



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

January 31, 2024

Sent electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding John Svilarich, PDC Case 144568

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 27, 2023. Your complaint alleged that John Svilarich, a candidate for City of Camas council member, Position 1, in the 2023 election year, may have violated RCW 42.17A.320 for failure to disclose sponsor identification on political advertisement.

To determine whether the record supports a finding of one or more violations, PDC staff reviewed the allegation listed in the complaint; the applicable statute(s), rule(s), the November 14, 2023, response to the complaint provided by John Svilarich on behalf of his campaign; the attachments submitted with the complaints; and the reporting requirement(s) pertinent to the sponsor identification statute codified in RCW 42.17A.

Based on staff review, we found the following:

- On May 26, 2023, John Svilarich timely filed a Candidate Registration (C-1) report and selected the “Mini Reporting” option.
- You alleged that the Respondent in this matter failed to provide proper sponsor identification on political advertisement in violation of RCW 42.17A.320. You also alleged that the Respondent violated the prohibition against accepting contributions (in-kind) in excess of \$500 for a candidate registered with the PDC under the Mini-Reporting option in violation of WAC 390-16-105(2)(b). Specifically, you alleged in your complaint that: “In October 2023, both candidates Hogan and Svilarich sent political advertisements to Camas houses via USPS direct mail. Both candidate’s political advertisements were sent from the same out-of-Camas location, zip code 98642 (Ridgefield). And, both candidates did not specify the individual, organization, business, party or committee that sponsored (paid for) the political advertisement. Upon review of current PDC expense reporting, Svilarich has not reported any expenses towards his campaign – including any expenses for direct mail efforts. However, upon review of Hogan’s C-4 reports, he disclosed two expenses on October 16, 2023. . . . These expenses were reported by Hogan on or around the time both Hogan’s and Svilarich’s political advertisements were sent to Camas residents. Usually, a candidate’s direct mailer is sent to roughly 10,000 Camas residences. With

postage costing approximately \$0.49 per mailer, one mailer costs a candidate around \$5,000. 2 mailers would cost approximately \$10,000, much in line with Hogan’s expenses noted above totaling \$9,366.96. However, despite paying for two mailers, it appears that Hogan only sent one mailer to Camas residents related to his re-election campaign. . . . Based upon the facts summarized above, it is reasonable to allege that Hogan may have paid for and mailed out Svilarich’s political advertisement to Camas voters.”

- Staff noted that on/or about October 2023, John Svilarich’s Campaign created and presented Campaign political advertisings to the public that failed to include sponsor identification language required by the statutory scheme – “Paid for by” or “Sponsored by,” including name and full address of the sponsor.
- In his response to the complaint pertinent to the alleged failure to provide sponsor identification on political advertisement, received by the PDC staff on November 14, 2023, John Svilarich, on behalf of his own campaign, stated: “Mailer disclosure – This was the first mailer I have ever done for anything. I mistakenly assumed that it was like yard signs and other materials meaning if it was prominently clear who was behind it, that was disclosure. I had plenty of space to place it on the mailer but mistakenly did not. It all on me. Guilty as charged.”
- Regarding the allegation about accepting overlimit in-kind contribution, John Svilarich noted in his response that: “Mailer expenses – My campaign funds paid for my one mailer. I used a voting history list from the State to parse it to 7490 mailers. I paid for printing to Minuteman Press (\$1,348.46), for the direct mail service from Kaufman Direct (\$374.69) and the USPS postage (\$2284). I have included copies of the checks and payments. Lacamas Magazine ad – This ad was done without my knowledge or consent. The Hogan campaign informed me that the value of the entire ad was \$13 or \$3.25 for ¼.”

While our review found that John Svilarich failed to include sponsor identification on his campaign-related advertisements, it appears that it was an error on the part of his campaign. Additionally, Mr. Svilarich was responsive to PDC staff during the entirety of the review of this complaint and promptly responded to the complaint and took responsibility for the error.

However, pursuant to WAC 390-37-060(1)(d), John Svilarich will receive a formal written warning concerning the failure to include sponsor identification on political advertisements (“Paid for” or “Sponsored by” followed by the candidate’s name and complete address). John Svilarich will be informed the Commission will consider the formal written warning in deciding on further Commission action if there are future violations of the PDC laws/rules.

Accordingly, 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 Erick Agina, Compliance Officer at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by:

/s _____
Erick O. Agina, Compliance Officer

/s _____
Peter Frey Lavalley, Executive Director

cc: John Svilarich