

<b>Respondent Name</b>																						
Mason County Auditor's Office Officials																						
<b>Complainant Name</b>																						
Terry Peterson																						
<b>Complaint Description</b>																						
<p><a href="#">Terry1955</a> (Thu, 30 Jul 2020 at 12:15 PM)</p> <p>The attached screenshots from the Mason County Auditor's Facebook and the Washington State League of Women Voters Facebook pages, supplied in this complaint, show the connection currently existing between the official county site and support/opposition for ballot measures through the linked LWV page. A voter who has accessed the auditors official page will quickly and almost seamlessly access the LWV advocacy on ballot issues with one click. With two clicks from the official auditor page, a voter can be presented with all LWV advocacy, including many ballot measures (in a typical general election). This is a clear violation of the RCW use of public resources "directly or indirectly" for a ballot measure campaign.</p> <p>I am providing the information below to indicate that the Mason County Auditor is not following the lead of other county auditors in the linking of LWV sites. Below is a summary of a quick review of Washington State county auditors or elections departments that maintain their own Facebook page:</p> <table border="0"> <tr> <td></td> <td>Any LWV shares/posts in June/July leading to primary election</td> </tr> <tr> <td>King County Elections</td> <td>No</td> </tr> <tr> <td>Snohomish County Auditor</td> <td>No</td> </tr> <tr> <td>Whatcom County Auditor</td> <td>No</td> </tr> <tr> <td>Skagit County Auditor</td> <td>No</td> </tr> <tr> <td>Pierce County Auditor</td> <td>No</td> </tr> <tr> <td>Thurston County Auditor</td> <td>No</td> </tr> <tr> <td>Clark County Elections</td> <td>No</td> </tr> <tr> <td>Grays Harbor County Auditor</td> <td>No</td> </tr> <tr> <td>Spokane County Elections</td> <td>No</td> </tr> <tr> <td>Cowlitz County Auditor</td> <td>Yes/No</td> </tr> </table> <p>Cowlitz page had a post about a LWV candidate forum, they noted they try to post all candidate forums to their page. However, the post included only an image of the announcement. Even though the image showed the LWV webpage url there was NO linkage so you could not click and go directly to the LWV site.</p>		Any LWV shares/posts in June/July leading to primary election	King County Elections	No	Snohomish County Auditor	No	Whatcom County Auditor	No	Skagit County Auditor	No	Pierce County Auditor	No	Thurston County Auditor	No	Clark County Elections	No	Grays Harbor County Auditor	No	Spokane County Elections	No	Cowlitz County Auditor	Yes/No
	Any LWV shares/posts in June/July leading to primary election																					
King County Elections	No																					
Snohomish County Auditor	No																					
Whatcom County Auditor	No																					
Skagit County Auditor	No																					
Pierce County Auditor	No																					
Thurston County Auditor	No																					
Clark County Elections	No																					
Grays Harbor County Auditor	No																					
Spokane County Elections	No																					
Cowlitz County Auditor	Yes/No																					
<b>What impact does the alleged violation(s) have on the public?</b>																						
<p>The use of the official Facebook page has significant effects on the public in consideration of a ballot initiative. First, the use of public resources provide free advertisement to the supporters/opponents of a ballot measure. The auditor provides "free" resources to the campaign; in addition, this support goes unreported to the PDC so total support as reported by the PDC is incorrect.</p> <p>In addition, and maybe more important, the use of an official county Facebook page to support/oppose a ballot measure give the appearance that the official position of the county is what is shown via the official Facebook page. And in reality, this goes beyond appearance as the voter would correctly believe that is the position of the county. The County Commission</p>																						

does have a method of taking a position on a ballot measure, with a public vote by the Commission as a group to take a position. However, that was not done on any of the examples supplied where the county auditor's office advocated for a ballot measure on their Facebook page.

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

Please see attached pdf for narrative, links and screenshots providing evidence of the violation

**List of potential witnesses with contact information to reach them**

None

**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.

## SECTIONS OF LAW VIOLATED

The county auditor has violated RCW42.17A.555 by using the official county auditor Facebook page, maintained by county employees and paid for by the public, “for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition”.

