



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@pdc.wa.gov • Website: www.pdc.wa.gov

November 15, 2021

Sent electronically to Dennis Martinez

Subject: Complaint regarding Dennis Martinez, PDC Case 100065

Mr. Martinez:

The Public Disclosure Commission (PDC) has completed its review of the complaint Pamela Carter filed against the 2021 Dennis Martinez Campaign. The complaint alleged that your Campaign for Tukwila City Council may have violated RCW 42.17A.320(1) by failing to include the required sponsor identification information on a joint political advertisement mailer that included Tosh Sharp, another candidate seeking election to the Tukwila City Council in 2021.

Pursuant to WAC 390-37-060(1)(d), you are receiving this formal written warning concerning your failure to include the required sponsor identification on political advertising sponsored by your Campaign, specifically the joint mailer co-sponsored with the Tosh Sharp Campaign. The formal written warning includes staff's expectation that you will include the complete sponsor identification on all future political advertisements as required by law, including joint candidate mailers. The Commission will consider the formal written warning in deciding on future Commission action if there are future violations of PDC laws or rules.

The PDC has dismissed this matter in accordance with RCW 42.17A.755(1). If you have any questions, please contact PDC Compliance Officer Kurt Young by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Electronically Signed Kurt Young
Compliance Officer

/s _____
Electronically Signed Peter Lavallee
PDC Executive Director



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November 15, 2021

Sent electronically to Pamela Carter

Subject: Complaint regarding Dennis Martinez, PDC Case 100065

Pamela Carter:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 24, 2021. The complaint alleged that Dennis Martinez, a candidate for Tukwila City Council in 2021, may have violated RCW 42.17A.320(1) by failing to include the required sponsor identification information on a joint political advertisement mailer that was co-sponsored by Mr. Martinez and Tosh Sharp, another candidate Tukwila City Council in 2021.

PDC staff reviewed the complaint, the allegation and attached exhibit, the political advertising statutes, and rules, and the responses submitted by Dennis Martinez to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- On June 2, 2021, Dennis Martinez filed a Candidate Registration (C-1 report) with the PDC declaring his candidacy in 2021 for Tukwila City Council, Position #3, selecting the Mini Reporting option, and listing himself as Treasurer.
- The political advertisement provided as part of the complaint: (1) was a joint mailer that included photographs of Tosh Sharp and Dennis Martinez; (2) provided information concerning both candidates shared vision for the city of Tukwila; and (3) featured both Mr. Sharp and Mr. Martinez equally as candidates. The joint mailer included Mr. Martinez's name and the Campaign PO Box in the return address area of the joint mailer.
- The joint mailer did not meet the political advertisement requirements by including the required sponsor identification (sponsor ID) for both candidates. The sponsor ID requirements for a joint candidate mailer require that the words "Paid for" or "Sponsored by" followed by each candidate's name and mailing address be included; that the sponsor ID for each candidate appear on the first page of the mailer; and that the sponsor ID is printed in at least ten-point type and set apart from any other printed content.
- Mr. Martinez stated that after speaking with PDC staff, he became aware of the sponsor ID requirements on all political advertising and acknowledged that he made an honest mistake concerning the joint mailing. PDC staff explained to him that while the joint mailer sent out on October 20, 2021, included his name and address on the back of the postcard, it did not appear "on the front nor did it have who sponsored the mailer."

- Mr. Martinez stated that as a candidate under the Mini Report option, he “welcomed the opportunity to get some information out at minimal cost, so he and Mr. Sharp decided to send out a dual mailer.” He stated both candidates agreed to pay for half of the costs for the joint mailer, and that each candidate would pay their portion of the costs directly to Renton Printery.
- Mr. Martinez attached a copy of the invoice from Renton Printery indicating 2,900 joint or dual mailers were printed and mailed out costing a total of \$3,238.04, and that his portion of the mailing costs was \$1,619.02. He noted that the Renton Printery invoice indicated the portion of the joint mailer costs that were paid by his Campaign and added that Mr. Sharp was billed separately for his portion of the joint mailer costs.

Since both candidates co-sponsored the political advertisement, the joint mailer required a dual sponsorship that included the sponsor ID from both Mr. Sharp and Mr. Martinez. Based on these findings staff has determined, in this instance, the allegations concerning the failure to include the required sponsor ID for both candidates on the joint political advertisement, does not amount to a violation warranting investigation or any further enforcement action.

However, pursuant to WAC 390-37-060(1)(d), Dennis Martinez will receive a formal written warning concerning failure to include the required sponsor identification on political advertising co-sponsored by his Campaign along with another candidate. The formal written warning includes staff’s expectation that Dennis Martinez will in the future, include the complete sponsor identification on all future political advertisements as required by law, including joint candidate mailers. The Commission will consider the formal written warning in deciding on future 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, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s

 Electronically Signed Kurt Young
 Compliance Officer

/s

 Electronically Signed Peter Lavalley
 PDC Executive Director

cc: Dennis Martinez