



**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 23, 2019

Delivered electronically to “northcascadeslegal@gmail.com”

Subject: PDC Case 42988

Dear Thomas SeGuine:

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

As noted below to Steve Erickson, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter

PDC staff is reminding you about the importance of ensuring that sponsor identification is disclosed for political advertising as required by RCW 42.17A.320, including the statement: “It is paid for by (name, address, city, state).”

If you have questions, you may contact Micaiah Ragins at 1-360-586-4555 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s _____
Micaiah Ragins
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director



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January 23, 2019

Delivered electronically to “fh@whidbey.com”

Subject: Complaint regarding Tom Seguine, PDC Case 42988

Dear Steve Erickson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 3, 2018. Your complaint alleged that Tom Seguine, a candidate seeking the office of Washington Court of Appeals Judge in Division One, District 3, may have violated RCW 42.17A.320 for failure to disclose sponsor identification and top five contributors for political advertising.

PDC staff reviewed your allegations, the statutes and rules, and the response from the Committee to Elect Tom Seguine (Campaign). As a result of staff's review, we found the following:

- On April 18, 2018, Thomas Seguine filed a Candidate Registration (C-1 report) declaring his candidacy for Court of Appeals Judge of District One, Division 3, and selecting the Full Reporting option.
- The Campaign provided a response stating that the campaign ads did not fall into the category requiring the disclosure of top five contributors because there was no independent sponsorship of the political advertisements and that all of the ads were sponsored by the candidate committee, using funds raised by the committee itself.
- The response included the following passage from the Political Advertising Guide on the PDC website: “A political committee must include its Top 5 contributors’ names when sponsoring an ad about a ballot measure with a cost of at least \$1,000 in the aggregate, or when making an independent expenditure for or against a candidate. (Top 5 = the five largest contributors who gave more than \$700 during the 12 months before the ad appears.”

- Thomas Seguine acknowledged that applicable sponsor information regarding the paid-for-by statement was “omitted from the October 27, 2018 front page advertisement on the Whidbey News-Times front page.” The Campaign further explained that the omission was an editorial error which resulted from the newspaper cropping a photograph during last-minute editing without realizing that the sponsorship information would also be cropped off from the bottom of the paper.

Based on these findings and the following facts, staff has determined that in this instance, the failure to disclose top five contributors and sponsorship information does not amount to a material violation warranting further investigation since: (1) The Campaign acknowledged that the sponsorship information was inadvertently omitted from a newspaper after graphics editing due to a lack of oversight of a vendor error; and (2) There was not sufficient evidence to demonstrate that the Campaign was required to disclose the top five contributors as specified by RCW 42.17A.320 and the Political Advertising Guide.

PDC staff is reminding Thomas Seguine about the importance of ensuring that sponsor identification is disclosed for political advertising as required by RCW 42.17A.320, including the statement: “It is paid for by (name, address, city, state).” Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1), and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case. If you have questions, you may contact Micaiah Ragins at 1-360-586-4555 toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

/s _____
Micaiah Ragins
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Thomas Seguine