### **RCW 42.17A.555**

#### **Use of public office or agency facilities in campaigns—Prohibition—Exceptions.**

No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(4) This section does not apply to any person who is a state officer or state employee as defined in

RCW 42.52.010.

## WHAT IMPACTS DOES ALLEGED VIOLATION(S) HAVE ON THE PUBLIC?

The use of the official Facebook page has significant effects on the public in consideration of a ballot initiative. First, the use of public resources provide free advertisement to the supporters/opponents of a ballot measure. The auditor provides “free” resources to the campaign; in addition, this support goes unreported to the PDC so total support as reported by the PDC is incorrect.

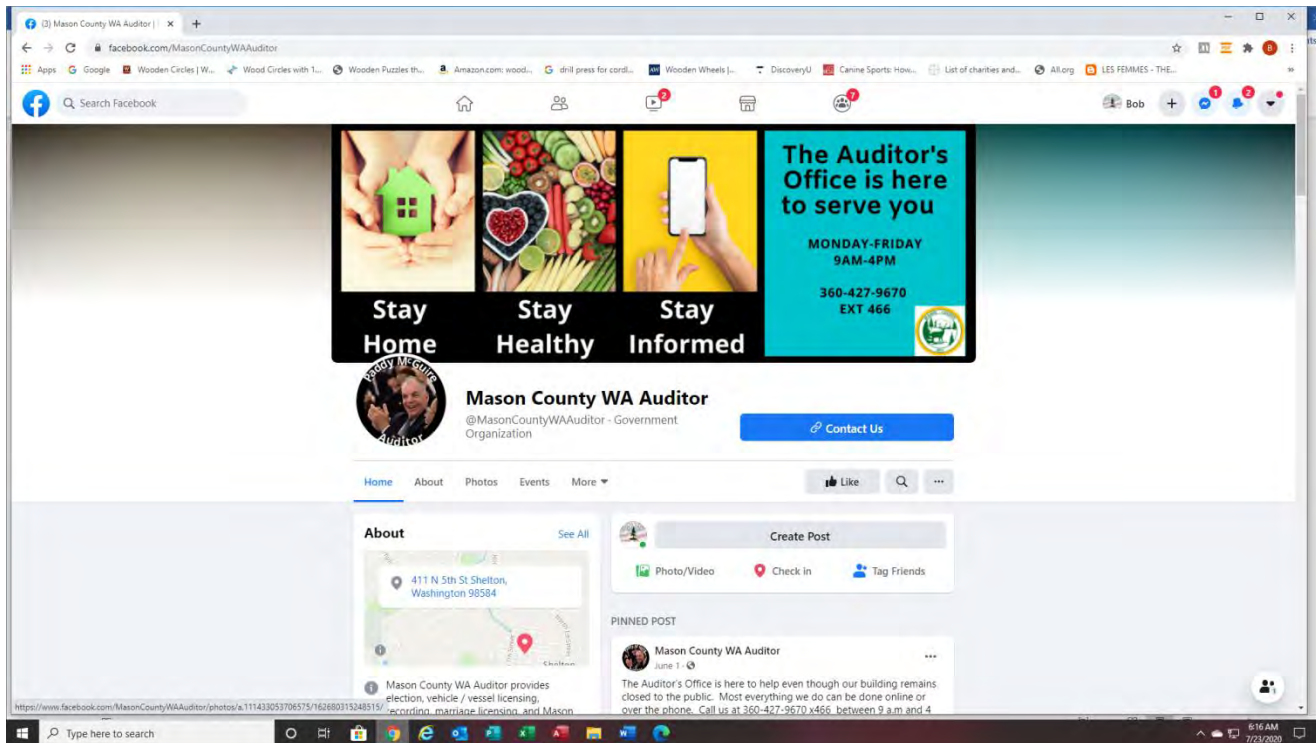
In addition, and maybe more important, the use of an official county Facebook page to support/oppose a ballot measure give the appearance that the official position of the county is what is shown via the official Facebook page. And in reality, this goes beyond appearance as the voter would correctly believe that is the position of the county. The County Commission does have a method of taking a position on a ballot measure, with a public vote by the Commission as a group to take a position. However, that was not done on any of the examples supplied where the county auditor’s office advocated for a ballot measure on their Facebook page.

