



**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.pdca.wa.gov

February 17, 2023

Delivered electronically to Jeffrey Brittig at "jeffrey.brittig@gmail.com"

Subject: Complaint filed by Clint Volk, PDC Case 99783

Dear Mr. Brittig:

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

As noted in the letter to Clint Volk, the complaint has been resolved through a Statement of Understanding. 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.

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.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Peter Frey Lavalley
Executive Director



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February 17, 2023

Delivered electronically to Clint Volk at "chief@mcfd6.com"

Subject: Complaint regarding Jeffrey Brittig, PDC Case 99783

Dear Clint Volk:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 14, 2021. The complaint alleged that Jeffrey Brittig, an individual sponsor of political advertisement, may have violated RCW 42.17A.255 for failure to timely file an Independent Expenditure report (C-6 report) disclosing an independent expenditure advertisement mailer in opposition to the Fire District #6 Proposition for Property Tax Levy Lid Lift on the November 2, 2021, general election ballot.

After reviewing the contents of the advertisement, PDC staff added an alleged violation of RCW 42.17A.320 for failure to include complete sponsor identification on the mailer.

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 other relevant information, to determine whether the record supports a finding of one or more violations.

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

- The October 14, 2021 complaint was originally opened and sent to the email address associated with the website included on the mailer, Union Citizen's Alliance. Mr. Denny Hamilton was named as a Respondent along with Union Citizen's Alliance, as his name appeared in the message included on the mailer.
- During the investigation, staff learned that Mr. Hamilton was not responsible for the mailer and instead, received confirmation that Jeffrey Brittig had paid for the advertisement. The Respondent name was updated after communication with the true sponsor, Jeffrey Brittig.
- RCW 42.17A.255 requires sponsors of independent expenditure political advertisements of \$100 or more to file a C-6 report within five days of making an independent expenditure in support of or in opposition to any candidate or ballot proposition.
- RCW 42.17A.320 requires all written political advertising to disclose the person paying for or sponsoring the ad plus the sponsor's mailing address.

- On September 27, 2021, Jeffrey Brittig made a \$773.14 independent expenditure using personal funds to Amazing Mail for costs related to a mailed advertisement in opposition to Fire District #6 Proposition for Property Tax Levy Lid Lift. The C-6 report was due within five business days or no later than October 4, 2021.
- On February 4, 2022, after receiving notice of the complaint and his filing obligation, Mr. Brittig electronically submitted a C-6 report disclosing that a \$773.14 independent expenditure using personal funds to Amazing Mail for the mailer. The C-6 report disclosed that the mailer was presented to the public on September 27, 2021.
- The C-6 report was filed 123 days late, and 92 days after the November 2, 2021, general election.
- Mr. Brittig responded to staff's request for information regarding the September 2021 mailer by telephone. After he understood his filing obligations as a sponsor of an independent expenditure, Mr. Brittig submitted the missing C-6 report electronically.
- In his response, Mr. Brittig stated that on August 9, 2021, he responded to a request to provide an opposition statement to the levy lid lift and that, due to communication issues, his statement was not used by the Local Election Office. Mr. Brittig further stated that Denny Hamilton submitted an opposition statement that was also not used.
- Regarding the independent expenditure, Mr. Brittig explained that in August 2021, the Mason County Superior Court ruled that Mason County Fire District 6 had altered public records from April 20, 2021 Commission Meeting Minutes that were previously used by the State Auditor during a normal audit of the Fire District. He stated that the District included the original audit findings in a message to the recipients of a mailer sent to voters prior to the November 2, 2021 general election.
- Mr. Brittig explained that given his knowledge of the Mason County Superior Court's ruling regarding the falsified documents and the subsequent message from the Fire District to voters, he felt compelled to use his own funds to circulate the opposition statement from Denny Hamilton.

Prior to the September 27, 2021 mailer, the Respondent had not engaged in political advertisement or independent expenditure activity and was unaware of the potential filing obligations and sponsor identification requirements until notified by staff. It appears that the late C-6 report and incomplete sponsor identification were due to this limited knowledge and not done intentionally to mislead the public.

Pursuant to WAC 390-37-060(1)(f), the PDC received a completed Statement of Understanding (SOU) on January 3, 2023, from Jeffrey Brittig acknowledging a violation of RCW 42.17A.320 for failing to include the required sponsor identification on political advertisement and RCW 42.17A.255 for failing to timely file a C-6 report disclosing and independent expenditure. Mr. Brittig paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), which resolves the issue.

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.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Peter Frey Lavalley
Executive Director

cc: Jeffrey Brittig