



**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 [contact@electjavier.com](mailto:contact@electjavier.com)

Subject: Complaint filed by Evelyn Fielding Lopez, PDC Case 78781

Dear Javier Figueroa:

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).

On January 8, 2021, the PDC received a completed Statement of Understanding (SOU) acknowledging violations of RCW 42.17A.320 by failing to disclose sponsor identification on paid political advertising in the Tacoma Weekly. Javier Figueroa paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), which resolves the issue failing to disclose sponsor identification in a Tacoma Weekly cover story about the 2020 Pierce County Council candidacy, published on August 18, 2020.

The PDC is reminding Javier Figueroa about the importance of accurately and timely completing PDC reports, including listing expenditure details in the proper locations on PDC reports to allow public access to complete expenditure detail.

The PDC will not be conducting a more formal investigation into the allegations or take any further enforcement action in this matter. Based on this information, the PDC has dismissed the case against Javier Figueroa 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 Javier Figueroa, PDC Case 78781

Dear Evelyn Fielding Lopez:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed October 14, 2020. The complaint alleged Javier Figueroa, 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 and RCW 42.17A.240 and WAC 390-16-205 for failing to accurately and completely disclose expenditure details, including sub-vendors utilized by the campaign.

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

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

- On May 15, 2020, Javier Figueroa registered with the PDC declaring 2020 candidacy for Pierce County Council, Position 4, selecting the Full Reporting Option.
- Figueroa is a current City of University Place Council member and has filed PDC reports since 2009.
- Figueroa's Post-General Election Full Campaign Contribution and Expenditure (C-4) report, filed timely on December 10, 2020, listed \$28,650.95 in contributions and \$28,635.26 in expenditures during the 2020 campaign, with \$15.69 cash on hand, \$759.94 in liabilities and a negative \$744.25 balance.
- On September 11, 2020, the Friends to Elect Javier (Campaign) filed a Post-Primary Summary Full Campaign Contribution and Expenditure (C-4) report with the PDC, disclosing the Campaign made a \$2,500 expenditure on August 8, 2020 for a Tacoma Weekly advertising campaign.

- The political advertising package, priced at \$2,500 and offered to Figueroa 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 Figueroa 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 the 2020 Pierce County Council candidacy published on August 18, 2020, did not include any sponsor identification. The cover story did not indicate or identify it was paid political advertising.
- In response, Figueroa stated “As to sponsor ID to paid advertising in the Tacoma Weekly on a cover story—I was interviewed by the Tacoma Weekly for a cover story as they did for my opponent and others. I did not pay for them to do a cover story. As to an editorial—they never wrote an editorial nor did they endorse me. In fact in their weekly paper for October 28 to November 3, they wrote a front page story “It’s almost over”. The article mentioned about signs trashing the public right of ways. The article also wrote a “Decision 2020 Tacoma Weekly Predictions” which stated that I would lose the race—that my opponent, Ryan Mello would win the race: I don’t consider this an endorsement. The monies I paid to Tacoma Weekly were for ¼ ads, full page ads, front cover ads and graphics. All of the page ads had sponsor IDs.”
- Regarding the allegation of violations of RCW 42.17A.240 and WAC 390-16-205 for failure to accurately and completely disclose expenditure detail, including sub-vendors utilized by the campaign, Figueroa stated “I understand that I may have not provided the required in the description block in the reimbursements I made to myself. I did however provided the appropriate information on the Memo block, but did not realized it was not visible by the public. When I tried to input the info in the description block, there was not enough room to provide the input, so I just provided limited info and wrote the rest in the memo—not realizing that I needed to provide key elements in the description block, i.e. vendor-number of items, etc.”

Based on these findings, and the fact Figueroa made a good faith effort to comply with the reporting requirements concerning expenditures, staff has determined, in this instance, the failure to timely and accurately report expenditure detail does not amount a violation warranting further investigation.

The PDC reminded Javier Figueroa about the importance of accurately and timely completing PDC reports, including listing expenditure details in the proper locations on PDC reports to allow public access to complete expenditure detail.

On January 8, 2021, the PDC received a completed Statement of Understanding (SOU) from Javier Figueroa, acknowledging violations of RCW 42.17A.320 by failing to disclose sponsor identification on paid political advertising in the Tacoma Weekly.

Javier Figueroa 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@pdc.wa.gov](mailto:pdcc@pdc.wa.gov).

Sincerely,

Endorsed by,

/s

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Alice Fiman  
Compliance Officer

/s

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Deputy Director  
For Peter Lavalley  
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