

**BEFORE THE FEDERAL ELECTION COMMISSION**

Office of General Counsel  
Federal Election Commission  
1050 First Street, NE  
Washington, D.C. 20463

Stephen Frank  
607 Azure Hills Drive  
Simi Valley, CA 93065

Complainant,

v.

Representative Katie Hill  
1130 Longworth HOB  
Washington, D.C. 20515

Katie Hill for Congress  
6681 Sweetclover Lane  
Carlsbad, CA 92011

Respondents.

**COMPLAINT**

This complaint is filed pursuant to 52 U.S.C. §30109 (a)(1) against Representative Katie Hill and her principal campaign committee, Katie Hill for Congress, and its Treasurer at the time of the alleged infraction, Stephen Salm, in his official capacity for apparently violating the Federal Elections Campaign Act of 1971, as amended (the "ACT") and Federal Election Commission (the "Commission") regulations by using campaign funds for personal use through the Representative's continuing personal and private relationship with a member of her campaign staff during the 2017-2018 election cycle. The Commission must determine if certain irregularities in candidate committee disbursements were made in furtherance of the personal relationship between the then-candidate and member of her campaign staff.

**FACTUAL BACKGROUND**

It has been brought to light by several media organizations that Representative Katie Hill had an improper relationship with a current member of her congressional staff, a relationship that started during the Representative's campaign for California's 25<sup>th</sup> congressional district, when the congressional

staffer was a member of the Representative's campaign staff.<sup>1</sup> In the time since the House Committee on Ethics has launched an investigation into whether such an inappropriate relationship did exist, Rep. Hill has confirmed the relationship.<sup>2</sup> It has also been alleged that the then-candidate and her campaign staffer went on vacation and other personal trips together during the campaign.

Other media organizations, including the Daily Mail, have now allegedly identified the campaign subordinate with whom the then-candidate had an improper personal relationship as Morgan Desjardins, and that she purportedly worked primarily on fundraising for the campaign.<sup>3</sup> FEC records show that Ms. Desjardins was paid \$2,1000.00 on a bi-monthly basis during the 2018 calendar year.<sup>4</sup> There is also a disbursement by the campaign committee to Ms. Desjardins for "Mileage" in the amount of \$671.44 on November 15, 2018.<sup>5</sup> On December 20, 2018, a disbursement by the campaign committee for "Salary" to Ms. Desjardins totals \$5,000.00, a sudden, more than two-fold increase from previous salary disbursements for Ms. Desjardins.<sup>6</sup>

The media reports, confirmed by Rep. Hill, of an improper relationship with a member of her campaign staff indicate that this campaign staff member did not engage in sufficient, bona-fide campaign-related activities, but rather was paid to be available for personal and private purposes unrelated to the Representative's congressional campaign. As such, as a candidate in the 2017-2018 election cycle, Rep. Katie Hill misused campaign funds for her personal use.

## LEGAL ANALYSIS

The Act prohibits a candidate or any other person from converting "(a) contribution accepted by a candidate, and any other donation received by an individual as support for activities of the individual as a holder of Federal office," for "personal use."<sup>7</sup> Personal use means any use of funds in a campaign account "to fulfill a commitment, obligation or expense of any person that would exist irrespective of the candidate's campaign or duties as a Federal officeholder."<sup>8</sup> Commission regulations include a list of expenses which are considered to be per se personal use. For expenses other than those defined as per se personal use, the Commission evaluates on a case-by-case basis whether the expense would have existed irrespective of the candidate's campaign.<sup>9</sup>

Representative Hill appears to have used campaign funds for over a year to employ an individual with whom she was having an improper, personal relationship. Every campaign committee disbursement to Ms. Desjardins throughout 2018 can be viewed not as the fulfillment of a commitment,

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<sup>1</sup> <https://apnews.com/1d9c71e24d5b40478adbdbab2b0fec62>

<sup>2</sup> <https://www.cnbc.com/2019/10/24/rep-katie-hill-admits-to-having-an-inappropriate-relationship-with-a-staffer.html>

<sup>3</sup> <https://www.dailymail.co.uk/news/article-7609835/Katie-Hill-seen-showing-Nazi-era-tattoo-smoking-BONG-NAKED.html>

<sup>4</sup> <https://docquery.fec.gov/cgi-bin/fecimg/?201812229143662694>

<sup>5</sup> <https://docquery.fec.gov/cgi-bin/fecimg/?201812229143662695>

<sup>6</sup> <https://docquery.fec.gov/cgi-bin/fecimg/?201901319144314240>

<sup>7</sup> 52 U.S.C. § 30114(a),(b)(1)

<sup>8</sup> 11 C.F.R. § 113.1(g)

<sup>9</sup> fit § 113.1(g)(I)(ii)

obligation or expense to the candidate's campaign, but as a means to keep an individual close and available to the candidate for personal and private purposes unrelated to campaign activities. Disbursements made by the campaign committee to Ms. Desjardins for "mileage" should be investigated to determine whether the disbursement was made for campaign-related travel or to further the personal and private relationship between Ms. Desjardins and Rep. Hill. A sudden increase in salary disbursement in December of 2018 for Ms. Desjardins could also be construed as the personal use of campaign funds by Rep. Hill and her campaign committee.

#### **REQUESTED ACTION**

Public records and media reports strongly indicate that Respondents may have violated the Act and Commission regulations by using campaign funds for personal use to further Representative Hill's personal and private relationship with a campaign subordinate. As such, I respectfully request that the Commission immediately investigate these alleged violations and that Respondents be enjoined from further violations and be fined the maximum amount permitted by law.

Sincerely,

Stephen Frank