



**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: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

January 2, 2024

Delivered electronically to Larry McDonough at [larry\\_ljm@protonmail.com](mailto:larry_ljm@protonmail.com)

Subject: Complaints filed by Nancy Lindsey, PDC Case 145194

Dear Larry McDonough:

Below is a copy of an electronic letter sent to Nancy Lindsey concerning complaints filed with the Public Disclosure Commission (PDC).

As noted in the letter to Nancy Lindsey, 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 that, in the future, the statement “No candidate authorized this ad. It is paid for by” (followed by your full name and address) will be required on political advertising undertaken as an independent expenditure if the aggregate cost meets or exceeds reportable thresholds. The Respondent is also reminded to ensure that, in future, his full name and address are “set apart” from the other text by including more space between content.

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 [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Sincerely,

*Electronically signed Tabatha Blacksmith*  
Tabatha Blacksmith  
Compliance Officer

Endorsed by,

*Electronically signed Kim Bradford*  
Kim Bradford  
Deputy Director  
For Peter Frey Lavalley  
Executive Director



**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: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

January 2, 2024

Delivered electronically to Nancy Lindsey at [yonancyhome@hotmail.com](mailto:yonancyhome@hotmail.com)

Subject: Complaints regarding Larry McDonough, PDC Case 145194

Dear Nancy Lindsey:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed on November 1, 2023. The complaints alleged that Larry McDonough may have violated RCW 42.17A.320 by failing to include complete sponsor identification on a mailer (postcard) undertaken as an independent expenditure.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, rules, and reporting requirements; the response provided by Larry McDonough (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:

- “Political advertising” is defined as a mass communication<sup>1</sup> 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, 100 or more letters, emails or similar communications that are identical or substantially similar in nature, directed to specific recipients, and sent within a 30-day period. [RCW 42.17A.005\(40\)](#) and [WAC 390-05-290\(3\)](#)
- [RCW 42.17A.255](#) requires a person<sup>2</sup> making an independent expenditure (IE) equaling \$1,000<sup>3</sup> or more in the aggregate to disclose the expenditure to the PDC on a C-6 report

---

<sup>1</sup> “Mass communication” means a communication, digital or otherwise, intended to reach a large audience through a variety of means including, but not limited to, 100 or more identical or substantially similar letters directed to specific recipients and sent within a 30-day period. WAC 390-05-290(1)

<sup>2</sup> “Person” includes “an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.” RCW 42.17A.005(39)

<sup>3</sup> Per WAC 390-05-400, this dollar amount increased from \$100 to \$1,000 effective April 1, 2023.

within five days of making the expenditure. For the purposes of .255, an “independent expenditure” means “any expenditure that is made in support of or opposition to any candidate or ballot proposition and is not otherwise required to be reported pursuant to RCW 42.17A.225, .235 and .240,” which are statutes that set forth reporting requirements for continuing, candidate, political and incidental committees.

- Per [RCW 42.17A.260](#), the sponsor<sup>4</sup> of political advertising, including an independent expenditure, must file a C-6 report with the PDC within 24 hours of the date the ad is first published, mailed or otherwise presented to the public, if such presentation occurs within 21 days of an election and the advertising has a fair market value or actual cost of \$2,000<sup>5</sup> or more.
- Pursuant to [RCW 42.17A.320](#), all written political advertising is required to include the name and address of the sponsor, and this information must be set apart from any other printed matter. [WAC 390-18-010](#) indicates that all advertising must clearly state that it has been paid for by the sponsor. Political advertising undertaken as an independent expenditure or an electioneering communication by a person other than a bona fide political party must also include the statement “No candidate authorized this ad. It is paid for by (name, address, city, state).” Additional requirements may apply, depending on the sponsor and type of advertising used.
- On November 1, 2023, you first reported the distribution of a mailer (postcard) supporting 2023 candidates Dan Purdy and Mark Stremmer, which you alleged did not properly identify the sponsor. You provided the PDC with two images of the advertisement: One side depicted a landscape scene and the text “VOTE BY NOVEMBER 7!” The other side contained text that began “As your Precinct Committee Officer...” and went on to express support for candidates Purdy and Stremmer, whose photos were included. The postcard appears to be unsigned. The images you provided were incomplete (truncated), so we are unable to view the right side of the postcard to determine if sponsor identification was present, to whom it was sent and when it was received.
- Per our request for additional information, you provided the PDC with a third image on November 7, 2023 that depicted one full side of a different postcard. The text on the second postcard began “As your neighbor...” and went on to express support for candidates Purdy and Stremmer, whose photos were included. The second (neighbor) postcard was addressed to Misty Flowers in Bellingham, signed by “Larry,” and postmarked October 26, 2023. The return address label on the “neighbor” postcard identified the sender as “The McDonough’s” and included the sponsor’s address. The “neighbor” mailer did not contain a statement indicating who paid for it or that no candidate authorized the advertisement.
- In his written response to the complaint, dated December 4, 2023, the Respondent said he sent out the second postcard that begins “As your neighbor...” to his conservative neighbors in Precinct 136, County Council District 4. He indicated his belief the postcards he sponsored were compliant with PDC rules and guidelines, which he

