



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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

July 9, 2018

Delivered electronically to Mark A. Hood, with Vandenberg Johnson & Gandara, LLP
at "mhood@vjglaw.com"

Subject: Dierdre Gethers Complaint Return Cover Letter, PDC Case 18610

Mr. Hood:

Below is a copy of an electronic letter sent to Barry Johnson concerning the complaint he
filed with the Public Disclosure Commission (PDC) against your client, Dierdre Gethers.

As noted below in the electronic letter to Mr. Johnson, the PDC will not be conducting a more
formal investigation into these allegations or taking enforcement action in this matter.

If you have questions, please contact PDC staff member Kurt Young by e-mail at
kurt.young@pdc.wa.gov.

Sincerely,

/s _____
Kurt Young
Compliance Officer

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

July 9, 2018

Sent electronically to Barry Johnson "bdjlife@gmail.com"

Subject: Complaint filed against Deirdre, Gathers, PDC Case 18610

Mr. Johnson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on May 19, 2017. Your complaint alleged that Deirdre Gathers, a candidate for Fife City Council in 2015, may have exceeded the \$5,000 expenditure threshold which requires candidates in jurisdictions with less than 5,000 registered voters to file a Candidate Registration (C-1 report), and any accompanying campaign finance reports, in violation of RCW 42.17A.

PDC staff reviewed the allegations listed in your complaint, the statutes and rules, and the June 20, 2017, response letter from Mark A. Hood, an attorney with Vandenberg Johnson & Gandara, LLP, on behalf of Diedre Gethers. As a result, we found the following:

- The City of Fife had 3,708 registered voters as of December 8, 2014. Candidates for public office that file for election in a jurisdiction with less than 5,000 registered voters in 2015, are exempt from filing campaign finance reports in accordance with RCW 42.17A.135(7), unless the candidate receives or expects to receive \$5,000 in contributions.
- Mr. Hood stated that Ms. Gethers received an invoice from Fife Free Press that was mailed to her attention at Fife City Hall on February 15, 2017 (Invoice included a City of Fife City Manager date stamp). The Fife Free Press (FFP) invoice contained a January 18, 2017 invoice date, and totaled \$14,420, that included: (1) \$5,920 for a postcard advertisement mailed to voters; (2) \$4,440 for six 6" x 10" color newspaper advertisements in the FFP covering the period August 21 through November 30, 2015; (3) \$2,800 for a website; (4) \$2,360 for yard signs; and (5) \$1,000 for an online web advertisement (960 x 90).
- Mr. Hood stated that Ms. Gethers had no prior knowledge concerning the activities listed in the FFPs invoice, and that she did not contract for any services itemized in the invoice. He stated the FFP invoice that sent to Ms. Gethers at Fife City Hall in February of 2017, was the first notice she received.
- Mr. Hood stated that FFP was not an agent or vendor for the Gethers Campaign in 2015. In addition, the FFP expenditures were not contributions to the Gethers Campaign since there was no cooperation, consultation or coordination between Ms. Gethers, FFP or John Weymer.

- Mr. Hood noted the FFP invoice was never sent to Ms. Gethers at her residence. He stated the FFP invoice was sent to Ms. Gethers at Fife City Hall after the November 3, 2015 general election had been held “*demanding payment for the unsolicited campaign services*” without providing any additional details.
- Staff calculated that the FFP invoice was sent to Ms. Gethers at Fife City Hall more than 533 days after the initial advertisement appeared in the FFP in August of 2015, and more than 465 dates after the 2015 general election had been held.
- Mr. Hood stated that Fife Free Press and its owner (John Weymer) “*arranged for print, billboard and sign support for my client's campaign. That said, Fife Free Press and its owner did so without request or solicitation from my client, without consulting in any way with my client, and when asked by my client for information on the value of what was being provided by Fife Free Press, its owner stated that he had a right as a citizen to support who he wanted and that he was exercising his right to do so. Fife Free Press refused to provide any information as to cost or value. As evidence of the unsolicited nature of these in-kind contributions, many of the materials provided by Fife Free Press contained errors, including incorrectly identified the Fife City Council position for which my client was running.*”
- PDC staff sent an email to Mr. Weymer at “jweymer@tacomaweekly.com” on August 9, 2017, requesting he provide a response to PDC staffs questions concerning your complaint and the alleged services provided to the Diedre Gethers Campaign. No response was received to that email. PDC staff also sent a letter to the Pierce County Community Newspaper Group (which includes Fife Free Press) on May 17, 2018, to the attention of Mr. Weymer. PDC staff requested Mr. Weymer provide a response by June 3, 2018, to PDC staffs questions concerning your complaint and the alleged services provided to the Diedre Gethers Campaign. No response was received to that letter.

Based on these findings, staff has determined that in this instance, there is no evidence that supports a finding of a material violation warranting further investigation against Dierdre Gethers. 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 Kurt Young by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:

/s _____
Kurt Young
PDC Compliance Officer

/s _____
Barbara Sandahl, Deputy Director
For Peter Lavalley, Executive Director

cc: Mark A. Hood, with Vandenberg Johnson & Gandara, LLP