



**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

January 18, 2024

Delivered electronically to deborakay@icloud.com

Subject: Complaint filed by Albert Schreiber, PDC Case 143926

Dear Debora Nelson:

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

As noted in the letter to Albert Schreiber, 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.

PDC staff is reminding you about the importance of the use of the term “re-elect” in accordance with WAC 390-18-040. PDC staff expects that, in the future, you will use terminology in accordance with PDC laws and rules.

If you have questions, you may contact Tabitha Townsend at 1-360-753-1111, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

/s

Tabitha Townsend
Compliance Coordinator

Endorsed by,

/s

Kim Bradford
Deputy Director
For Peter Frey Lavalley
Executive Director



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January 18, 2024

Delivered electronically to al@alschreiber.org

Subject: Complaint regarding Debora Nelson, PDC Case 143926

Dear Albert Schreiber:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 19, 2023. The complaint alleged that Debora Nelson, a Candidate for Snohomish NCRFA Commissioner may have violated RCW 42.17A.335 and WAC 390-18-040 by using the term “re-elect” on campaign signs.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, and rules; the response provided 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:

- WAC 390-18-040 defines the term “re-elect” as appropriate when “the candidate is presently holding the office being sought, was elected to it, and is seeking another term in that same office in the same district or political subdivision.”
- The Respondent explained that she was elected to her City Council position and the City Council nominated her for the new Fire Commissioner position and this led to her confusion on the use of re-elect on her signage for the 2023 election, as she was re-using signs from her past campaign for City Council.
- RCW 42.17A.335 states, in part: “(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;

“(b) Political advertising or an electioneering communication that falsely represents that a candidate is the incumbent for the office sought when in fact the candidate is not the incumbent;

“(3) It is not a violation of this section for a candidate or his or her agent to make statements described in subsection (1)(a) or (b) of this section about the candidate himself or herself because a person cannot defame himself or herself.”

- The Respondent stated she planned to cover the “re” in re-elect as a voluntary measure to assist with public understanding.
- The Respondent does not have previous warnings/violations of PDC requirements with RCW 42.17A.335 or WAC 390-18-040.

Based on our findings, staff has determined that, in this instance, does not appear to be a violation that warrants further investigation.

PDC staff is reminding Debora Nelson about the importance of the use of the term “re-elect” in accordance with WAC 390-18-040. PDC staff expects that, in the future, they will use terminology in accordance with PDC laws and 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 Tabitha Townsend at 1-360-753-1111, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

/s

Tabitha Townsend
Compliance Coordinator

Endorsed by,

/s

Kim Bradford
Deputy Director
For Peter Frey Lavalley
Executive Director

cc: Debora Nelson