



**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

August 27, 2019

Delivered electronically to “checkercabspokane@yahoo.com”

Subject: PDC Case 54177

Dear Robert Joseph "Rocky" Samson III:

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

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

PDC staff is reminding you about the importance of compliance with the requirements to include the proper sponsor identification on political advertising. PDC staff expects in the future that you will list the complete sponsor identification on all political advertising in accordance with PDC laws and rules.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail pdcc@pdcc.wa.gov.

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,

/s _____

Barbara Sandahl
Deputy Director
for Peter Lavalley
Executive Director



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August 27, 2019

Delivered electronically to “wilhite_rick@hotmail.com”

Subject: Complaint regarding Robert Joseph "Rocky" Samson III, PDC Case 54177

Dear Rick Wilhite:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed against Robert Joseph "Rocky" Samson III, a 2019 candidate for City of Spokane Valley City Council Member Pos. 2.

The complaint alleged that Samson violated RCW 42.17A.335 for political advertising that contains false statements about a candidate constituting libel or defamation.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by Samson; and the applicable PDC reports filed by Friends of Rocky (Committee) to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- On June 17, 2019, Robert Joseph "Rocky" Samson III filed a Candidate Registration (C-1 report), declaring candidacy for City of Spokane Valley City Council Member Pos. 2, listing a political party affiliation or preference as “Non-Partisan.”
- While not alleged in the complaint, the exhibits provided in the complaint lack a sponsor identification as required in RCW 42.17A.320.
- Samson did not advance to the 2019 General Election.
- RCW 42.17A.335 prohibits a person from sponsoring, with actual malice, a false statement of material fact about a candidate for public office that constitutes libel or defamation per se. The violation must be proven by clear and convincing evidence.
- In his response, Samson stated “The statements made have not been false or malicious. It is information any person can look online to find, all very easily accessible. These were statements she either said herself or had a part in so essentially she opened herself up for public contempt and ridicule, just like every candidate and person in a political position does.”

- There was no clear and convincing evidence of defamatory or libelous statements made with actual malice.

Based on these findings staff has determined, in this instance, the alleged violation of political advertising that contains false statements about a candidate constituting libel or defamation, does not amount to a violation warranting further investigation.

PDC staff is reminding Robert Joseph "Rocky" Samson III to list the complete sponsor identification on all political advertising in accordance with PDC laws and rules should he be a future candidate for elective office.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 586-4746, toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,

/s _____

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