




Alaska Public Offices Commission

COMPLAINT



FILING A COMPLAINT <i>To be accepted, complaint must include</i>		APOC LAWS ALLEGEDLY VIOLATED <i>Specify section of law or regulation</i>		APOC Case Number/Date Filed
1. Complainant's name + contact info 2. Respondent's name + contact info 3. Laws, regulations allegedly violated 4. Description of allegations 5. Basis of knowledge of alleged facts 6. Documentation to support allegations 7. Notarized signature of the complainant 8. Proof that complaint and all supporting documents were served on respondent		Campaign Disclosure Law <input checked="" type="checkbox"/> AS 15.13 <input type="checkbox"/> 2 AAC 50.250-405 Public Official Financial Disclosure <input type="checkbox"/> AS 39.50 <input type="checkbox"/> 2 AAC 50.680-799 Legislative Financial Disclosure <input type="checkbox"/> AS 24.60 <input type="checkbox"/> 2 AAC 50.680-799 Lobbying Regulation <input type="checkbox"/> AS 24.45 <input type="checkbox"/> 2 AAC 50.550-590		20-03-CD
APOC will notify Complainant and Respondent when APOC accepts or rejects a complaint. If a complaint meets requirements for acceptance, APOC will investigate the allegations and notify the Respondent of their right to respond.				
<input checked="" type="checkbox"/> APOC <input type="checkbox"/> Person <input type="checkbox"/> Party <input type="checkbox"/> Group	COMPLAINANT		RESPONDENT <i>Person or group allegedly violating law</i>	
	APOC Staff		<input checked="" type="checkbox"/> Person <input type="checkbox"/> Party <input type="checkbox"/> Group	Christopher S. Constant
Address City / Zip	2221 E. Northern Lights Blvd., Rm 128 Anchorage, Alaska 99508		133 E. Harvard Avenue Anchorage, Alaska 99501	
Phone/Fax	(907) 276-4176 / (907) 276-7018		(907) 947-9438	
E-mail	apoc@alaska.gov		akconstant@gmail.com	
COMPLAINANT'S REPRESENTATIVE			RESPONDENT'S REPRESENTATIVE	
If Complainant or Respondent is political party or group, list contact person. If Complainant or Respondent is represented by an attorney, list name + contact info.				
Name/Title	Rachel Witty, Assistant Attorney General State of Alaska, Department of Law			
Address	1031 W. 4 th Avenue, Suite 200 Anchorage, Alaska 99501			
Phone/Fax	(907) 269-5100			
E-mail	rachel.witty@alaska.gov			
DESCRIPTION or SUMMARY of ALLEGED VIOLATION			Use extra pages if needed	<input checked="" type="checkbox"/> SUPPORTING DOCUMENTS – DESCRIBE:
Violation of AS 15.13.112(b)(7), prohibited use of campaign funds. Respondent used campaign funds to make communications supporting other candidates.				Complaint Memorandum
PROOF of SERVICE ATTACHED: <input type="checkbox"/> Fax – receipt confirmation <input type="checkbox"/> Certified mail – signed receipt <input type="checkbox"/> Process server – return of service <input checked="" type="checkbox"/> E-mail – delivery/read receipt <input type="checkbox"/> Other:				
COMPLAINANT'S SWORN STATEMENT: To the best of my knowledge and belief, these statements are true				
Signature:  Title: Paralegal Date: 4/17/2020 Subscribed and sworn to or affirmed by me at (City, State): Anchorage, Alaska				
Signature:  Title: Executive Director Date: 4/17/2020 APOC COMPLAINTS, RESPONSES, INVESTIGATION REPORTS & COMMISSION ACTIONS ARE PUBLIC DOCUMENTS				
APOC ANCHORAGE		APOC JUNEAU		APOC COMPLAINT PROCESS: 2 AAC 50.870-895
2221 E. NORTHERN LIGHTS #128		240 MAIN STREET #201		FILING COMPLAINTS: 2AAC 50.870 ANSWERING COMPLAINTS: 2AAC 50.880
ANCHORAGE, AK 99508		P.O. BOX 110222		APOC CRITERIA for ACCEPTING COMPLAINTS: 2 AAC 50.870
907-276-4176 / FAX 907-276-7018		JUNEAU, AK 99811		INVESTIGATIONS & HEARINGS: 2 AAC 50.875-891
TOLL-FREE 800-478-4176		465-4864 / FAX 465-4832		RULES for REQUESTING EXPEDITED CONSIDERATION: AS15.13.380(c)
WEB: http://doa.alaska.gov/apoc/		APOC FORMS: http://doa.alaska.gov/apoc/forms/index.html		APOC LAWS: http://doa.alaska.gov/apoc/apoclaws.html



