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Lawsuit Challenges Illegal Contributions Pattern of Deceit Marks Controversial Initiative-912 Drive I-912 Campaign Blatantly Ignores State's Campaign Disclosure Law

OLYMPIA – The San Juan County prosecuting attorney and his counterparts for the cities of Auburn, Kent and Seattle have filed a lawsuit to stop Initiative 912 campaign organizers from raising and spending thousands of dollars collected illegally in their campaign to halt the repair and maintenance of our state's roads and bridges.

The state's public disclosure law requires that campaigns raising and spending more than \$3,500 must file reports showing the names, addresses, occupations and employers of their contributors, the total amount each contributor has donated and how the funds were spent.

However, from day one, the I-912 campaign has wantonly ignored the state's campaign finance reporting law and failed to disclose the identities of all of its contributors. Interestingly, experienced campaigners are spearheading the I-912 effort.

"The counties and cities took this highly unusual action, which is provided for in the public disclosure law, because the pace of a review by the Public Disclosure Commission would be too slow to be meaningful," said attorney Mike Vaska, representing the counties and cities. "We believe this is the first time this has been done, but the urgency of the issue compelled this action."

The lawsuit filed in Thurston County Superior Court today seeks a preliminary injunction and penalties to stop I-912 campaign organizers from spending money from unidentified sources.

"San Juan County takes this action because we want our future determined by a fair process, not by illegal campaign contributions," said San Juan County Prosecuting Attorney Randall K. Gaylord. "As a county, we have a lot at stake. We depend on a healthy transportation network, and the transportation package is a fair way to pay for it."

The I-912 campaign raised \$40,000 from Internet contributions in May, but concealed these funds for a month by failing to make required reports to the PDC. When it finally reported these amounts, there were no names, addresses or occupations for the contributors. All of this information is required to be reported. In June, supporters disclosed they had raised \$70,000, again mostly from unidentified sources. The I-912 campaign has belatedly responded to a PDC June 20 deadline for disclosure with a little over two weeks to go in the signature gathering campaign.

"The Sunshine Laws apply to the I-912 campaign. The campaign leaders have not said where they get all of the contributions from," Gaylord said. "This thwarts the public's right to know. We want honesty and disclosure, now, when it matters. It's the little guy that will get hurt if they don't comply."

The pattern of deceit continues with initiative backers' failure to disclose the significant in-kind contributions received from Fisher Broadcasting, owners of radio station KVI. Radio hosts Kirby Wilbur and John Carlson have spent countless hours working on campaign strategy and promotion while on the Fisher payroll, and the KVI website urges listeners to help the two get the measure on the ballot. None of these resources provided by the Seattle-based broadcasting corporation have been reported as required per state disclosure laws.

I-912 supporters are also purposely misrepresenting what the initiative would do. The official campaign petition claims that the initiative is necessary to keep the state from spending "\$800 million for rail and transit projects from a tax meant to pay for better roads." However, the transportation package passed by the legislature requires gas taxes to be used for highway-related purposes. State ferries are included in this definition. The rail and transit funding in the package does not come from the gas tax but from other sources that will not be repealed by I-912.

"The backers of this initiative are political professionals," Vaska said. "They know the law and they know they are openly violating it. We are through letting them get away with ignoring the disclosure law, which was overwhelmingly passed by citizen initiative."

Washington drivers average about 12,000 miles a year and get about 17 miles per gallon. That translates into 41 cents a week more for safer roads in the coming year.