

November 17, 2015

Mr. Phil Stutzman
Public Disclosure Commission
711 Capitol Way #206
PO Box 40908
Olympia, WA 98504-0908

Dear Mr. Stutzman:

Please accept this letter as a formal complaint to the Public Disclosure Commission regarding advertising done by State Senate candidate Rep. Chad Magendanz.

The attached photo of a sign from Rep. Magendanz's State Senate campaign shows that he is falsely claiming that he has been endorsed by the Seattle Times, and that he received an "Outstanding" rating from the Municipal League of King County.

Rep. Magendanz does not have an endorsement from the Seattle Times for his State Senate campaign, nor has he been rated "Outstanding" by the Municipal League of King County for his State Senate campaign.

The use of this sign is a direct violation of RCW 42.17A.335, which states:

(1) It is a violation of this chapter for a person to sponsor with actual malice a statement constituting libel or defamation per se under the following circumstances:

(c) 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.

I respectfully request that the Public Disclosure Commission investigate this matter immediately and that Rep. Magendanz be contacted, without delay, and instructed to stop all unlawful advertising, in all forms of communication.

Respectfully,



Adam M. Bartz
Executive Director, Washington Senate Democratic Campaign

CC: Municipal League of King County, 220 2nd Ave South, Seattle, WA 98104
The Seattle Times, 1000 Denny Way, Seattle, WA 98109



WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION COMPLAINT FORM

(See instructions on the last page.)

Description of Complaint

1. RESPONDENT:

Identify who you are filing a complaint against and provide all contact information you have for them. Give names and titles, if any, for individuals, and the full name of any organization. Please note that the PDC does not enforce federal campaign finance laws or local ordinances.

Example #1: Joe Public, Mayor of My Town,

123 Main Street, Your Town, State, Phone: 555-123-4567, Email: unknown

Example #2: The Political Action Group (instead of P.A.G.), 123 Main Street, Your Town, State,

Phone: 555-123-4567, Email: pag@pag.org, Website: www.PAGwashington.org

Rep. Chad Magendanz, 5th LD

Citizens for Chad Magendanz

PO Box 1362

Issaquah, WA 98027

Phone: 425-395-895

Email: Chad@Magendanz.com

2. ALLEGED VIOLATIONS:

Explain how and when you believe the people/entities you are filing a complaint against violated RCW 42.17/RCW 42.17A or Title 390 WAC. Be as detailed as possible about dates, times, places and acts. If you can, cite which specific laws or rules you believe were violated. Attach additional pages if needed. (Note that the RCW 42.17 citation applies to conduct before 2012 and the RCW 42.17A citation applies to conduct on or after January 1, 2012.)

Rep. Chad Magendanz has a professionally printed sign that falsely claims the Seattle Times has endorsed his State Senate campaign, and that the Municipal League of King County has rated him "Outstanding" for his State Senate campaign.

This is in clear violation of RCW 42.17A.335:

(1) It is a violation of this chapter for a person to sponsor with actual malice a statement constituting libel or defamation per se under the following circumstances:

(c) 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.

Evidence and Witnesses

3. EVIDENCE:

List the documents or other evidence you have that support your complaint, if any, and attach copies to this form. If you do not have copies, provide any information you have about where you believe the documents or evidence can be found and how to obtain it. Attach additional pages if needed.

Example: Emails between Joe public and Candidate X, attached OR

Joe Public has emails from Candidate X which describe an illegal campaign donation, and Joe Public's phone number is 555-123-4567.

The banner was displayed at Rep. Magendanz's kickoff event and can be seen at the following link:

<https://twitter.com/IssaquahDaily/status/664265345310396416>

I have also provided an attached copy of the photo.

4. WITNESSES:

List the names and contact information, if known, of any witnesses or other persons who have knowledge of facts that support your complaint. Attach additional pages if needed.

Example: Jane Public was present when Candidate X spoke to me about the illegal contribution. Jane Public's address is 123 Main Street, Your Town, USA 12345, and her phone number is 555-123-4567.

Issaquah Daily published photos from the event, including of the illegal advertisement:
<http://issaquahdaily.com/>

Certification

In signing this complaint:

- I have provided all information, documents and other evidence of which I am aware;
- If I become aware of additional information, documents or evidence related to my complaint, I will promptly provide it to the PDC; and,
- I am providing the PDC current information on how to contact me, and will promptly update that information if it changes.
- Unless otherwise noted, I agree that PDC may use email instead of U.S. mail for all written correspondence about this complaint.

E-mail address: adam@senatedemocrats.org

Your name (print or type): Adam Bartz

Street address: 1000 Aurora Ave N, Suite 100

City, state and zip code: Seattle, WA 98109

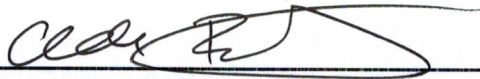
Telephone number (including area code): 206-486-1009

Oath

Required for all complaints filed with the Public Disclosure Commission:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.*

Your signature



Date signed

11/17/15

Place signed (city and county)

Seattle

King

City

County

Attachments

☒ Check here if you are attaching copies of documentary evidence or extra pages explaining your complaint.

**RCW 9A.72.040 says that "(1) A person is guilty of false swearing if he makes a false statement which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."*

Washington State Public Disclosure Commission
Instructions for Filing a Formal Complaint

➤ **When to use the formal complaint form:**

While this form is not required, its use is recommended when you want to file formal allegations of a violation of the Public Disclosure Commission (PDC) statutes or rules. You can find the PDC statutes and rules on the PDC website at www.pdc.wa.gov.

If you have information or concerns about a possible violation but do not wish to file a complaint, please contact the PDC office directly.

➤ **How to submit your complaint form to the PDC:**

- Complete all sections. If you do not have some information, please write "unknown" instead of leaving a blank space.
- Attach copies of any evidence you have - we'll contact you if we need originals.
- Sign the oath.
- Mail, fax, or email your complaint and all attachments to the PDC.

➤ **If you have more questions:**

If you have more questions about filing a complaint, see the "Frequently Asked Questions about Filing a Complaint" guide available on the PDC's website at www.pdc.wa.gov under "Enforcement and Compliance." You may also contact the PDC directly.

PDC Contact Information

MAILING ADDRESS: Washington State Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

EMAIL ADDRESS: pdc@pdc.wa.gov

PHONE: 1-877-601-2828 (toll free)

FAX: (360) 753-1112

HOURS: Monday-Friday, 8:00 a.m. – 5:00 p.m., closed on state holidays.



Rated

OUTSTANDING by the Municipal League



Endorsed by **THE SEATTLE TIMES**

CHAD MAGENDANZ

for State Senate, 5th District (R)

www.ChadForSenate.com