---

<sup>4</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.

<sup>5</sup> Per WAC 390-05-400, this dollar amount increased from \$1,000 to \$2,000 effective April 1, 2023.

reviewed before sending them out. The Respondent confirmed that he did not consult or coordinate with candidates Purdy or Stremmer regarding his intention to mail the postcards, which he sent out as a private citizen, and stated he is not a member of the candidates' campaigns or part of an organization campaigning for them. The Respondent said the total cost of the postcard and postage was \$125, the independent expenditure was not reportable because the total cost was well below the \$2,000 reporting threshold and the requirement to file a C-6 report is not applicable in this situation.

- In his December 4, 2024 response, the Respondent disputed the allegation that he sponsored the first postcard that begins "As your Precinct Committee Officer..." He confirmed that he did not mail out the first advertisement and had never seen it until the image was provided to him with a copy of the complaint. The Respondent questioned the inclusion of the truncated first postcard as "evidence" because the image does not show a return address or addressee or there is no indication on the image that it had been mailed (e.g. a postmark). He also said he was not a Precinct Committee Officer. The Respondent also disputed your claim that the postcard's recipient/voter lacked the knowledge of who paid for the advertisement and pointed out that his name and address were included on the postcard. He indicated his belief that you know who he is and said he knows the recipient of the second (neighbor) postcard personally.
- On December 21, 2023, we emailed you follow up questions about, and requested a full-size image of, the Precinct Committee Officer (PCO) postcard by December 26, 2023. However, to date, we have not received your response. As a result, the evidence is not sufficient to investigate your allegation regarding the PCO postcard.
- On December 28, 2023, the Respondent provided additional information regarding the "neighbor" postcard. He said he mailed out approximately 170 postcards the third week of October, 2023, which is within 18-22 days of the 2023 General Election. The Respondent confirmed there was no cost associated with the mailing list used for the postcard, which was generated via a free app called Canvasser and based upon publicly available records.

The mailer sponsored by the Respondent appears to fit the definition of "political advertising" and is therefore subject to sponsor identification requirements to disclose the sponsor's full name and address, which were included on the (neighbor) postcard. This requirement has been met. The text disclosing sponsor name and address were minimally set apart from the other text.

The advertising was undertaken as an independent expenditure but was not reportable under [RCW 42.17A.255](#) or [.260](#) due to the dollar amount spent. The requirement to include a statement affirmatively identifying the sponsor and making it clear that no candidate authorized the advertisement as set forth in .320(2) assumes that the definition of an "independent expenditure" – which is conditioned upon the dollar amount spent – has been met. Therefore, in this case, the omission of such a statement may not constitute a violation. Nonetheless, the inclusion of such a statement is encouraged for all independent expenditures in the interest of full transparency.

Based on our findings, staff has determined that, in this instance, no evidence supports a finding of a violation that warrants further investigation.

PDC staff is reminding Larry McDonough that, in the future, the statement "No candidate authorized this ad. It is paid for by" (followed by his full name and address) will be required on

political advertising undertaken as an independent expenditure if the aggregate cost meets or exceeds reportable thresholds. The Respondent is also reminded to ensure that, in future, his full name and address are “set apart” from the other text by including more space between content on political advertisements.

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 Kim Bradford*  
Kim Bradford  
Deputy Director  
For Peter Frey Lavalley  
Executive Director

cc: Larry McDonough