



**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.pdcc.wa.gov](http://www.pdcc.wa.gov)**

January 11, 2021

Delivered electronically to [jason@whalen4council.com](mailto:jason@whalen4council.com)

Subject: Complaint filed by Evelyn Fielding Lopez, PDC Case 78780

Dear Jason Whalen:

Enclosed is a copy of an electronic letter sent to Evelyn Fielding Lopez concerning a complaint filed October 14, 2020 with the Public Disclosure Commission (PDC) against Jason Whalen.

On January 11, 2021, the PDC received a completed Statement of Understanding (SOU) from Jason Whalen acknowledging violations of RCW 42.17A.320 by failing to disclose sponsor identification on paid political advertising in the Tacoma Weekly. Jason Whalen paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), which resolves the issue of failing to disclose sponsor identification in a Tacoma Weekly cover story about his 2020 Pierce County Council candidacy, published on September 2, 2020.

The PDC will not be conducting a more formal investigation into these allegations or take any further enforcement action in this matter. Based on this information, the PDC has dismissed the cases against Jason Whalen 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 at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

/s

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Alice Fiman  
Compliance Officer

Endorsed by,

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director



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January 11, 2021

Delivered electronically to [truetacoma@gmail.com](mailto:truetacoma@gmail.com)

Subject: Complaint regarding Jason Whalen, PDC Case 78780

Dear Evelyn Fielding Lopez:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed October 14, 2020. The complaint alleged Jason Whalen, a 2020 candidate for Pierce County Council, may have violated RCW 42.17A.320 by failing to disclose sponsor identification on paid political advertising in the Tacoma Weekly.

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

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

- On August 30, 2019, Jason Whalen registered with the PDC declaring 2020 candidacy for Pierce County Council, Position 6, selecting the Full Reporting Option.
- Whalen is a current City of Lakewood City Council member and has filed PDC reports since 2009.
- Whalen's Post-General Election Full Campaign Contribution and Expenditure (C-4) report, filed timely on December 10, 2020, listed \$137,134.69 in contributions and \$134,384.52 in expenditures during the 2020 campaign, with zero liabilities and a \$2,750.17 balance.
- On September 9, 2020, the Jason Whalen Campaign (Campaign) filed a Post-Primary C-4 report with the PDC, disclosing the Campaign made a \$2,500 expenditure on August 24, 2020 to the Tacoma Weekly for newspaper advertising.
- The political advertising package, priced at \$2,500 and offered to Whalen by the Tacoma Weekly, included print newspaper advertisements, banner advertisements, some wrapped advertisements around Tacoma Weekly newspapers boxes, endorsement advertisements and the opportunity for a cover story.

- The political advertisements paid for and sponsored by the Whalen 2020 Campaign that appeared in the Tacoma Weekly included the required sponsor identification information in accordance with RCW 42.17A.320, except for the cover story.
- The Tacoma Weekly cover story about his 2020 Pierce County Council candidacy published on September 2, 2020, did not include any sponsor identification. The cover story did not indicate or identify it was paid political advertising.
- In response, Whalen stated “I disagree with the complainant where she alleges that I ‘knew that the cover story was not journalism, but was advertising purchased by his campaign.’ For the cover story, I sat down for an interview with Tacoma Weekly reporter, Matt Nagle. From his interview, Mr. Nagle wrote a background, human interest story on me, similar to what had been done for Mr. Figueroa. There was no statement of the Tacoma Weekly’s “endorsement” of me or of our campaign in the article whatsoever. Frankly, the article, while positive, was mostly background information about me, my family, and my reason for running—similar to other articles about other candidates I had seen during the 2020 campaign. It did not read to me as “political advertising,” but I understand now that is a matter of statutory definition. I was provided a draft of Mr. Nagle’s article to review for substantive accuracy. Unlike our campaign’s preparation of all print ad copy, in which we included the campaign’s (as sponsor) name and address, we did not control the final preparation and formatting of the article or otherwise prepare it for publication. It was Mr. Nagle’s journalistic story, based on his interview of me. If the Tacoma Weekly understood the article to be sponsored content, based on its own advertising package, it should have included the requisite disclosure.”

On January 11, 2021, the PDC received a completed Statement of Understanding (SOU) from Jason Whalen, acknowledging violations of RCW 42.17A.320 by failing to disclose sponsor identification on paid political advertising in the Tacoma Weekly.

Jason Whalen paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), which resolves the issue. PDC staff found no evidence of material violations requiring additional enforcement action in this matter.

Based on this information, the PDC has dismissed the case against, in accordance with RCW 42.17A.755(1).

If you have questions, contact Alice Fiman at 1-877-601-2828, or by e-mail [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

Endorsed by,

/s

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Alice Fiman  
Compliance Officer

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director