



M U L T I S T A T E

**[Public Disclosure Commissions fines Sheriff Ozzie Knezovich for electioneering, lobbying; sheriff vows appeal](#)** (Washington)

Spokane County Sheriff Ozzie Knezovich violated a pair of state laws prohibiting the use of public office for electioneering and use of public funds for indirect lobbying [when he produced a YouTube video](#) attacking Democratic lawmakers for their stance on crime, the Washington Public Disclosure Commission ruled Thursday.

Knezovich was fined \$300. The sheriff may sign a “statement of understanding” admitting to the violations within 30 days to avoid \$100 of that fine, said Fred Jarrett, chair of the PDC, during a hearing Thursday announcing the finding.

“The content is neither legal nor regular,” said Jarrett, during a brief online hearing that Knezovich did not attend Thursday afternoon.

In an interview later Thursday, Knezovich said he did not attend because he was losing his voice. The sheriff maintained he did not violate state law, and he planned to appeal the ruling, which he can do within 30 days under state law.

An investigation launched following [a complaint filed in March by Paul Dillon](#). Dillon applauded the PDC’s decision Thursday, saying he was not only concerned about the sheriff targeting lawmakers in the YouTube video but also community activists working toward police reform.

“I’m disappointed that it took so long,” Dillon said, pointing to campaign ads during this election cycle that involved the retiring sheriff’s endorsement and he believed may have also implicated disclosure laws. Dillon did not file any other complaints against the sheriff.

Knezovich argued in written filings that the video was produced as part of a public information campaign about increased violence and crime in the community, that he was not advocating for the election of any specific candidate and that an exemption in the law allows communication that are “part of the normal and regular conduct of the office or agency.”

During the video, Knezovich shows photos of lawmakers who he said supported reforms making it difficult for law enforcement to do their jobs. That included members of the majority of the Spokane City Council, state Sen. Andy Billig and Reps. Marcus Riccelli and Timm Ormsby, and

then a photo of Amber Waldref, who as of Feb. 18, when the video was recorded, had filed with the PDC to raise money for a county commission campaign.

“This individual was a Spokane city councilperson from 2010 to 2018,” Knezovich said in the video, pointing to a picture of Waldref on a screen. “So, she was part of those years of a broken criminal justice system, and now she wants to run for Spokane County commissioner.”

Waldref had filed paperwork with the commission to run as a Democrat on Nov. 17, 2021. Michael Cathcart, her Republican challenger, had filed Jan. 2, a month and a half before the YouTube video was posted. Knezovich made written arguments to the PDC that the filing date wasn't until May, months after the video, but Jarret said he did not find that argument compelling.

Waldref defeated Cathcart to represent portions of northeast Spokane and the South Hill.

The PDC also found that, in the beginning of the video, Knezovich posed the question he said he received from the community: “Who should we be talking to about getting you the tools and the ability to take care of these issues?” He then showed the images of Billig, Riccelli and Ormsby.

Knezovich said he did not intend for viewers to contact those lawmakers directly.

Knezovich said in a written response “that I invited those listed in the video to meet with me so we could work together in order to find common ground to resolve these issues.”

Jarrett also denied that argument in his findings.

### **State campaign finance system quietly takes effect** (New York)

This month, the state public campaign financing system quietly went into effect.

It's modeled on the city's public dollar matching system, and will allow candidates running for state office to receive taxpayer money when they raise contributions from small donors.

Starting in 2024, candidates for assembly and state senate will be eligible for public matching funds on small donor contributions.

Candidates looking to access those funds are encouraged to begin fundraising, after the program took effect the day after Election Day.

The new state system is modeled on the city's program, which advocates of campaign finance reform consider being a huge success.

“It’s a variation on the system the city of New York has had in place for many years, and that is a matching fund for low donor contributions. For people who live in your district,” Sen. Liz Krueger of Manhattan said.

The matching program was passed in 2019, and then a controversial commission was tasked with designing how it would work.

That commission presented its finding in December 2019 — months before the pandemic disrupted state government.

Under the new system, candidates for assembly and state senate could receive public matching funds on contributions from individual donors of up to \$250.

Those donors must live in the district the candidate is running to represent.

The overall goal is to get big money out of politics.

“Candidates will be incentivized to continue to engage with small donors,” said Joanna Zdanys, from the Brennan Center for Justice, which lobbied for campaigns finance reform in Albany for years. “And by that same token, every day New Yorkers will have a greater opportunity to get involved in this aspect of funding campaigns.”

The total contributions an individual can raise from one person will also be limited, including for statewide office holders.

“So, we are talking about really significant drops in what individuals can give you. New rules about corporations, and lobbyists and others doing business with the state,” Krueger said.

Critics say public financing of all state elections is going to end up costing taxpayers a fortune.

However, defenders maintain that process for raising money and a pay to play culture was broken, and this may every well fix it.

### **September special session leads to \$24,000 in fines against 91 Idaho lobbyists for late filings** (Idaho)

Following the September special session of the Idaho Legislature, 91 lobbyists were fined by the Idaho Secretary of State’s office for filing late reports, public records obtained by the Idaho Capital Sun showed.

While the session lasted a [single day](#) on Sept. 1, when the Idaho Legislature passed a \$1 billion bill that included a tax cut and a \$330 million increase for K-12 education funding, most registered lobbyists were still required to submit a report about any related lobbying activities they might have participated in around the session, even if the report showed no activity. As of

Nov. 18, there are 393 registered lobbyists in Idaho, meaning about 23% of the registered lobbyists were fined.

Sheryl Millard, an elections assistant in the Idaho Secretary of State's office, said the office notified lobbyists of past due reports primarily by email.