## LIST OF ATTACHED EVIDENCE OR CONTACT INFORMATION WHERE MAY BE FOUND

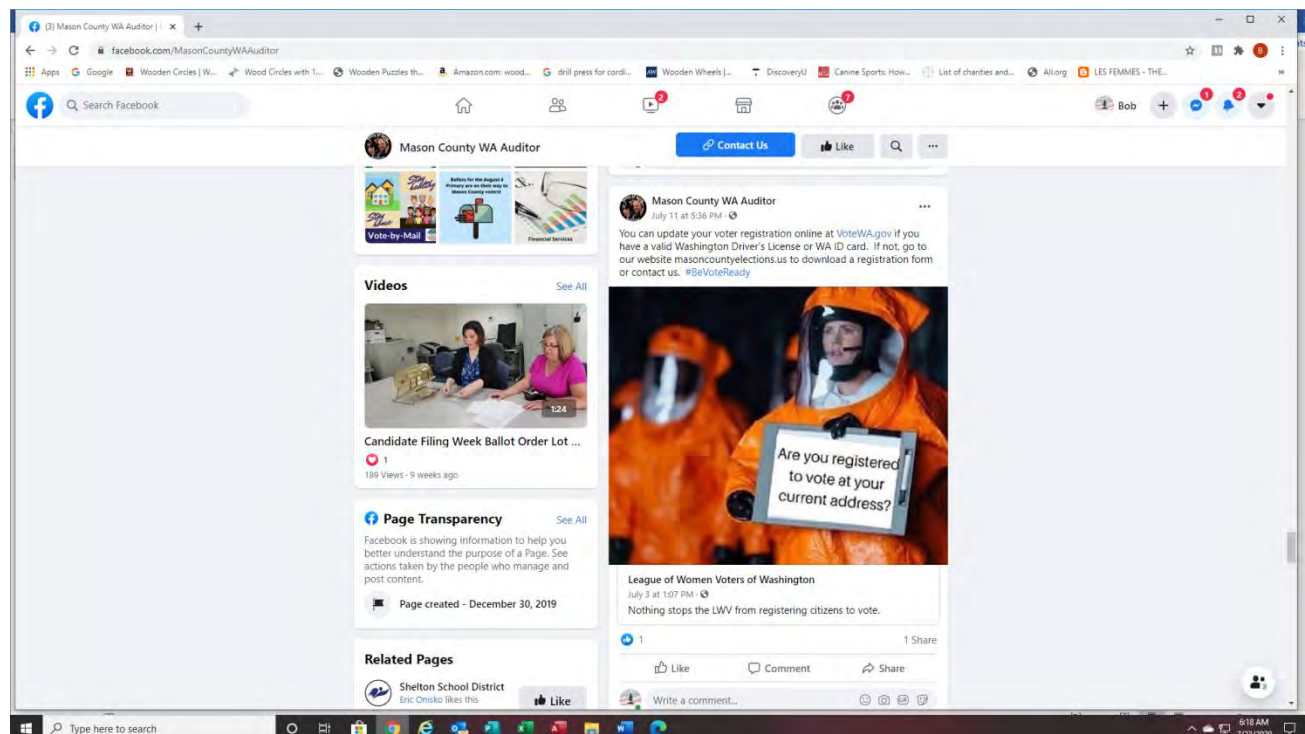
All screenshots as of 7/23/2020, approx. 06:30 AM

