



**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 • Website: www.pdcc.wa.gov

November 12, 2020

Delivered electronically to Justin Raffa at "justraffa@aol.com"

Subject: Complaint filed by Bret Uhrich, PDC Case 78804

Dear Mr. Raffa:

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

As noted in the letter to Bret Uhrich, 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.

PDC staff is reminding you about the importance of the disclosing political advertisement sponsors and the requirement to set sponsor id and party preference apart from the other text in a written ad. PDC staff expects in the future that you will ensure all written political advertisements include the required sponsor information and that your party preference is set apart from other ad content as to be easily recognized in accordance with PDC laws and rules.

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.

Sincerely,

Endorsed by,

Electronically signed

Jennifer Hansen
Compliance Officer

Electronically signed

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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November 12, 2020

Delivered electronically to Bret Uhrich at “buhrich@lawschool.gonzaga.edu”

Subject: Complaint regarding Justin Raffa, PDC Case 78804

Dear Mr. Raffa:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 17, 2020. The complaint alleged that Justin Raffa, a candidate for County Commissioner, Position 1 in Benton County in the 2020 primary and general elections, may have violated RCW 42.17A.320 for failure to disclose sponsor identification and party preference on political advertisement.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by the Respondent; and written guidance provided on the PDC regarding providing sponsor identification in online transmissions, to determine whether the record supports a finding of one or more violations.

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

- On May 18, 2020, Justin Raffa filed a Candidate Registration (C-1 report) declaring his candidacy for Benton County Commissioner, Position 1 in the 2020 election, choosing the “Full Reporting” option, and listing Skye White as treasurer.
- RCW 42.17A.005(40) and WAC 390-05-290 contain the definition of “political advertisement” which includes ads sent via text messaging.
- RCW 42.17A.320 provides the sponsor identification requirements for written political advertisements, including the size and placement of a candidate’s party preference. WAC 390-18-030 identifies specific exemptions and permissible alternatives to the full disclosure of the sponsor’s name and address.
- The complaint alleged that the Raffa 2020 Campaign produced political advertisements in the form of text messages but failed to include the identity of the sponsor or the candidate’s party preference as required by statute and rule.
- In his response, Mr. Raffa stated that he was not initially aware of the requirement to include the full name and address of the sponsor of a political advertisement and apologized for the oversight. Mr. Raffa confirmed that he had taken corrective action by editing the sponsor identification on his website, which was the landing page linked in the political advertisements sent via text message. Regarding the lack of party preference on the Raffa 2020 Campaign political advertisements, Mr. Raffa stated that he used the donkey symbol to indicate his party preference as Democrat.
- During staff’s review, evidence was found that the content of the text message did not contain sponsor identification but did include a link to the Raffa 2020 Campaign website, which is consistent with the guidance provided on the PDC website for use in small

online ads such as text messages. The website did not originally include the required sponsor identification and was updated after Mr. Raffa received the complaint.

- Staff's review also found that the party preference was included in the logo used by the Raffa 2020 Campaign but was not set apart from the rest of the ad content making it difficult to distinguish at first glance.

Justin Raffa is a first-time candidate and has not previously been found in violation of the PDC campaign finance laws or rules. It appears that Mr. Raffa's failure to initially include the full name and address identifying the sponsor of the political advertisements sent via text message and failure to set the party preference apart from the remainder of the ad content, was due to a general lack of knowledge and not meant to conceal this information from the public.

Based on our findings staff has determined that, in this instance, failure to include the full sponsor and clearly identify party preference on written political advertisement does not amount to a finding of a violation that warrants further investigation.

PDC staff is reminding Justin Raffa about the importance of the disclosure of political advertisement sponsors and the requirement to set sponsor id and party preference apart from the text of a written ad on all future political advertisements in accordance with the statutes and rules.

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 pdcc@pdc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Barbara Sandahl
Deputy Director
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cc: Justin Raffa