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Administration

ALASKA PUBLIC OFFICES COMMISSION

2221 E. Northern Lights Blvd., Rm. 128
Anchorage, AK 99508-4149
Main: 907.276.4176
Fax: 907.276.7018
www.doa.alaska.gov/apoc

TO: APOC Commissioners
DATE: April 17, 2020
FROM: Thomas R. Lucas, Campaign Disclosure coordinator
SUBJECT: Christopher Constant violation of AS 15.13 Campaign Disclosure Law

I. BACKGROUND

Christopher Constant was an unopposed candidate for Assembly in the 2020 Anchorage Municipal Election. Also running for Assembly in the same election but in different districts were, Austin Quinn Davidson, Pete Peterson, Felix Rivera, Meg Zaletel, and Suzanne LaFrance (collectively, "Other Candidates").

During the last three days before the election, Christopher Constant used campaign funds to create and run a Facebook advertisement extolling accomplishments he and the Other Candidates had made together.¹ The advertisement was directed at persons in Anchorage, Alaska, aged 18 to 65 plus.²

On April 6, 2020, one day before the election, Christopher Constant posted to his campaign Facebook page, repeating the same information as in his Facebook advertisement discussed above, but in a series of individual posts.³

II. ALLEGED VIOLATION

Christopher Constant violated AS 15.13 by using campaign funds to make contributions to the Other Candidates.

The term, "contribution" is defined in relevant part as a purchase made for the purpose of influencing the election of a candidate.⁴ The term is further defined in the regulations to include "anything of value" used for the purpose of influencing an election.⁵ In turn, the term, "anything of value" is defined as, "any item, property, or services, tangible or intangible, that could

¹ Exhibit 1, Facebook Ad.
² Exhibit 2, email from Christopher Constant
³ Exhibit 3, Facebook posts.
⁴ AS 15.13.400(4)(A)(i).
⁵ 2 AAC 50.990(7)(B).

reasonably be considered to be a material advantage, or of material worth, use, or service to a person receiving the item, property or service.”⁶

In this case, shortly before the election, Christopher Constant’s advertisement and Facebook posts identified the Other Candidates for their shared accomplishments in connection with matters of local importance. This tangible support meets the definition of a contribution.

Generally, campaign contributions held by a candidate may only be used to pay expenses that reasonably relate to election campaign activity of the candidate.⁷ Although candidates may participate in shared activities, they may not use campaign funds to make contributions to other candidates.⁸ Using campaign funds, Christopher Constant made contributions to the Other Candidates in violation of AS 15.13.112(b)(7).

⁶ 2 AAC 50.990(2)(A).

⁷ AS 15.13.112(a).

⁸ AS 15.13.112(b)(7); *see also*, 2 AAC 50.324(b)-(c).

inActive

Apr 3, 2020 - Apr 6, 2020

ID: 503584606981268



About social issues, elections or politics



Constant for Anchorage

Sponsored • Paid for by Christopher Constant for Anchorage

Return your ballots by April 7.

Back of the Comic. Details on each frame to come.

Paid for by Christopher Constant for Anchorage
133 E Harvard Avenue, Anchorage AK 99501



Home | Constant2020
CONSTANTFORANCHORAGE.COM

[Learn More](#)

Amount spent (USD): <\$100

Potential Reach: 100K - 500K people

From: [Christopher Constant](#)
To: [Lucas, Tom R \(DOA\)](#)
Subject: Constant Man of Action
Date: Monday, April 6, 2020 5:11:24 PM
Attachments: [image.png](#)
[image.png](#)
[Constant-Man of Action Draft.pdf](#)

Here you go Tom,
Please advise on the other 5 or 6 before I boost them tonight.

View Results

Overview Edit

SPECIAL AD CATEGORY

Ads for credit, employment or housing offers. [Learn More](#)

AUDIENCE

- People you choose through targeting

Location - Living In United States: Anchorage Alaska
Age 18 - 85+

People who like your Page

People who like your Page and their friends

Create New Audience

Automatic Placements (Recommended)

Use automatic placements to maximize your budget and help show your ads to more people. Facebook's delivery system will allocate your ad set's budget across multiple placements based on where they're likely to perform best. [Learn more](#)

DURATION AND BUDGET

Duration

End date: Apr 7 2020

Preview: Desktop News Feed



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Return your ballots by April 7.