Official Mason County Auditor Facebook page

<https://www.facebook.com/MasonCountyWAAuditor>



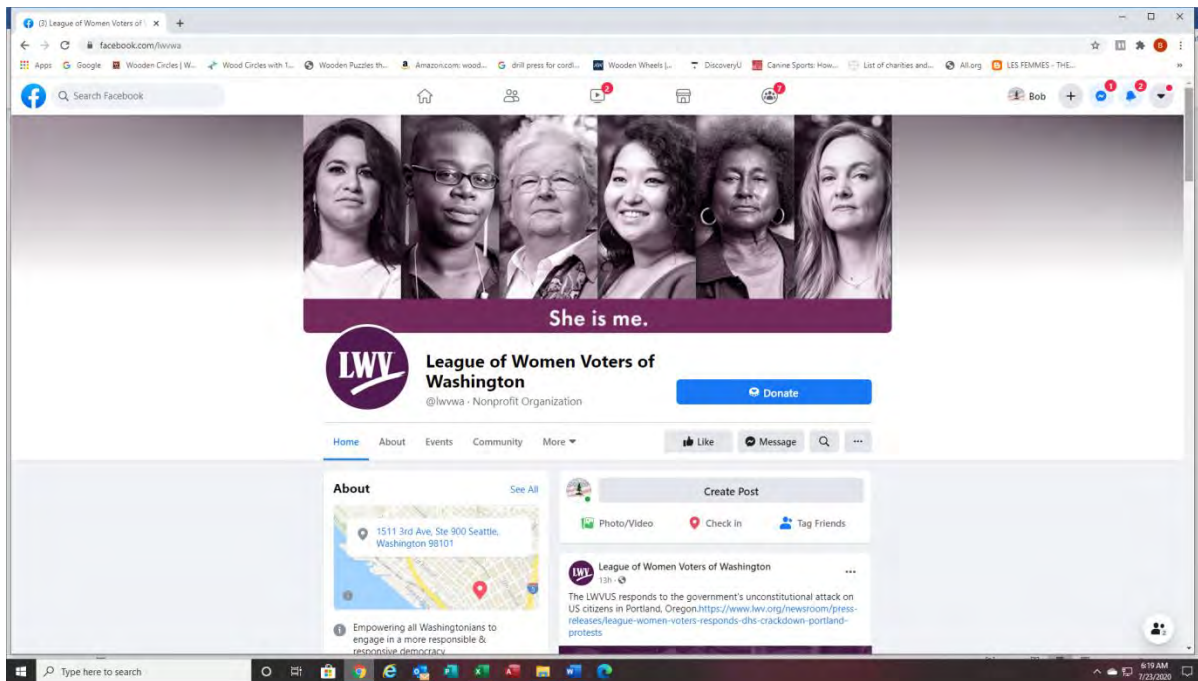
Shared post from League of Women Voters of Washington (LWV), with DIRECT ACTIVE LINK to the LWV Facebook page





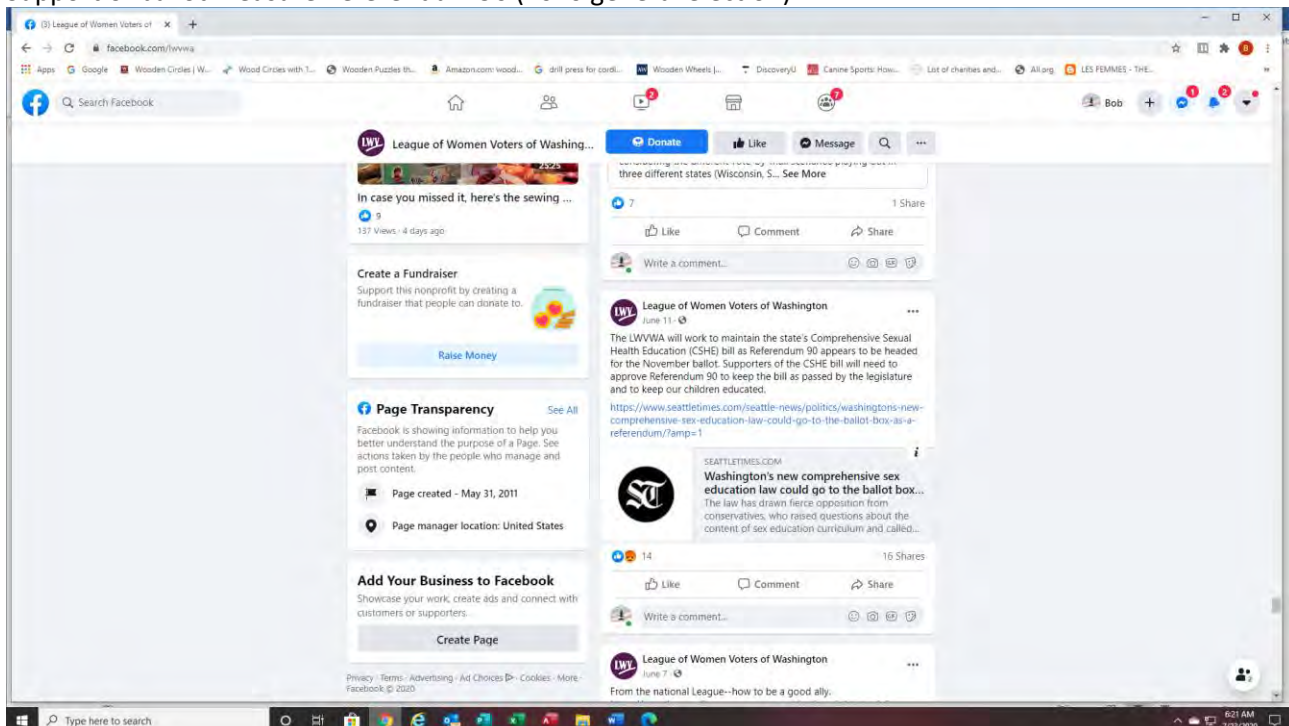
LWV Facebook page DIRECTLY accessed from link on Auditor's Facebook page

