



**State of Washington**  
**PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908  
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January 24, 2023

Sent electronically to Pat Myers/Lewis County News

Subject: Complaint filed by Elizabeth Rohr, PDC Case 115402

Pat Myers:

Public Disclosure Commission (PDC) staff has completed its review of the complaints filed by Elizabeth Rohr against the Lewis County News, and 2022 candidates Tracy Murphy, Mike Hadaller, and Harry Bhagwandin. The complaint alleged a violation of RCW 42.17A.320 by the Lewis County News (LCN) for failing to include the sponsor identification on political advertisements that appeared in the LCN during the 2022 election cycle in support of candidates Tracy Murphy, Mike Hadaller, and Harry Bhagwandin.

As noted in the complaint resolution letter sent to Elizabeth Rohr, PDC staff found no evidence of a violation that would require conducting a more formal investigation into the complaint or pursuing any enforcement action in this instance. However, PDC staff would encourage the Lewis County News to clearly indicate in future publications when candidate information is being presented as “editorial” or “guest editorial” content.

The PDC has dismissed this matter in accordance with RCW 42.17A.755(1). Thank you for your cooperation and assistance in resolving this matter. If you have questions, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s

\_\_\_\_\_  
Electronically Signed Kurt Young  
Compliance Officer

/s

\_\_\_\_\_  
Electronically Signed Kim Bradford, PDC Deputy  
Director for Peter Lavalley, PDC Executive Director



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January 24, 2023

Sent electronically to Elizabeth Rohr

Subject: Complaint filed against the Lewis County News, PDC Case 115402

Elizabeth Rohr:

Public Disclosure Commission (PDC) staff has completed its review of the complaints you filed on October 26, 2022, against the Lewis County News, and Tracy Murphy, Mike Hadaller, and Harry Bhagwandin, three candidates running for office in Lewis County in 2022.

Specifically, this complaint was filed against the Lewis County News (LCN) alleging a violation of RCW 42.17A.320 for failing to include the sponsor identification on political advertisements that appeared in the LCN during the 2022 election cycle in support of candidates Tracy Murphy, Mike Hadaller, and Harry Bhagwandin.

PDC staff reviewed the allegations listed in the complaint; the applicable statutes, rules, and political advertising requirements; and the Summary Full Campaign Contributions and Expenditures reports (C-4 reports) filed by 2022 Campaigns of Mike Hadaller, Tracy Murphy, and Harry Bhagwandin. Staff also reviewed the email responses from the Pat Myers on behalf of the Lewis County News and Flannery Publications concerning both the complaint and a PDC staff commercial advertiser request, to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- When the complaint was initially filed, PDC staff contacted Pat Myers and the LCN concerning questions about political advertising that ran in the LCN by candidates during the 2022 election cycle. Part of staff's correspondence with Mr. Myers included a commercial advertiser request of the LCN for paid political advertising accepted between August 23, 2022, through the general election.
- On November 7, 2022, Mr. Myers submitted an email response to staff stating that "the Lewis County News did not and does not provide free of charge or discounted rates for political advertising." He stated in response to PDC staff's commercial advertiser request of the LCN that during the timeframe August 23 through November 8, 2022, the LCN received paid political advertising from two candidates, Mike Hadaller, a candidate for a Lewis County PUD Commissioner and Tracy Murphy, a candidate for Lewis County Sheriff.
- Mr. Myers stated that Mr. Hadaller ran one full page color ad, 6 columns x 10", that was published on October 12, 2022, and was billed at the LCN full rate, which is \$17 per column inch for an "ad running at a size of 60 col. inches" for a cost of \$1,020.

