



**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

February 7, 2020

Delivered electronically to rosamaria4lynnwood and thedg3@aol.com

Subject: Complaint filed by Jeanne Crevie, PDC Case 59566

Dear Rosamaria Graziani and Dan Gough:

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

As noted in the letter, 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, contact Alice Fiman toll-free at 1-877-601-2828, or by e-mail at 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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February 7, 2020

Delivered electronically to jeannemcrevier@gmail.com

Subject: Complaint regarding Rosamaria Graziani, PDC Case 59566

Dear Jeanne Crevie:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed October 30, 2019. The complaint alleged Rosamaria Graziani may have violated RCW 42.17A.335 for political advertising that contains false statements constituting libel or defamation.

PDC staff reviewed the allegations, evidence you provided, applicable statutes and rules and the response provided by Don Gough, Attorney for Rosamaria Graziani, to determine whether the record supports a finding of one or more violations.

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

- 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 response, Gough provides reference to numerous court rulings regarding the high defamatory or libelous statements standards in election campaigns, including how in declaring candidacy, a candidate "assumed the risk of close public scrutiny – a necessary consequence of involvement in public affairs."
- Gough's response also provided information regarding the accuracy of statements on the door card presented as evidence, stating each was accurate to the best of Graziani's knowledge. He also provided evidence to show why Graziani believed the statements to be true.
- 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.

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, 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