<https://www.facebook.com/lwwa>

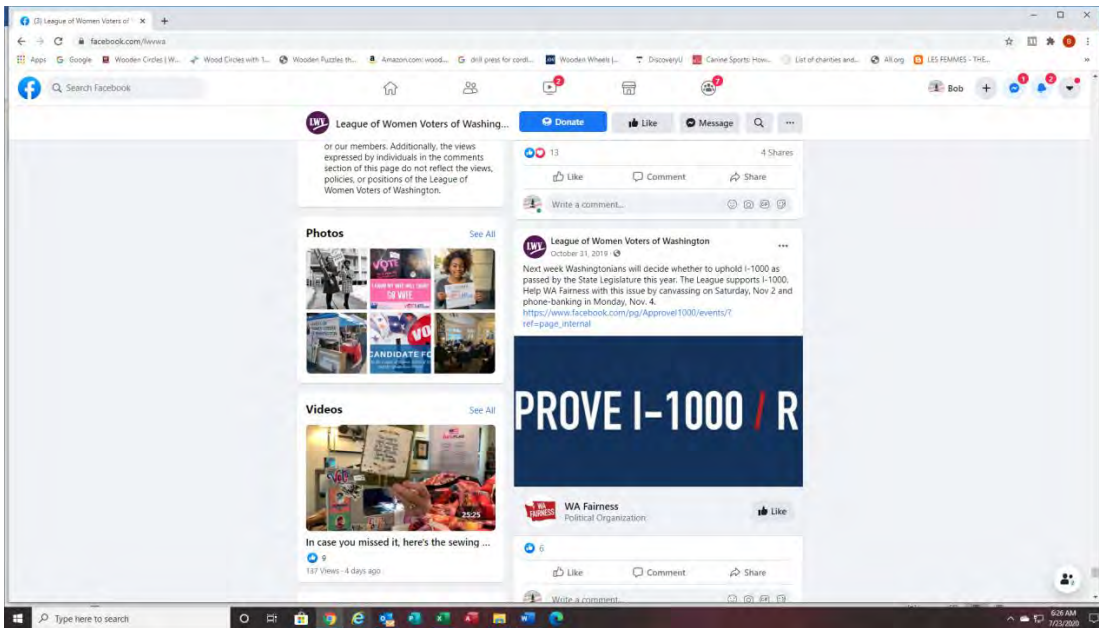
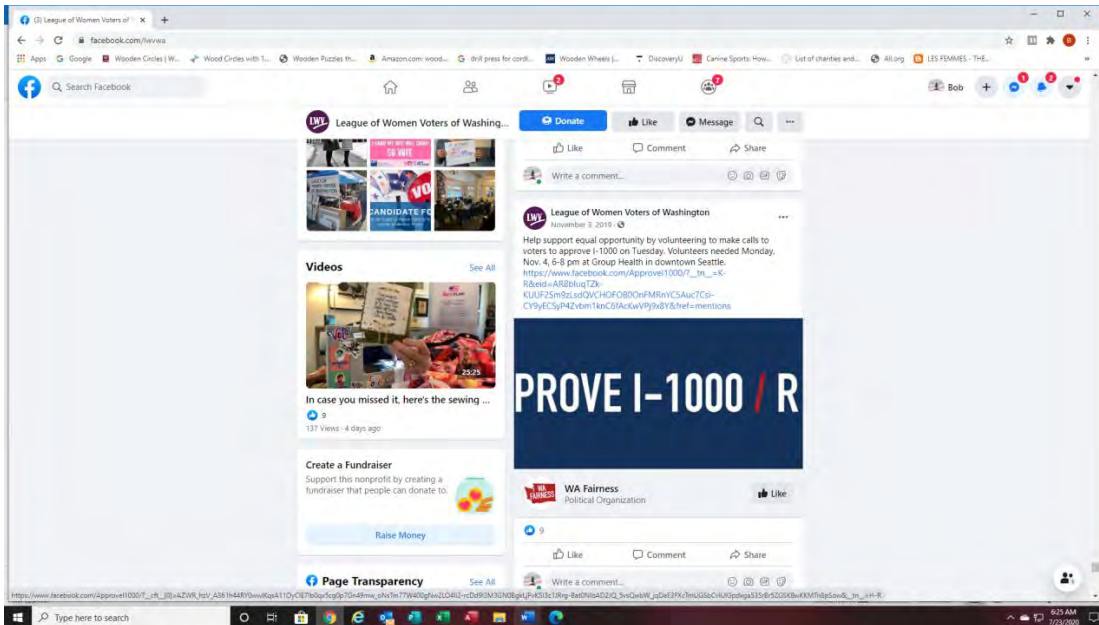