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Edit Audience

Age ⓘ

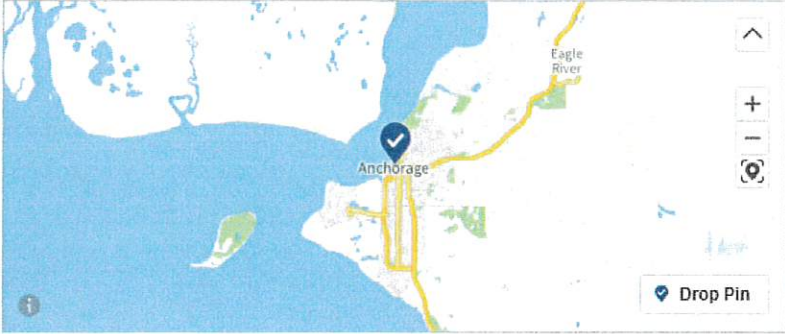
18 ▼ - 65+ ▼

Locations ⓘ

United States

📍 Anchorage, Alaska ▼

Add locations




Drop Pin

Detailed Targeting ⓘ

Include people who match ⓘ

Add demographics, interests or behaviors

Suggestions Browse



Your audience size is **defined**. Good job!

Potential Audience Size: 240,000 people ⓘ

Cancel

Save

Exhibit 2
Page 2 of 2



Constant for Anchorage

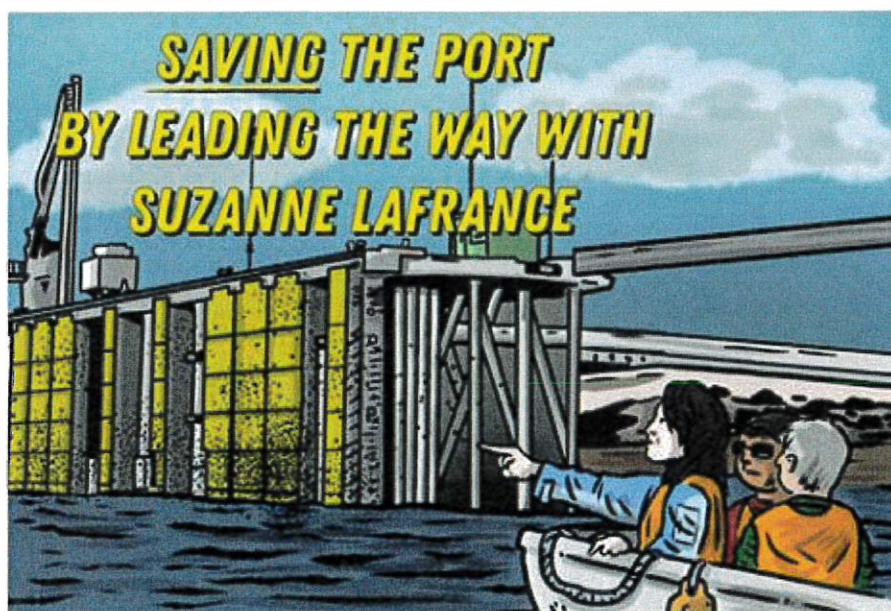
April 6 at 2:07 PM · 🌐

...

One of the proudest accomplishments of my first term was working with Suzanne LaFrance to ensure the Port of Alaska Modernization is a top priority to keep Alaska's supply lines open for the next 100 years.

Please be sure to vote before 8 PM on April 7th.

Paid for by Christopher Constant for Anchorage... [See More](#)





Constant for Anchorage

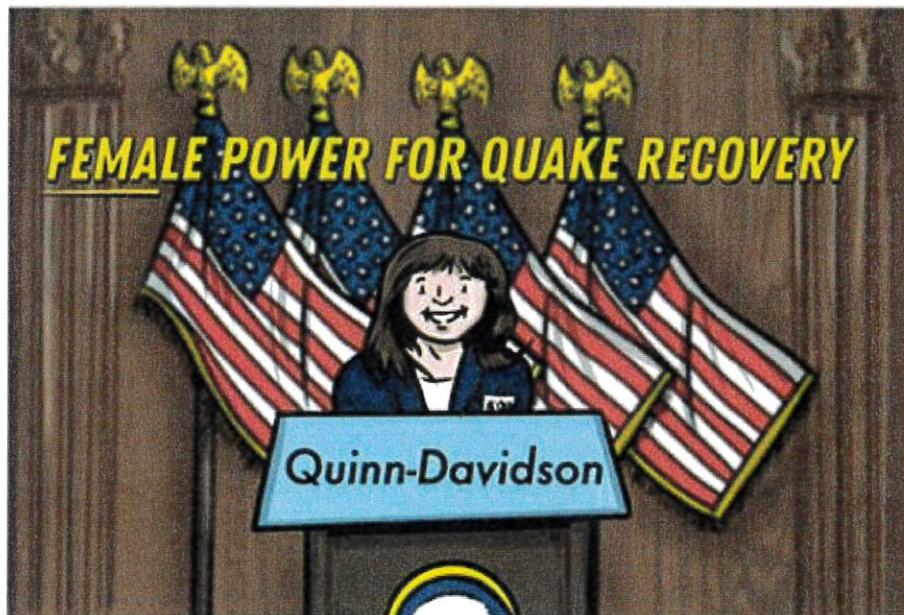
April 6 at 2:05 PM · 🌐

...

