



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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January 14, 2021

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

Subject: Complaint regarding The Instagram page @wa.elex, PDC Case 83664

Dear Jake Mayson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 13, 2020. The complaint alleged that the person who posted information about 2020 candidates for public office may have violated RCW 42.17A.260 or RCW 42.17A.305 by failing to report independent expenditures & electioneering communications on Independent Expenditure reports (C-6 reports).

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; queried the Respondent's data in the PDC contribution and expenditure database; conducted internet searches for information on @wa.elex, including on Instagram and other social media to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- RCW 42.17A.260 requires sponsors of independent expenditure political advertising published, mailed or otherwise presented to the public within 21 days of an election, and that is valued at \$1,000 or more in support or opposition of each candidate, to file a C-6 report within 24 hours of sponsoring such advertising.
- RCW 42.17A.305 sets forth the information to be disclosed to the PDC on C-6 reports by sponsors of an electioneering communications that is published, mailed or otherwise presented to the public within 21 days of an election, and that is valued at \$1,000 or more featuring or mentioning each candidate, to file a C-6 report within 24 hours of sponsoring such a communication.
- Staff's review found, during the 2020 election, the Instagram page @wa.elex posted at least 11 messages providing information about several candidates seeking election for Washington State Executive Offices that included Jay Inslee and Loren Culp for Governor; Kim Wyman and Gael Tarleton for Secretary of State; and Mike Pelliccotti and Duane Davidson for Treasurer.
- The posts provided information about both candidates seeking the office of Governor, Secretary of State, and Treasurer, for example, with both names appearing in photographs of both candidates under the heading "At a Glance." The various posts were presented in a format similar to a contrast advertisement, in which candidate campaign positions were presented on several issues, and the information provided in the ads included only short or brief statements or sentences.

- The information did not urge the reader to vote “for or against” or “support or oppose” either of the candidates featured in the ads, nor were there any appeals for financial or other support of any candidate. The only additional information provided was the office being sought and each candidate’s party preference.
- Staff was unable to determine the dates the Instagram posts were made, if there was any cost to produce them, or even if funds were expended for paid political advertising. In addition, the evidence you provided along with your complaint was not sufficient to determine if the advertisements met the \$1,000 reporting thresholds to trigger the C-6 report.
- Staff attempted to obtain the name of the sponsor or some means of communicating this issue to the sponsor of the advertisement but was unsuccessful.

Based on our review, staff has determined that, in this instance, there was no evidence produced or found by PDC staff that supports the finding of a violation warranting further investigation.

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

If you have questions, you may contact Tabatha Blacksmith at 1-360-753-1111, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

*Electronically signed*

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Tabatha Blacksmith  
Compliance Coordinator

Endorsed by,

*Electronically signed*

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Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director