Subsequent posts on LWV page with various advocacy for ballot measures on this page for current and recent elections.

Support of ballot measure Referendum 90 (2020 general election)



## Support of ballot measure Initiative 1000 (2019 general election) on multiple posts



League of Women Voters of Washington

Interested in learning more about why LWVWA supports Initiative 1000/Referendum 88? Join the League of Women Voters of Seattle-King County and WA Fairness Campaign for an evening in support of I-1000/R-88.

April Sims, Marilyn Strickland, Hyeok Kim, and Danielle Young will discuss how I-1000 will restore fairness for veterans, small business owners, women, and people of color seeking to succeed in public employment, contracting, and university admissions — without the use of... See More

THE SEATTLE-KING COUNTY LEAGUE OF WOMEN VOTERS INVITES YOU TO AN EVENING IN SUPPORT OF

**I-1000/R-88**

With special guests April Sims, Marilyn Strickland, Hyeok Kim, and Danielle Young

MONDAY OCTOBER 14, 6:00 - 8:30 PM  
SEATTLE FIRST MARKET RECOMMENDED  
700 MARSHALL WAY / WA 98107

MOH, OCT 14, 2019

**An Evening in Support of Initiative 1000/Referendum 88**

Seattle · 127 people

5 · 3 Comments

Like Comment Share

Most Relevant

League of Women Voters of Washington

The LWVWA supports Referendum 88 and joined the Washington Fairness Campaign (<https://wafairness.org/>), the organization leading the campaign to Approve I-1000/R-88.

The description on the ballot for the Referendum is: Initiative 1000 would allow the state to remedy discrimination for certain groups and to implement affirmative action, without the use of quotas or treatment (as defined), in public education, employment, and contracting.

**WA FAIRNESS**

**APPROVE I-1000 R 88**

WAFAIRNESS.ORG

**Approve Washington State I-1000, Referendum 88**

Support Initiative 1000 to restore fairness and opportunity to Wash...

