

Complaint Description

[Ed Kilduff](#) (Wed, 18 Jul at 6:30 PM)

To Whom it May Concern --

It has come to my attention that Randy Gaylord has violated RCW 42.17A.330 by using a photograph that is over 5 years old as the largest, most prominent photograph of himself in political advertisement and RCW 42.17A.335 by falsely claiming an endorsement from an individual who does not exist.

1) Deceptively Old Photograph. Violation of RCW 42.17A.330.

RCW 42.17A.330 reads as follows:

"At least one picture of the candidate used in any political advertising shall have been taken within the last five years and shall be no smaller than any other picture of the same candidate used in the same advertisement. "

WAC 390-05-290 (which defines what constitutes political advertisement) reads as follows in relevant part:

(1) "Mass communication" means a communication intended to reach a large audience through any of the following methods:...

(e) Online or other electronic transmission methods;...

(2) "Online" means disseminating through a network of interconnected computers or devices, such as the internet or similar systems enabling electronic dissemination or exchange of communications. Examples include, but are not limited to, internet web sites, web-based social media (such as Facebook, Twitter, and other electronic publishing platforms), emails, and text messages....

Under this definition, Gaylord's personal Facebook page constitutes political advertisement. As such, he is required to abide by the requirements of RCW 42.17A.330.

A casual observer who assume that the photograph of Randy was accurate within 5 years. This is incorrect.

The PDC should immediately require Gaylord to use a photograph that is compliant with RCW 42.17A.330.

2) Fake endorsement. Violation of RCW 42.17A.335(1)(c)

On his website, under the "Key Endorsements" header, Gaylord claims the endorsement of an Ed Gasslee and includes a quote from him. On information and belief, Ed Gasslee is in fact Tom Evans, Randy's close personal friend. There is no Ed Gasslee on San Juan Island or in Washington State at all. See attached background check search results.

Advertising an endorsement from a person who does not exist constitutes a violation of RCW 42.17A.335(1)(c).

What impact does the alleged violation(s) have on the public?

Alleged potential use of an illegal photo and use of an illegal endorsement undermines the public trust in the government and the statements of public officials.

List of attached evidence or contact information where evidence may be found.

Please see below. I have included a description of the complaint and attachments related to the evidence.

List of potential witnesses with contact information to reach them.

Potentially all San Juan County voters and/or anyone who has viewed candidate Gaylord's campaign web page.

Complaint Certification:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.