



**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

August 1, 2019

Delivered electronically to "scott@scottmaclay.com"

Subject: Complaint filed by Ozzie Knezovich, PDC Case 32827

Dear Michael Scott Maclay:

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

As noted in the letter to Ozzie Knezovich, 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 complete and accurate disclosure of the name of the individual candidate running for office, rather than the website or committee name that they sponsor. PDC staff expects that you will file future reports under the name of the individual running for office, rather than a pseudonym.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by email at pdcc@pdcc.wa.gov.

Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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August 1, 2019

Delivered electronically to “ozzieknezovich@gmail.com”

Subject: Complaint regarding Michael Maclay, PDC Case 32827

Dear Ozzie Knezovich:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on January 17, 2018. The complaint alleged that Michael Scott Maclay (Respondent), a 2018 candidate for Spokane Valley Sheriff, registered with the PDC and appearing on the ballot as “Dumpozzi Dot Com”, may have violated RCW 42.17A.335 for sponsoring with actual malice, false and defamatory or libelous statements of material fact in political advertising, and for falsely implying endorsement in support of Dumpozzi Dot Com in political advertising; and RCW 42.17A.205 for failure to timely and accurately file a Candidate Registration (C-1 report)

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the responses provided by the Respondent; the applicable PDC reports filed by the Respondent; and queried the Respondent’s data in the PDC contribution and expenditure database, to determine whether the record supports a finding of one or more violations.

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

- Dumpozzi Dot Com declared candidacy during candidate filing week in 2018, announcing an intent to run for the office of Sheriff of Spokane Valley, and was required by RCW 42.17A.205 to file a C-1 report, and by RCW 42.17A.700 to file a Personal Financial Affairs Statement (F-1 report), within two weeks of this declaration of candidacy, or not later than June 1, 2018.
- Dumpozzi Dot Com filed a C-1 report in accordance with RCW 42.17A.205 on May 21, 2018, and did not in any way indicate that the individual Michael Scott Maclay was behind the candidacy, rather than simply the website Dumpozzi.com.
- Dumpozzi Dot Com also filed an F-1 report on May 29, 2018, disclosing financial activities for the Respondent for twelve calendar months prior to declaring candidacy, as required by RCW 42.17A.700, but failed to indicate that this report was for the individual Michael Scott Maclay, and not for the website Dumpozzi.com.
- While the F-1 report should have indicated in some manner that the financial activities and assets were tied to the individual Michael Scott Maclay, the candidate did appear on the ballot as Dumpozzi Dot Com, and advanced through the Primary election to the General election under that name.
- Any finding of a violation of RCW 42.17A.335 must be proven by clear and convincing evidence that the sponsor of the political advertising made a false statement of material fact about a candidate other than themselves, that was libelous or defamatory in nature, and

was made with actual malice, which is to “*act with knowledge of falsity or with reckless disregard as to truth or falsity.*” RCW 42.17A.005(1).

- Insufficient evidence was provided to show by clear and convincing evidence that the Respondent sponsored false and defamatory or libelous statements of material fact about a candidate other than themselves, that was made with actual malice.

Based on our findings staff has determined that, in this instance, failure to indicate the individual behind Dumpozzi Dot Com on the C-1 and F-1 reports, does not amount to a violation that warrants further investigation.

PDC staff is reminding Michael Scott Maclay about the importance of the complete and accurate disclosure of the name of the individual candidate running for office, rather than the website or committee name that they sponsor. PDC staff expects that Michael Scott Maclay will file future reports under the name of the individual running for office, rather than a pseudonym.

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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fdc@fdc.wa.gov.

Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Michael Scott Maclay