



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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February 26, 2025

Delivered electronically to [kevin.jones@staples.com](mailto:kevin.jones@staples.com)

Subject: PDC Case 164037 regarding Staples

Dear Staples:

The Public Disclosure Commission (PDC) completed its review of the complaint filed by Conner Edwards (the “Complainant”) on October 11, 2024. The complaint alleged that Staples (the “Respondent”) violated RCW 42.17A.345 by failing to respond to a request for a commercial advertiser books-of-account inspection.

Applicable Laws & Rules

[RCW 42.17A.345](#) requires each commercial advertiser<sup>1</sup> who has accepted or provided political advertising or electioneering communications during an election to maintain current books-of-account and related materials, as provided by rule, and make them available and open for inspection during normal business hours during the election and for a period of no less than five years after the date of the applicable election. These documents and books-of-account shall include the following:

- 1) the names and addresses of persons<sup>2</sup> from whom the commercial advertiser accepted political advertising or electioneering communications;
- 2) the exact nature and extent of the services rendered; and
- 3) the total cost and the manner of payment for the services.

[WAC 390-18-050](#) states that commercial advertiser books of account information must be made available for public inspection by any person in one of the following manners:

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<sup>1</sup> A “commercial advertiser” means any person that sells the service of communicating messages or producing material for broadcast or distribution to the general public (or segments thereof), whether through brochures, fliers, newspapers, magazines, television, radio, billboards, direct mail advertising, printing, paid internet or digital communications, or any other means of mass communications used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign. [RCW 42.17A.005\(10\)](#).

<sup>2</sup> A “person” includes “an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.” [RCW 42.17A.005\(39\)](#).

- 1) in person during normal business hours;
- 2) electronically, in machine readable format and structured in a way that enables the data to be fully discoverable and usable by an end user;
- 3) by digital transmission, such as email, promptly upon request, but no later than two business days; or
- 4) by online publication on the advertiser's primary website or on a website created for this purpose that is controlled by the advertiser, if a link is prominently displayed on the advertiser's primary website directing users to the latter.

Commercial advertiser books-of-account must be updated within 24 hours of the distribution or broadcast of an advertisement or communication and any updates or changes to this information. WAC 390-18-050(6) & (7) provide a detailed list of the information to be maintained and made available for public inspection, including but not limited to: 1) the name of the candidate or ballot proposition supported or opposed; 2) a copy of the advertisement or communication; 3) the name and address of the sponsor of the advertising or communication; 4) dates of service; 5) the total cost; 6) payment information; and 7) a description of the major work components or tasks performed.

### Background & Findings

- Staples is a company with retail locations nationwide that provide office supplies and a variety of services, including, but not limited to, printing, marketing, and shipping. The company is headquartered in Massachusetts and owned by Sycamore Partners.
- The Complainant emailed the Respondent on October 11, 2024 requesting to view their commercial advertising books-of-account, and did not receive a response.
- In their January 8, 2025 written response to the complaint, the Respondent said they received their first commercial advertiser books-of-account request in election year 2024. The Respondent indicated they produced available records for the other requests they had received but noted that the Complainant's request was unlike the others because it did not identify specific records sought or provide the details necessary to determine the scope of the request (e.g. business channel, store, time period, candidate, customer, advertisements). The Respondent argued that producing records without a specified scope was not feasible and would be unduly burdensome, based on the way their records of printing transactions are stored and retrieved. However, now that the Respondent has gained more experience responding to these types of requests, they said they would develop additional procedures to promote readiness and expedite their responses.
- On January 13, 2025, the Respondent said they have some capacity to search for records by customer name (assuming it is the same as the sponsor's name), but their hundreds of thousands of transactions are not categorized as political advertising at the point-of-sale and are therefore not retrievable based on this criterion. They indicated their willingness to comply but said they do not have the ability to provide past records. The Respondent said they were currently developing a process for identifying orders that include political advertising and making this information available at their stores to facilitate future inspection requests.

- The Respondent indicated that, as of January 30, 2025, they have initiated a new process in their Washington stores for collecting and storing election advertising records and making them available for in-person inspection upon request.
- The Respondent does not have any previous warnings/violations of PDC requirements.

### Summary and Resolution

Noncompliance appears to be the result of a good-faith misunderstanding that commercial advertiser books-of-account requests may be broad and span multiple years, necessitating a change to the Respondent's internal process. The Respondent took steps to develop a process by which they can better respond to commercial advertiser books-of-account inspections in the future, which is a mitigating factor.

Based on our findings, PDC staff has determined that, in this instance, the Respondent's failure to have its commercial advertiser books-of-account available for inspection does not amount to a violation that warrants further investigation.

However, pursuant to [WAC 390-37-060\(1\)\(d\)](#), this serves as a formal written warning concerning the Respondent's failure to have commercial advertiser books-of-account available for inspection as required. PDC staff expect the Respondent to maintain current commercial advertiser books-of-account available for inspection in the future. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

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 [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

*Electronically signed by Tabatha Blacksmith*  
Tabatha Blacksmith  
Compliance Officer

Endorsed by,

*Electronically signed by Peter Frey Lavallee*  
Peter Frey Lavallee  
Executive Director

cc: Conner Edwards