



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)**

October 26, 2020

Delivered electronically to Lowell "Brad" Peck at "lbp1958@gmail.com"

Subject: Complaint filed by LaWanda Hatch, PDC Case 74718

Dear Mr. Peck:

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

As noted in the letter to Ms. Hatch, 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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

Endorsed by,

*Electronically signed*

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Jennifer Hansen  
Compliance Officer

*Electronically signed*

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Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director



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October 26, 2020

Delivered electronically to LaWanda Hatch at “hatchlawanda@yahoo.com”

Subject: Complaint regarding Lowell “Brad” Peck, PDC Case 74718

Dear Ms. Hatch:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 29, 2020. The complaint alleged that Lowell Peck, incumbent County Commissioner in Franklin County and candidate for re-election in the 2020 primary and general elections, may have violated RCW 42.17A.335 for sponsoring false statements of endorsement in political advertising.

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

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

- Lowell “Brad” Peck is a current County Commissioner in Franklin County after originally being elected in 2008, re-elected in 2012 and 2016, and is a declared candidate for re-election in the November 3, 2020 general election.
- RCW 42.17A.335 states that it is a violation of this chapter for a person to sponsor with actual malice a statement constituting libel or defamation per se under specific circumstances including sponsoring political advertising or an electioneering communication that makes either directly or indirectly, a false claim stating or implying the support or endorsement of any person or organization when in fact the candidate does not have such support or endorsement.
- The complaint included screen shots taken of Facebook posts regarding the Tri-Cities Tea Party endorsement of Mr. Peck and several other documents pertaining to the formation, general practices and current status of the Tea Party. Staff reviewed the evidence as it specifically related to the laws and rules enforceable by the PDC only.
- Staff received unsolicited written communication from Roger Lenk which Mr. Lenk claimed was relevant to the facts in this case. Staff reviewed the information only as it specifically related to the facts of this complaint.
- In his response, Mr. Peck stated that he had received an email from a source identified in name as “Tri-Cities Tea Party” on July 17, 2020, informing him that they were endorsing his campaign and providing written permission to use this information in his social media. Mr. Peck provided a copy of the email and a multi-page newsletter apparently created by Tri-Cities Tea Party, containing his endorsement and that of several other 2020 primary election candidates in Washington State.

- The statements provided in the complaint allege that the endorsement was “fake” and done by individuals who did not have authority to speak on behalf of the Tea Party. Staff’s review of the written communication provided regarding the endorsement, show that Mr. Peck believed he had received a legitimate endorsement and acted in good faith when sharing it on social media.

It appears that Mr. Peck believed the endorsement was made by the Tri-Cities Tea Party and that the manner of communication and documentation he received did not lead him to believe the endorsement was false or being sent by unauthorized individuals.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

*Electronically signed*

Jennifer Hansen  
Compliance Officer

Endorsed by,

*Electronically signed*

Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director

cc: Lowell “Brad” Peck