



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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January 12, 2022

Delivered electronically to Steve Freeman at “scfreeman68@gmail.com” & Benjamin K. Willard at “bwillard@uniphix.com”

Subject: Complaint regarding 509 Forward, PDC Case 100026

Dear Steve Freeman and Benjamin Willard:

The Public Disclosure Commission (PDC) has completed its review of the complaint Steve Freeman filed on October 21, 2021 and the complaint filed by Benjamin K. Willard on October 26, 2021. Staff reviewed the complaint filed by Mr. Willard and, finding the allegations similar and related to the same political advertisement already being investigated under the original complaint filed by Steve Freeman, merged the two complaints and notified Mr. Willard of this action on October 29, 2021. The complaints alleged that 509 Forward, a continuing political committee registered with the PDC during calendar year 2021 may have violated RCW 42.17.320 by failing to include a contributor (e.g. Lisa Brown) that contributed more than \$1,000 in the Top Five contributor sponsor identification requirements for an independent expenditure advertisement.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by Melanie Klitzke on behalf of 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:

- On August 6, 2021, 509 Forward (Committee) submitted a Committee Registration (C-1pc report) registering as a continuing committee, choosing the “Full Reporting” option, and listing Josie Olsen as Ministerial Treasurer and Camlynn Scott, Paul Dillon and Melanie Klitzke each as a Co-Director.
- RCW 42.17A.320 requires that all written political advertising shall include the name and address of the sponsor of the ad. In addition, if the ad is undertaken as an independent expenditure or electioneering communication by a political committee other than a bona fide political party, the ad must include the statement “No candidate authorized this ad. It is paid for by (name, address, city, state)” and must include the top five contributors making the largest contributions as required in RCW 42.17A.350(1); and if necessary, the top three donors as required in RCW 42.17A.350(2).
- WAC 390-18-025 describes the method to be used by a sponsor when determining the “top five contributors”, specifically that the sponsor may calculate the twelve-month period from the date the advertisement is submitted to a third-party publisher for

reasonably prompt publication, so long as there is no anticipated or intentional delay in the publication or presentation.

- In her response, Ms. Klitzke stated that the contribution from Lisa Brown for Congress was received Friday, October 8, 2021 which was prior to mailing of the postcard but after the Committee had finalized the proof, approved the vendor cost estimate and submitted the proof to the printer to begin production. She stated that at the time of production, the “Top Five Contributors” disclaimer was accurate.
- Ms. Klitzke’s response confirmed that Lisa Brown for Congress had not received any contributions within the previous 12 months so no “Top Three Donors to PAC Contributors” statement was required.
- Finally, Ms. Klitzke stated that subsequent independent expenditures were done by the Committee that included any updated “Top Five Contributors” statements required.
- On October 11, 2021, the Committee timely disclosed receipt of the \$9,500 contribution from Lisa Brown for Congress. The contribution was received and deposited on October 8, 2021.

It appears that the Committee was aware of the “Top Five Contributors” requirement for independent expenditures and electioneering communications and included an accurate disclaimer at the time the postcard was submitted to a third-party vendor for publication which was prior to date the Lisa Brown for Congress contribution was received.

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@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

*Electronically signed*

Jennifer Hansen  
Compliance Officer

Endorsed by,

*Electronically signed*

Kim Bradford  
Deputy Director  
For Peter Frey Lavalley  
Executive Director

cc: 509 Forward