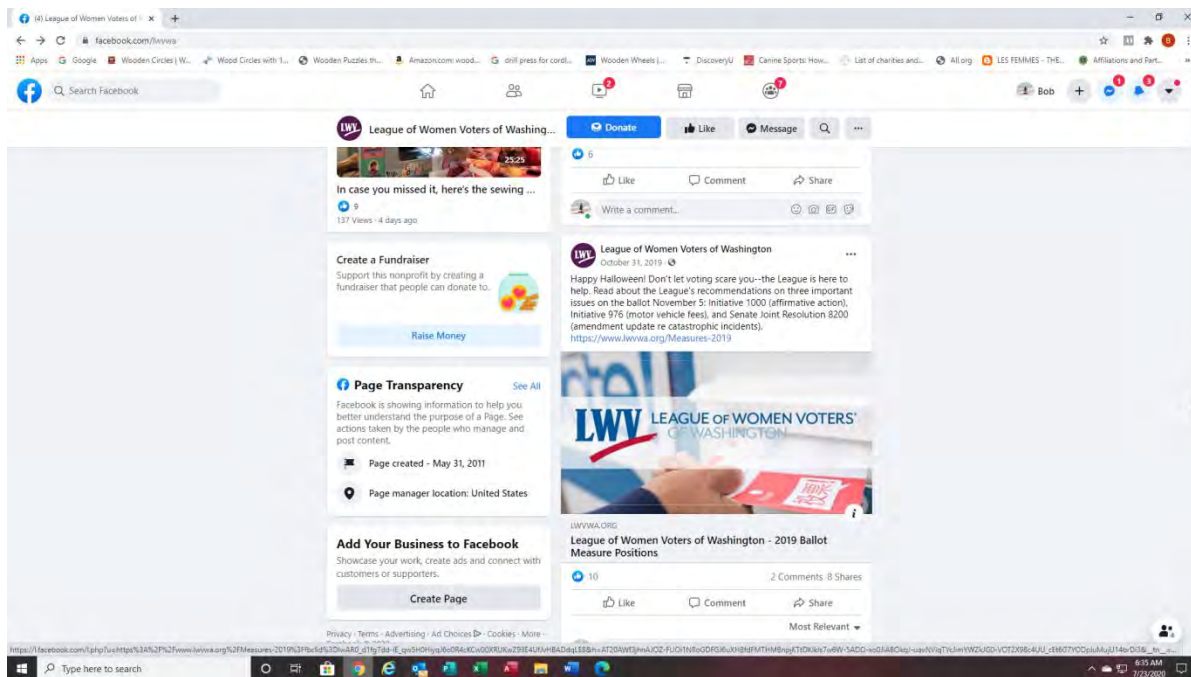
1 Comment 7 Shares

Like Comment Share

Most Relevant

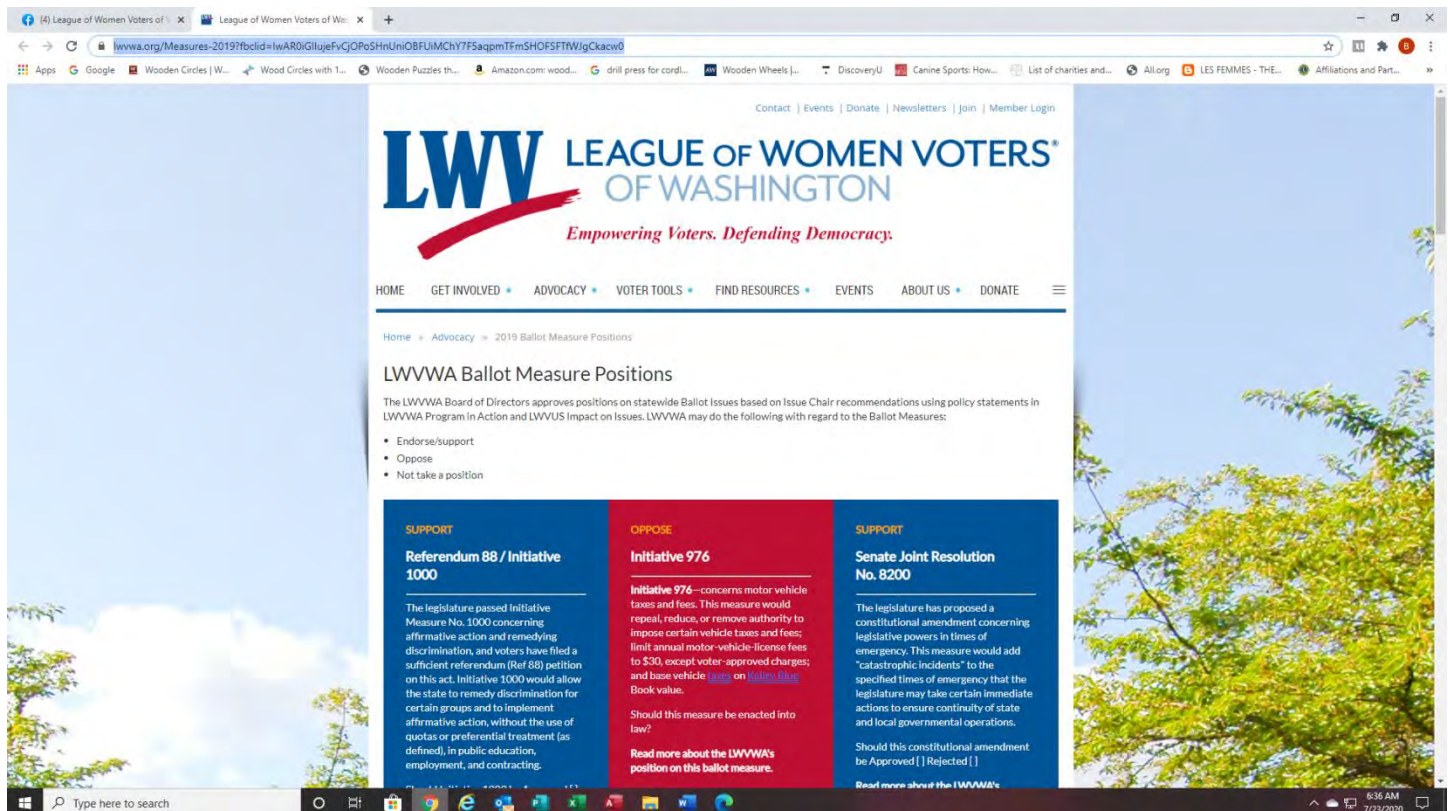


Direct link from LWV page to all of LWV advocacy for ballot measures (2019 general election)



Direct LWV advocacy for ballot measures (2019 general election)

<https://www.lwwa.org/Measures-2019?fbclid=IwAR0iGIUjeFvCjOPoShnUniOBFUiMChY7F5aqpmTFmSHOFSTfWJgCkacw0>





## LIST OF POTENTIAL WITNESSES WITH CONTACT INFORMATION

### DESCRIPTION

The screenshots from the Mason County Auditor's Facebook and the Washington State League of Women Voters Facebook pages, supplied in this complaint, show the connection currently existing between the official county site and support/opposition for ballot measures through the linked LWV page. A voter who has accessed the auditors official page will quickly and almost seamlessly access the LWV advocacy on ballot issues with one click. With two clicks from the official auditor page, a voter can be presented with all LWV advocacy, including many ballot measures (in a typical general election). This is a clear violation of the RCW use of public resources "directly or indirectly" for a ballot measure campaign.

I am providing the information below to indicate that the Mason County Auditor is not following the lead of other county auditors in the linking of LWV sites. Below is a summary of a quick review of Washington State county auditors or elections departments that maintain their own Facebook page:

	Any LWV shares/posts in June/July leading to primary election
King County Elections	No
Snohomish County Auditor	No
Whatcom County Auditor	No
Skagit County Auditor	No
Pierce County Auditor	No
Thurston County Auditor	No
Clark County Elections	No
Grays Harbor County Auditor	No
Spokane County Elections	No
Cowlitz County Auditor	Yes/No

Cowlitz page had a post about a LWV candidate forum, they noted they try to post all candidate forums to their page. However, the post included only an image of the announcement. Even though the image showed the LWV webpage url there was NO linkage so you could not click and go directly to the LWV site.