sup> Let's Go WA C-4 Report No. 110178979.

<sup>32</sup> Let's Go WA C-4 Report No. 110172123.

<sup>33</sup> Let's Go WA C-4 Report No. 110178979.

<sup>34</sup> While we understand the PDC is currently handling a significant volume of complaints, it should not be lost that the current resource strain at the agency is entirely by the design of Let's Go WA campaign donor and supporter Glen Morgan. Thus, the PDC should not allow Morgan's serialized and stale complaints to detract from its oversight and investigation of a committee that is presently engaged in historic levels of highly consequential political spending.



Sincerely,

A handwritten signature in black ink, appearing to read 'Abby Lawlor'.

Abby Lawlor  
Dmitri Iglitzin

*Counsel for SEIU 775, Civic Ventures, Washington  
Conservation Action, and Planned Parenthood  
Alliance Advocates*