



**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@pdc.wa.gov](mailto:pdcc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

September 6, 2019

Delivered electronically to Larry Gossett at "larrygossett09@gmail.com"

Subject: Complaint filed by Michael Fertakis, PDC Case 54487

Dear Councilman Gossett:

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

As noted in the letter to Mr. Fertakis, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by email at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov).

Sincerely,

/s \_\_\_\_\_  
Jennifer Hansen  
Compliance Officer

Endorsed by,

/s \_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director



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September 6, 2019

Delivered electronically to Michael Fertakis at “[michaelfertakis@gmail.com](mailto:michaelfertakis@gmail.com)”

Subject: Complaint regarding Larry Gossett, PDC Case 54487

Dear Mr. Fertakis:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 10, 2019. Your complaint alleged that Larry Gossett, incumbent King County Councilmember and candidate in the 2019 election, may have violated RCW 42.17A.555 by using a photograph taken outside of an open public meeting held by the King County Council on his re-election Facebook page and by authorizing Council Chief of Staff, Cindy Domingo, to post the photo on his behalf.

PDC staff reviewed your allegations; the applicable statutes and rules; PDC Interpretation 04-02; and the response provided by Councilman Gossett, to determine whether the record supports a finding of one or more violations.

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

- Larry Gossett is the incumbent King County Councilmember, Position 2 and a candidate for re-election in the November 5, 2019 general election.
- RCW 42.17A.555 prohibits the use of public facilities to support or oppose candidates, including county offices, equipment and staff time.
- The Commission adopted PDC Interpretation 04-02, *Guidelines for Local Government Agencies in Election Campaigns*, which provides information concerning the use of public facilities including activities that are permitted or prohibited, activities which are part of the “normal and regular conduct” of the county office, equipment, permissible activities of local elected officials, staff, and other general considerations.
- On June 19, 2019, the Council proclaimed “Juneteenth” in King County and highlighted the Central Area Chamber of Commerce’s role in celebrating the holiday by presenting the Chamber’s Executive Director, Lawrence Pitre with a proclamation. The event was included as an agenda item at the Council’s June 19<sup>th</sup> meeting and photographs were taken of Mr. Pitre with the Councilmembers following the meeting which was open to the public.
- The complaint included a photograph taken of Councilman Gossett with Mr. Pitre in a location other than the council chambers.
- In his response, Mr. Gossett stated that the photo was taken in the reception/lobby area in front of the elevators inside the King County Courthouse and that this is a public area where Councilmembers and the public often take pictures.

- On June 20, 2019, at 6:17 a.m., the photograph of Councilman Gossett and Mr. Pitre was posted by Chief of Staff, Cindy Domingo, to the Larry Gossett for King County Council campaign Facebook page. The post included a brief first-person narrative describing the photo.
- The complaint alleged that the first-person narrative tone of the post showed that Ms. Domingo intended to post the photo as if it was coming from Councilman Gossett himself and that she was acting on his behalf during official work hours in violation of RCW 42.17A.555.
- During staff's review of the post evidence was found that the Facebook account used to make the post was Cindy Domingo's personal Facebook account. During a telephone conversation with Ms. Domingo on September 3, 2019, staff confirmed that Ms. Domingo posted the photo using her own account and on her own time. In addition, she confirmed that the location where the photograph was originally taken is a public area.

Based on these findings staff has determined that no evidence supports a finding of a violation warranting further investigation.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s \_\_\_\_\_  
Jennifer Hansen  
Compliance Officer

Endorsed by,

/s \_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director

cc: Larry Gossett