One of the most important jobs I did in my first term was working with Austin Quinn-Davidson, who led the fight that ensured FEMA paid Alaskans what they were owed after the Great Cook Inlet Earthquake of 2018.

Please vote by April 7th, 8 PM.

Paid for by Christopher Constant for Anchorage... See More





Constant for Anchorage

April 6 at 2:12 PM · 🌐

...

The challenge of homelessness in Anchorage has never been more critical to resolve. Working with Felix Rivera and Meg Zaletel, we have made real strides in ending homelessness in our community.

Please vote by 8 PM on Tuesday, April 7th.

Paid for by Christopher Constant for Anchorage... See More





Constant for Anchorage

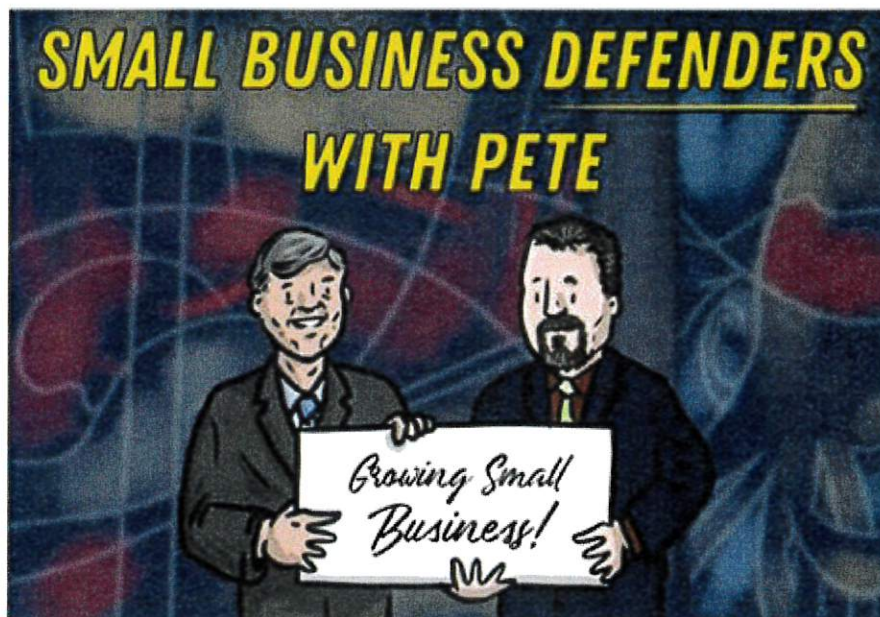
April 6 at 2:12 PM · 🌐

...

Having spent the last three years working with Pete Petersen, I can say we have been strong defenders of small business in Anchorage. Going forward we need strong and trained leadership to help facilitate this recovery.

Please vote by 8 PM on Tuesday, April 7th.

Paid for by Christopher Constant for Anchorage... [See More](#)





Constant for Anchorage

April 4 at 9:45 AM · 🌐

...

Return your ballots by April 7.

Back of the Comic. Details on each frame to come.

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From: [Microsoft Outlook](#)
To: akconstant@gmail.com
Subject: Relayed: Complaint - APOC Staff v. Christopher Constant
Date: Friday, April 17, 2020 12:59:52 PM
Attachments: [Complaint - APOC Staff v. Christopher Constant.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
akconstant@gmail.com (akconstant@gmail.com) <mailto:akconstant@gmail.com>
Subject: Complaint - APOC Staff v. Christopher Constant

From: [Christopher Constant](#)
To: [Collins, Dacia C \(DOA\)](#)
Cc: [Hebdon, Heather R \(DOA\)](#); [Lucas, Tom R \(DOA\)](#); [Odena, Jacqueline S \(DOA\)](#); [Witty, Rachel L \(LAW\)](#)
Subject: Re: Complaint - APOC Staff v. Christopher Constant
Date: Friday, April 17, 2020 1:03:49 PM

Received.

On Fri, Apr 17, 2020 at 12:59 PM Collins, Dacia C (DOA) <dacia.collins@alaska.gov> wrote:

Good Afternoon,

Please find the attached document(s) being issued to you from the Alaska Public Offices Commission.

Please confirm upon receipt and should you have any questions, please contact our office.

Thank you,

Dacia Collins

Law Office Assistant II

Alaska Public Offices Commission, APOC

2221 E. Northern Lights Blvd. Rm #128

Anchorage, Alaska, 99508

(907) 276-4176

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