



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908  
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**Toll Free 1-877-601-2828 • E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)**

January 23, 2024

Delivered electronically to Joanna Aaron [joanna.aaronlcrp@proton.me](mailto:joanna.aaronlcrp@proton.me) and Elizabeth Rohr at [rohreliz@gmail.com](mailto:rohreliz@gmail.com)

Subject: Complaint filed by Kyle Wheeler, PDC Case 144126

Dear Lewis County Republican Central Committee:

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

As noted in the letter to Kyle Wheeler, 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.

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning your failure to fully comply with the sponsor identification requirements for political advertising as noted in the enclosed letter sent to Mr. Wheeler. PDC staff expects you to disclose all required sponsor identification on future ads, including small digital ads where an automatic display (e.g. click-thru link) is used. 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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

*Electronically signed Tabatha Blacksmith*  
Tabatha Blacksmith  
Compliance Officer

Endorsed by,

*Electronically signed Peter Frey Lavallee*  
Peter Frey Lavallee  
Executive Director



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January 23, 2024

Delivered electronically to Kyle Wheeler at [kyle88wheeler@gmail.com](mailto:kyle88wheeler@gmail.com)

Subject: Complaint regarding Lewis Co. Republican Central Committee, PDC Case 144126

Dear Kyle Wheeler:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 23, 2023. The complaint alleged that Lewis County Republican Central Committee, a bona fide county party non-exempt continuing committee, may have violated RCW 42.17A.320 by failing to provide complete sponsor identification on political advertising, specifically the sponsor's address.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, rules, and reporting requirements; the response provided by the Lewis County Republican Central Committee (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 Respondent is a bona fide county party non-exempt continuing committee that first filed with the PDC on 5/1/07. The committee most recently updated its *Committee Registration* (C-1pc report) on 3/4/23 and selected the Full Reporting option.
- "Political advertising" is a mass communication used to appeal, directly or indirectly, for votes, financial or other support, or opposition to any election campaign that is intended to reach a large audience via a variety of methods. These methods include, but are not limited to, advertising displays, newspaper ads, and digital communication. [RCW 42.17A.005\(40\)](#) and [WAC 390-05-290\(3\)](#)
- Pursuant to [RCW 42.17A.320](#) and [WAC 390-18-010](#), all written political advertising must include the name and address of the sponsor<sup>1</sup>. Additional disclosures may be required, depending on the sponsor and type of advertising used.

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<sup>1</sup> For the purposes of political advertising, the "sponsor" is the person who paid for the advertising. If a person acts as an agent or is reimbursed for the payment, the original source of the payment is the sponsor.

- [WAC 390-18-030\(3\)](#) provides sponsors of small online advertising an alternative to including the required sponsor identification disclosures on the ad itself when doing so would be impractical. The sponsor may use an automatic display with the ad that takes the reader directly to the required disclosures. Examples of automatic displays include, but are not limited to, pop-ups that cannot be blocked, roll-overs, and separate text boxes or one-click links that automatically appear or take the reader directly to the required disclosures.
- On October 16, 2023, Kristen Chilson with Northway Strategies, an agency hired by the Respondent to handle its advertising, placed an order with The Chronicle newspaper for print and digital advertisements supporting 2023 candidate Sarah Holmes.
- The advertisement supporting Sarah Holmes appeared in print on 10/21/23, 10/28/23, 11/2/23 and 11/4/23 and the digital version of the ad appeared on The Chronicle’s website at <https://www.chronline.com> from 10/17/23 until 11/7/23.
- The print advertisements 1) identified the sponsor by name; 2) included the sponsor’s address; and 3) contained a statement indicating who paid for the ad as required. This information was present all four times the print ads were published between October 21, 2023 and November 4, 2023.
- The digital advertisements 1) identified the sponsor by name; and 2) included a statement indicating who paid for the ad as required. However, the digital ads did not include the sponsor’s address. The digital ads contained linked blue button entitled “LEARN MORE!”
- According to The Chronicle, the digital ad supporting Sarah Holmes included an automatic display called a “click-thru” link that, when selected, took the reader to the candidate’s website at <https://www.electsarahholmes.com> However, as mentioned above, the candidate’s website does not contain the address of the digital ad’s sponsor (the Respondent).
- The Chronicle indicated that, on November 2, 2023, Kristen Chilson with Northway Strategies changed the automatic display (click-thru) link on the digital ad for Sarah Holmes from the candidate’s website to the Respondent’s endorsed candidates web page at <https://www.lcrpwa.org/post/2023-lcrp-endorsed-candidates> The Respondent’s linked endorsements web page contains the sponsor name and address as required.
- The Respondent responded in writing to the complaint allegation on November 2, 2023 and said the committee used an outside agency called Northway Strategies to handle its advertising and expressed its belief that the agency had followed all the advertising requirements. The Respondent cited the sponsor identification alternative in [WAC 390-18-030\(3\)](#) for small online advertising and said an automatic display was used for the digital ad supporting Sarah Holmes.
  - The Respondent also indicated its belief that small digital ads are not “printed written ads,” cited the sponsor identification requirements for television and radio ads, and implied that only sponsor name is required.

- The small digital ad supporting Sarah Holmes, while not printed, was in a written format that included a visual image and presented online. As a result, the term “written political advertising” in .320(1) applies. The alternative for automatic displays set forth in WAC 390-18-030(3), which the Respondent used for its small digital ad, uses the term “online political advertising,” which also appears to be appropriate. Conversely, the requirements for radio and television ads do not appear to be relevant to either the printed ad or the small digital ad.
- The Respondent does not have previous warnings/violations of PDC requirements.

The small digital ad supporting Sarah Holmes lacked sponsor address from October 17, 2023 through November 2, 2023, because the click-thru destination web page linked to the ad did not contain the sponsor’s address.

The sponsor address disclosure for the digital ads was not available to the public during the entire 21-day period preceding the General Election, which is an aggravating factor. However, noncompliance for the digital ad is mitigated by the Respondent’s November 2, 2023 change of the click-thru destination from the candidate’s website to the Respondent’s endorsed candidates web page, which resolved the issue prior to the election.

Based on our findings, staff has determined that, in this instance, failure to include the sponsor’s address on the automatic display destination site linked to digital advertising does not amount to a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Lewis County Republican Central Committee will receive a formal written warning concerning its failure to fully comply with the sponsor identification requirements for political advertising. The formal written warning will include PDC staff’s expectation that Lewis County Republican Central Committee disclose all required sponsor identification on future advertising, including small digital ads where an automatic display (e.g. click-thru link) is used. 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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

*Electronically signed Tabatha Blacksmith*  
Tabatha Blacksmith  
Compliance Officer

Endorsed by,

*Electronically signed Peter Frey Lavalley*  
Peter Frey Lavalley  
Executive Director

cc: Lewis Co. Republican Central Committee