



**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 31, 2020

Sent electronically to brett.a.gailey@gmail.com

Subject: Complaint filed by Earl Gray, PDC Case 65420

Dear Brett Gailey:

Enclosed is a copy of an electronic letter sent to Earl Gray concerning a complaint filed February 12, 2020. The complaint alleges Brett Gailey may have violated RCW 42.17A.320 by failing to identify the sponsor of political advertising (a flyer) in election year 2019 and RCW 42.17A.240 for failing to accurately disclose and describe expenditures.

As noted in the letter to Gray, 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.

PDC staff is reminding you about the importance of sponsor identification and disclosure of expenditure activity details. PDC staff expects in the future that you will identify sponsors and provide expenditure detail in accordance with PDC laws and rules.

If you have questions, you may contact Alice Fiman 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 _____

Barbara Sandahl
Deputy Director
for Peter Lavallee
Executive Director



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 31, 2020

Sent Electronically to Earl Gray at earldgrayjr@gmail.com

Subject: Brett Gailey, PDC Case 65420

Dear Earl Gray:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed February 12, 2020 regarding Brett Gailey.

Your complaint alleged Brett Gailey may have violated RCW 42.17A.320 by failing to identify the sponsor of political advertising (a flyer) in election year 2019. Upon further review, PDC staff added an allegation of RCW 42.17A.240 for failing to accurately disclose and describe expenditures.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the C-3 and C-4 reports filed by Friends of Brett Gailey and the response by Brett Gailey, to determine whether the record supports a finding of one or more violations.

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

- Brett Gailey was elected to the Lake Stevens City Council in 2017, then Mayor of Lake Stevens in 2019.
- In a C-4 report filed January 28, 2020, the Friends of Brett Gailey (Committee) listed \$18,441.22 in contributions and \$14,492.77 in expenditures during the 2019 campaign, with a balance of \$3,948.45.
- In a C-4 report amended December 12, 2019, an expenditure for \$4,725.72 was listed to Storytellers Group LLC, described as a "Mailer." On March 14, 2020, the Committee amended the report, adding additional expenditure detail as "Campaign Mailer to 3,662 addresses."
- In the response, Gailey stated "I would concede the flyer does not and should have the same sponsor information as the mailer. It was an oversight on my part."
- In the complaint, it was alleged the mailer was sent to every registered voter in Lake Stevens. In response, Gailey noted he sent the mailer to 3,662 addresses at a total cost of \$4725.72 and provided the PDC an invoice.

- The Committee made good faith efforts to comply with the reporting requirements of RCW 42.17A.240 concerning expenditures undertaken by the campaign on their C-4 reports. The public was not deprived of critical information as the dates, amounts, and purposes of the expenditures were disclosed.

Based on these findings, and the fact the advertising was sponsored by the Committee and candidate pictured in the advertising, with no intent to conceal sponsorship, staff has determined in this instance, the failure to identify the sponsor of political advertising and also timely and accurately file expenditure reports does not amount to an actual violation warranting further investigation.

PDC staff is reminding Brett Gailey about the importance of sponsor identification and importance of accurately and timely filing all future PDC reports in accordance with the statutes and rules.

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 Alice Fiman toll-free at 1-877-601-2828, or by e-mail fdc@fdc.wa.gov.

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,

/s _____

Barbara Sandahl
Deputy Director
for Peter Lavalley
Executive Director