



**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.pdcc.wa.gov

November 22, 2022

Delivered electronically to "brian@electnoble.com"

Subject: PDC Case 112188

Dear Paul Brian Noble:

Enclosed is a copy of an electronic letter sent to David Green concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the enclosed letter to David Green, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(d), this letter serves as a formal warning concerning the lack of sponsor identification and party preference on a political advertising YouTube video. Staff expects you to include sponsor identification, and when applicable, party preference, on future political advertising. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Phil Stutzman at 360-664-8853, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,
Electronically Signed Philip E. Stutzman
Phil Stutzman
Compliance Officer

Endorsed by,
Electronically Signed Peter Frey Lavalley
Peter Frey Lavalley
Executive Director



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November 22, 2022

Delivered electronically to "david.green.cpa@gmail.com"

Subject: Complaint regarding Paul Brian Noble, PDC Case 112188

Dear David Green:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 29, 2022. Your complaint alleged Paul Brian Noble may have violated RCW 42.17A.335(1)(c) by falsely representing himself as an incumbent Spokane County Commissioner when he is not an incumbent. In addition, your complaint alleged the Brian Noble campaign may have violated RCW 42.17A.320 by failing to include sponsor identification and the candidate's party or independent preference in a political advertising YouTube video.

PDC staff reviewed your allegations; the applicable statutes, rules, and guidance; the response provided by Brian Noble; 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:

- Paul Brian Noble was a first-time candidate in 2022 for the position of Spokane County Commissioner. He was not elected in the general election.
- Mr. Noble included videos on his campaign website that included language describing the role of a county commissioner by stating:
 - "We're responsible for the three branches of county government...."
 - "We sit on a lot of boards...."
 - "We work with the Sheriff's office...."
- The complaint alleged such language falsely implied Mr. Noble was an incumbent Spokane County Commissioner.
- Upon receipt of the complaint, Mr. Noble immediately corrected the video by changing "we" to "them" to clarify he was referring to the role of County Commissioners and was not trying to imply he was a County Commissioner.
- In addition, the complaint alleged several portions of Mr. Noble's website implied he was an incumbent Spokane County Commissioner because the website did not clearly indicate he was not an incumbent Spokane County Commissioner. The example cited in the complaint stated, in part:

"PAUL "BRIAN" NOBLE
COUNTY COMMISSIONER DISTRICT NO. 4

Brian will

Brian's History

Brian's Family

Brain's Hobbies

- The portion of the website cited in the complaint included the candidate's name, followed by the title of the office sought, which some people interpret as implying incumbency; however, Mr. Noble's website also stated what he intends to do if elected and provides information about his history, family, and hobbies, information normally associated with a candidate seeking an elective office.
- The complaint noted that while Mr. Noble's video appeared on his website, suggesting it was sponsored by the candidate, the video could also be lifted from the website and shared in other places, increasing the importance of including sponsor identification in the video.
- Mr. Noble stated all videos were prepared by him, using his phone, at no cost; however, he put the sponsor as the Committee to Elect Brian Noble and himself as the one who paid for the video.

Based on these findings, staff has determined that in this instance, there does not appear to be evidence that Brain Noble falsely represented himself to be an incumbent Spokane County Commissioner. In addition, staff has determined that in this instance, the failure to include sponsor identification and party preference on political advertising does not appear to be a violation warranting further investigation.

However, pursuant to WAC 390-37-060(1)(d), Paul Brian Noble will receive a formal written warning concerning the lack of sponsor identification and party preference on a political advertising YouTube video. The formal written warning will include staff's expectation that Mr. Noble includes sponsor identification, and when applicable, party preference, on future political advertising. The Commission will consider the 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 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 Phil Stutzman at 360-664-8853, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,
Electronically Signed Philip E. Stutzman
Phil Stutzman
Compliance Officer

Endorsed by,
Electronically Signed Peter Frey Lavallee
Peter Frey Lavallee
Executive Director

cc: Paul Brian Noble