



**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: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

September 7, 2018

Delivered electronically to "ctibbs@penarc.org"

Subject: PDC Case 38591

Dear The ARC of the Peninsulas:

Below is a copy of an electronic letter sent to Robert Parker concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Robert Parker, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

If you have questions, you may contact Tabatha Blacksmith at 360-586-8929, toll-free at 1-877-601-2828, or by e-mail pdcc@pdcc.wa.gov

Sincerely,

/s_____

AGENT NAME

AGENT TITLE

Endorsed by,

/s_____

Barbara Sandahl

Deputy Director

For Peter Lavallee

Executive Director



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September 7, 2018

Delivered electronically to “recordstransferacct@gmail.com”

Subject: Complaint regarding Naomi Evans, PDC Case 38589, and The ARC of the Peninsulas, PDC Case 38591

Dear Robert Parker:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on July 27, 2018. Your complaint alleged that Candidate Naomi Evans may have violated RCW 42.17A.235 by failing to report a campaign-related image published in The ARC of the Peninsulas' July 2018 "Parent 2 Parent" newsletter as an in-kind contribution from the non-profit organization. This allegation gave rise to a secondary allegation that The ARC of the Peninsulas may have violated RCW 42.17A.305 by failing to report the publishing of the image as an independent, electioneering expenditure for Candidate Evans.

PDC staff reviewed your allegations, and as a result of staff's initial review, we found the following:

- The "Parent 2 Parent" electronic newsletter is informational in nature, does not include advertising, and is distributed to 87 community members. The photo of Candidate Evans constitutes less than 3% of the overall newsletter content. In light of these facts, the candidate's photo does not meet the definition of an "electioneering communication" under RCW 42.17A.005(22)(a)(iii) because its value, if any, is less than \$1,000.
- Candidate Evans did not give permission or have knowledge that the photo would be published in The ARC of the Peninsulas' July, 2018 newsletter; therefore, no candidate coordination existed.
- Re-posting graphic content without a candidate's coordination does not constitute a contribution, per the Commission's Interpretation 16-01.

Based on these initial findings, staff has determined that in this instance, the unauthorized publication of Candidate Evans' photo in The ARC of the Peninsulas' July, 2018 newsletter does

not amount to a violation of RCW 42.17A.235 or RCW 42.17A.305 warranting further investigation.

The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828, or by e-mail at Tabatha.Blacksmith@pdc.wa.gov

Sincerely,

/s _____

Tabatha Blacksmith
Compliance Coordinator

Endorsed by,

/s _____

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Naomi Evans
The ARC of the Peninsulas