



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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July 22, 2021

Delivered electronically to "blueskyefarmschool@gmail.com"

Subject: Complaint regarding Dennis King Jr, PDC Case 94683

Dear Chris Chisholm:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on July 2, 2021. Your complaint alleged that Dennis King Jr, on campaign signs posted on public property, in public Facebook posts, and elsewhere, claims to be "Endorsed by Puyallup Police" which gives the impression the Puyallup Police Department endorses the Dennis King Jr campaign.

Your allegation concerns the application of [RCW 42.17A.335\(1\)\(c\)](#) which states it is a violation for a person to sponsor with actual malice a statement constituting libel or defamation per se, that is 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. In addition, any violation of this section must be proven by clear and convincing evidence.

However, RCW 42.17A.335(3) states, in part, it is not a violation of this section for a person or organization referenced in subsection (1)(c) of this section to make a statement about that person or organization because such persons and organizations cannot defame themselves, which is a requirement for finding a violation of RCW 42.17A.335(1)(c). Because of this exception, the prohibition in RCW 42.17A.335(1)(c) can only be applied to political advertising sponsored by a person other than the candidate or the candidate's committee.

PDC staff reviewed your allegations, and as a result of staff's initial review, we found the following:

- Dennis King Jr stated his campaign is in fact endorsed by the Puyallup Police Association which the campaign signs do say, as well as on paper literature and online.
- The alleged false endorsement was a statement made by the candidate or the candidate's committee, which by virtue of RCW 42.17A.335(3) is not a violation of RCW 42.17A.335(1)(c) because a candidate cannot defame himself or herself.

Based on these findings, staff has determined that in this instance, the alleged false endorsement does not amount to a violation of RCW 42.17A.335(1)(c) warranting further investigation.

Based on this information, the PDC finds 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 Phil Stutzman at 360-664-8853, toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Electronically Signed Philip E. Stutzman

Phil Stutzman
Compliance Officer

Endorsed by,

Electronically Signed Kim Bradford

Kim Bradford
Deputy Director
For Peter Lavallee
Executive Director

cc: Dennis King Jr