- Mr. Myers stated that Mr. Murphy ran one 3 column inch x 5-inch color advertisement that was also published on October 12, 2022, and was billed at the LCN full rate, which is \$17 per column inch for an “ad running at a size of 15 col. inches,” for a cost of \$255.
- Mr. Myers stated that both advertisements contained the required sponsor identifications for The Committee to Elect Tracy Murphy, and the Mike Hadaller Campaign.
- On November 9, 2022, Mr. Myers submitted an additional email to PDC staff as a follow-up to the initial response, stating that “During the campaign season we invite all candidates from our voting districts to write and submit for publication a short bio and explanation of their platform to better inform our readers of their choices. All submittals that we received this year were submitted via email by the candidates or their campaign.”
- Mr. Myers stated in response to staff’s questions about how he would categorize the political advertisements or editorial content that was provided in the LCN for candidates Tracy Murphy, Mike Hadaller, and Harry Bhagwandin, “if I were asked to classify this type of content, I would call it editorial.”
- After receiving the November 9, 2022, response from Mr. Myers, PDC staff sent emails to the three 2022 Lewis County candidates in opposition to candidates Murphy, Hadaller, and Bhagwandin that included Scott Brummer, Rob Snaza, and Kevin Emerson.
- Staff asked the three candidates to indicate if they had been contacted by an LCN representative about submitting 2022 candidate information for publication, were they asked to participate in a candidate interview, did they submit any candidate information to the LCN for publication, and did any of the information get published. The responses from candidates Emerson, Snaza and Brummer seemed to indicate that all three candidates felt they did not have an opportunity to submit candidate information to the LCN for publication as “Guest Content.”
- Mr. Myers was asked if he or Ms. Hoffman contacted candidates Emerson, Snaza and Brummer about submitting a short bio or candidate information for the LCN publication, and Mr. Myers stated that he did not. He went on to state that if the three candidates had “submitted an editorial it would have been published per our policy. Per our policy, we have always had an open invitation to the public to submit Letters to the Editor or Guest Editorials to the paper for consideration and publication provided they adhere to our policies. This is common in most if not all newspapers.”
- Mr. Myers stated that Ms. Hoffman informed his that “she did attempt to contact Sheriff Snaza prior to the election but did not get a response.” He added that “if anyone submits an op/ed piece that follows our policy guidelines and provides our readership with useful information we would run it.”
- When asked if he or the LCN would categorize Ms. Hoffman’s contacts with candidates Murphy, Hadaller, and Bhagwandin as “candidate interviews”, he stated no, “this company would consider these pieces to be guest editorials. We welcome these from the general public as this is our standard mode of operation and they would have run without a charge.”
- Staff asked Mr. Myers about the three “articles or bios” that appeared on pages 3 and 5 of the October 19, 2022, edition of the LCN, providing information candidates Murphy, Hadaller, and Bhagwandin, and how they seemed to be reprinted of the three candidates talking points, with each written using the first person “I”. He again stated the three “pieces were guest editorials, again, a regular part of our business.”

- Mr. Myers reiterated his earlier comments that it was “the position of this newspaper that no candidate received free advertising during the 2022 campaign cycle. As a result, there was no requirement to declare a sponsor as is a requirement pursuant to RCW 42.17A.320.” He stated that it is the LCN’s “job to help inform our readership of any and/or all pertinent information and guest editorials are just one of the multiple ways that we use to do that. It is standard operating procedure. We have a long-standing policy on the matter.”

Based on these findings, PDC staff found no evidence of a violation by the Lewis County News or Pat Myers that would require conducting a more formal investigation into the complaint or pursuing any enforcement action in this instance.

RCW 42.17A.005(15)(b) states in part that “Contribution does not include: (iv) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of interest to the public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political or incidental committee.”

As noted above Mr. Myers stated that “if anyone submits an op/ed piece that follows our policy guidelines and provides our readership with useful information we would run it.” However, it appears that candidates Tracy Murphy, Mike Hadaller, and Harry Bhagwandin were treated differently than their opponents Scott Brummer, Rob Snaza, and Kevin Emerson by the LCN with regards to the LCN “candidate interview process”. In addition, it seemed candidates Murphy, Hadaller, and Bhagwandin were made aware of the opportunity to have their candidate information published as “Guest Editorials” and in at least one case were assisted with drafting the “editorial,” when it does not appear that candidates Brummer, Snaza, and Emerson received a similar offer.

When combined with the information published in the LCN in the first-person using the word “I”, it was not clear to PDC staff and likely the public whether the information published in the LCN about candidates Murphy, Hadaller, and Bhagwandin was editorial content or paid advertising. In the future, PDC staff would encourage the Lewis County News to clearly indicate when candidate information is being presented as “editorial” or “guest editorial” content.

PDC staff has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s \_\_\_\_\_  
Electronically Signed Kurt Young  
Compliance Officer

/s \_\_\_\_\_  
Electronically Signed Kim Bradford, PDC Deputy  
Director for Peter Lavalley, PDC Executive Director



cc: Pat Myers/Lewis County News