



**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

March 9, 2020

Delivered electronically to "jimalexander2@comcast.net"

Subject: Complaint filed by Sean Boutz, PDC Case 64102

Dear James Alexander:

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

As noted in the letter to Sean Boutz, 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 Tabitha Townsend at 1-360-586-4555 or toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s

Tabitha Townsend
Compliance Coordinator

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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March 9, 2020

Delivered electronically to "sboutz@ecl-law.com"

Subject: Complaint regarding James Alexander, PDC Case 64102

Dear Sean Boutz:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on January 30, 2020. The complaint alleged that James Alexander (Respondent) may have violated RCW 42.17A.320 for failure to disclose sponsor identification on political advertisement; RCW 42.17A.255 & .260 for failure to report independent expenditure for political advertisement.

PDC staff reviewed the allegations; the applicable statutes, rules, reporting requirements and response from the Respondent to determine whether the record supports a finding of one or more violations.

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

- The complaint alleged that "On or around October 23, 2019, the City of Liberty Lake ("City") became aware of an election flyer that had been distributed in the City. The election flyer was titled as a "Neighborhood Voter's Guide" ("NVG") and contained the photographs and respective election brochures for certain candidates." and "The NVG failed to identify the information on the party or parties involved in its creation and production, including but not limited to, the name and address information statutorily required by RCW 42.17A.320."
- As stated in the response from the Respondent received on February 26, 2020 there were 29 fliers printed and distributed in their local apartment community and nowhere else, with a maximum cost of \$6.00 by their estimate.
- Pursuant to RCW 42.17A.320 the Respondent is required to disclose sponsor identification on political advertising.
- WAC 390-18-030(4) exempts the Respondent from the sponsor identification requirement as the political advertising was created and distributed by an individual using their own modest resources as the criteria applies in this instance; the personally incurred expense was less than \$100 in the aggregate and less than \$50 to produce and distribute, the Respondent acted independently from any candidate, no contributions were received, the political advertising in question is a paper flier and did not appear in the newspaper or on any on-line social site, forum or website.

- Pursuant to RCW 42.17A.255 and .260 the Respondent is required to report independent expenditures made for political advertisements, as an independent expenditure if \$100 or more at any time; independent expenditure ads if \$1,000 or more within 21 days of an election; electioneering communications if \$1,000 or more within 60 days of an election, except contributions.
- The Respondent was not required to report the expenditures for the political advertising, or to include sponsor identification on the political advertising.

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 Tabitha Townsend at 1-360-586-4555 or toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s

Tabitha Townsend
Compliance Coordinator

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: James Alexander