"Our lobbyists are normally very responsive and file their reports on time. When we saw this anomaly, we took additional steps to reach out to them, be it by additional emails and phone calls," Millard said in an email.

The office declined to comment on how many of the fines had been paid as of Friday, and declined to comment on whether the process could be improved moving forward.

According to emails sent to the affected lobbyists, the report was due Oct. 15, and per [Idaho Code](#), a fine of \$50 is assessed each day the report is late. Those fines are also applicable for campaign finance reports that candidates must file monthly according to election cycles.

While 13 of the fines were \$150 or less, the rest were a flat \$300 after the secretary's office decided to reduce what were initially \$700 to \$900 fines.

"Due to the unique nature of the special session and the confusion created by the additional required report, we have reduced the fine assessed from \$700 to a flat fine in the amount of \$300, but only if the fine is paid by Friday, November 18, 2022," one email read.

The total amount of the fines after they were reduced is \$24,100, which goes into Idaho's general fund.

'I felt like the process could've been improved,' former Boise lobbyist says

Annie Hightower, who was a registered lobbyist for the Idaho Coalition Against Sexual and Domestic Violence until Nov. 4, said her initial fine was \$900 because the reminder emails were sent to an email she could no longer access after she left the Coalition for a new job.

Hightower said she thought she had terminated her lobbyist registration as well but had not, so she accepted some fault for the issue, but said the secretary's office could have a better notification process.

"I finally got notice that I hadn't filed a report through a robocall," Hightower said. "Knowing they're using a robocall system to notify people, that seems like it could've been used earlier."

She said the initial fine was upsetting, particularly since it would have affected the nonprofit organization.

"I felt a responsibility there, and I felt like the process could've been improved to give notice for those of us who, for whatever reason, failed to file the report," Hightower said.

Others who were fined \$300 include Attorney General-Elect Raúl Labrador and Tom Arkoosh, who were both campaigning to be Idaho's next attorney general in September. Former Sen. Shawn Keough, R-Sandpoint, was also fined as a lobbyist for logging industry organizations, and lobbyists for the Idaho 97 organization and the Idaho Association for Commerce and Industry — Michael Satz and Amos Rothstein, respectively — were fined as well. Branden Durst, who represented Boise as a senator before becoming a Republican and running in the primary for superintendent of public instruction this year, was also fined as a lobbyist for the Idaho Family Policy Center.

Secretary of State-Elect Phil McGrane said the fact that so many lobbyists were fined signals a problem with the process. After he takes office in January, McGrane said he plans to look at how the secretary's system could be more efficient and customer service friendly.

"The first goal should be to make it easy for users to comply and make it transparent, and then we focus on enforcement," McGrane said.

The fines seem especially significant because statute around other violations does not prescribe such steep penalties, such as the \$250 maximum fine levied against former gubernatorial candidate Ammon Bundy for [not labeling campaign advertisements](#) in compliance with the law.

### [Ethics groups want New York's new lobbying watchdog fully appointed](#) (New York)

The clock is ticking on the remainder of 2022, and New York's new lobbying and ethics regulator is yet to be at full strength.

The Commission on Ethics and Lobbying in Government, the successor organization to the oft-criticized and now-defunct Joint Commission on Public Ethics, was officially formed earlier this year. But four seats on the panel, charged with overseeing lobbying rules and ethics in government, remain unfilled.

Good-government organizations this week are urging the final appointments be made to the commission so it can begin its work in earnest before the start of 2023.

"The commission is required to hold an annual public hearing by the end of the year, and a full slate of commissioners should be there to show the commitment of statewide elected leaders to better ethics oversight and to the new ethics commission they appoint," the groups, led by Reinvent Albany, said on Monday.

The new watchdog enforcement commission is appointed by the governor, attorney general, comptroller and the top legislative leaders in the state Assembly and Senate. Nominees to the commission are vetted by New York law school deans before they can be granted approval.

The appointment process is subject to a lawsuit after Republican Senate Minority Leader Robert Orrt's appointment of Gary Lavine was rejected. Lavine was an outspoken member of the old Joint Commission on Public Ethics and had been critical of some of the commission's work.

Gov. Kathy Hochul and Attorney General Letitia James are yet to announce their final nominations to the commission.

### [Tennessee senator pleads guilty to federal campaign finance charges](#) (Tennessee)

NASHVILLE, Tenn. (WTVF) — State Sen. Brian Kelsey pleaded guilty Tuesday to violating federal campaign finance laws during a failed run at a seat for U.S. Congress.

Kelsey, R-Germantown, made a bid for Congress in 2016. He is scheduled to be sentenced in the summer of 2023.

At the time of the indictment, Kelsey called the whole situation a "political witchhunt."

His co-conspirator Josh Smith — owner of Nashville political gathering spot The Standard — pleaded guilty in October to illegally steer "soft money" to the congressional campaign of Sen. Kelsey.

According to court documents, Kelsey, 44, admitted that he conspired to and did secretly and unlawfully funnel money from multiple sources, including his own Tennessee State Senate campaign committee, to his authorized federal campaign committee. Kelsey and his co-conspirators, including Smith, also caused a national political organization to make illegal, excessive contributions to Kelsey's federal campaign committee by secretly coordinating with the organization on advertisements supporting Kelsey's federal candidacy and to cause false reports of contributions and expenditures to be filed with the FEC.

Kelsey and the other conspirators orchestrated the concealed movement of \$91,000. He, Smith, and others also caused the political organization to make \$80,000 worth of contributions to Kelsey's federal campaign committee in the form of coordinated expenditures.

Kelsey and Smith were indicted by a federal grand jury in Nashville in October 2021 and charged with violating multiple campaign finance laws.