



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

November 15, 2019

Delivered electronically to Gregory Wong on behalf of James Dow Constantine at  
“greg.wong@pacificalawgroup.com”

Subject: Complaint filed by Chestine Edgar, PDC Case 58353

Dear Mr. Wong:

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

As noted in the letter to Ms. Edgar, 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 e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

Endorsed by,

/s

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Jennifer Hansen  
Compliance Officer

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director



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November 15, 2019

Delivered electronically to Chestine Edgar at "16collingham@gmail.com"

Subject: Complaint regarding James Dow Constantine, PDC Case 58353

Dear Ms. Edgar:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 2, 2019. The complaint alleged that James Dow Constantine, incumbent King County Executive, may have violated RCW 42.17A.555 by arranging and holding a press conference that included campaigning for four candidates for Burien City Council running in the 2017 election and by authorizing his staff members, Lauren Leigh Craig and Diana Carlson, to assist with the event in their official capacity, including the use of King County equipment and staff time.

PDC staff reviewed the allegations; the applicable statutes and rules; PDC Interpretation 04-02; and the response provided by Gregory Wong, Attorney with Pacifica Law Group on behalf of his client, Mr. Constantine, to determine whether the record supports a finding of one or more violations.

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

- James Dow Constantine (Dow Constantine) is the incumbent King County Executive and was serving in this same position in October 2017.
- 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 October 26, 2017, the organization named Respect Washington distributed fliers to residents of the City of Burien. Due to the content of the flyer and the potential threat to public safety, Mr. Constantine and the King County Executive Office organized a press conference to respond.
- The complaint included a 17-minute video of the October 30, 2017 press conference, photographs taken of Mr. Constantine with other speakers and attendees, and emails between attendees and event staff discussing details of the press conference.
- In his response, Mr. Wong stated that the press conference was arranged with the "sole purpose to respond to and denounce the fliers and the anti-immigrant rhetoric contained therein" and that a specific message was given to guest speakers and individuals assisting with arranging the event, stating the purpose of the conference and expressly stating that

topics related to the November 7<sup>th</sup> election should be avoided. The response contained several written communications demonstrating the message conveyed to invitees regarding the press conference's purpose and several containing the message to avoid campaign related subjects.

- The video recording of the event included approximately eight seconds of footage in which the guest speakers from Burien Represent, made explicit mention of the upcoming election and urged voters to support Jimmy Matta, Krystal Marx, Pedro Olguin and Nancy Tosta, all of whom were 2017 Burien City Council candidates.
- In response, Mr. Wong stated that the speakers from Burien Represent were last minute additions to the schedule and because of this, they were not given the same advanced guidance about what were and were not appropriate topics to include during their presentation.

It appears that the October 30, 2017 press conference was arranged for the purpose of responding to flyers, that were seen by community members as a "threat to public safety" and were circulated to residents of Burien four days earlier. No evidence was found that Dow Constantine used King County equipment, staff or other resources to support the 2017 Burien City Council candidate campaigns of Jimmy Matta, Krystal Marx, Pedro Olguin or Nancy Tosta.

Based on our findings staff has determined that, in this instance, no evidence supports a finding of a violation that warrants 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

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Jennifer Hansen  
Compliance Officer

Endorsed by,

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

cc: Gregory Wong on behalf of James Dow Constantine