

Respondent Name

Rick Offner

Complainant Name

Michelle Caldier

Complaint Description

[Rickoffner](#) (Tue, 28 Jul 2020 at 3:48 PM)

In the week of July 20, 2020, a mailer was sent to voters in the 26th Legislative District by Representative Michelle Caldier's campaign for reelection (See Exhibit 1). The mailer states that Rep. Caldier must be reelected to "Prevent a Supermajority,," and that "Democrats Are Only One Seat Away" from said supermajority. This is a false and misleading statement based on the current make-up of the Washington House of Representatives. Given that the current makeup of the House is 57 Democrats and 41 Republicans, Rep. Caldier is already in the minority and voting for her will not change that fact. Furthermore, with the Hoses's two-thirds approval rule needed for tax increases and Constitutional amendments (i.e., 65 votes), Rep. Caldier's loss in this election will not come close to giving the Democrats the necessary 65 votes.

More importantly, however, this Rep. Caldier mailer with no identified sponsor is deceptive to voters who may think it is coming as an official communication from her legislative office, rather than a political piece from her campaign. As a sitting Representative, Caldier should know this is illegal per RCW 42.17A.320(1).

RCW 42.17A.320(1) clearly states:

All written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address...For partisan office, if a candidate has expressed a party or independent preference on the declaration of candidacy, that party or independent designation shall be clearly identified in electioneering communications, independent expenditures, or political advertising.

Sponsorship identification is essential to maintaining transparent elections.

Representative Caldier's C4 report on 7/2/20 lists two expenditures totaling \$5,962.53 to mail 27,069 mail pieces (See Exhibit 2). This would indicate that 27,069 households in the 26th Legislative District received a deceptive mailer that attempted to sway voters based on an unsubstantiated "supermajority" threat, but failed to disclose which entity had funded the political mailer. Representative Caldier has run for office many times and her campaign has sent out many political communications in the past that have included sponsorship identification, so the sudden omission of this information is glaring.

Swift action by the PDC is needed in response to the deception and violation of election law that resulted from Rep. Caldier's failure to ensure that the appropriate sponsor was identified on the subject mailer. This will ensure the tens of thousands of households in the 26th Legislative District that received this mailer can find recourse and ensure voters have equal access to transparent elections communications.

What impact does the alleged violation(s) have on the public?

In the week of July 20, 2020, a mailer was sent to voters in the 26th Legislative District from Representative Michelle Caldier's campaign for reelection that is deceitful for the public and creates a significant lack of transparency (See Exhibit 1).

The mailer states that Rep. Caldier must be reelected to "Prevent a Supermajority.," and that "Democrats Are Only One Seat Away" from said supermajority. This is a false and misleading statement based on the current make-up of the Washington House of Representatives. Given that the current makeup of the House is 57 Democrats and 41 Republicans, Rep. Caldier is already in the minority and voting for her will not change that fact. Furthermore, with the Houses's two-thirds approval rule needed for tax increases and Constitutional amendments (i.e., 65 votes), Rep. Caldier's loss in this election will not come close to giving the Democrats the necessary 65 votes. This factual inaccuracy gives a false choice for voters.

More importantly, however, this Rep. Caldier mailer with no identified sponsor is deceptive to voters who may think it is coming as an official communication from her legislative office, rather than a political piece from her campaign. As a sitting Representative, Caldier should know this is illegal per RCW 42.17A.320(1).

Representative Caldier's C4 report on 7/2/20 lists two expenditures totaling \$5,962.53 to mail 27,069 mail pieces (See Exhibit 2). This would indicate that 27,069 households in the 26th Legislative District received a deceptive mailer that attempted to sway voters based on an unsubstantiated "supermajority" threat, but failed to disclose funding sponsor of the political mailer.

List of attached evidence or contact information where evidence may be found

Exhibit 1 - Michelle Caldier Mailer

Exhibit 2 - 7-14-2020 C4 Report - Michelle Downey Caldier for State Representative

List of potential witnesses with contact information to reach them

Certification (Complainant)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

EXHIBIT 1

Photos of the Michelle Caldier Mailer (back and front)

PREVENT A
SUPERMAJORITY
DEMOCRATS ARE ONLY 1 SEAT AWAY

VOTE

AUGUST 4, 2020

★ **MICHELLE** ★
CALDIER
— FOR STATE REPRESENTATIVE —
26TH DISTRICT POS2

*State Representative Michelle Caldier is the only Republican with a proven track record to **win in the general election.***

Don't let Washington look like Seattle!

EXHIBIT 2

7-14-2020 PDC C4 Report –

Michelle Downey Caldier for State Representative

<https://web.pdc.wa.gov/rptimg/default.aspx?batchnumber=100983692>

07/02/20	PRINT NW 9914 32nd Ave. S. Lakewood, WA 98499		Mailer Production (Partial Payment) 27,069 pcs	\$4,867.75
07/09/20	PRINT NW 9914 32nd Ave. S. Lakewood, WA 98499		Mailer Production (Remaining Payment) - 27,069 pcs	\$1,094.78