



**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 • Website: www.pdc.wa.gov

June 8, 2018

Delivered electronically to chad@magendanz.com

Subject: Complaint regarding Chad Magendanz, 2018 Candidate for State Representative,
Legislative District 5, Position 1, PDC Case 35119

Dear Chad Magendanz:

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

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

If you have questions, you may contact Phil Stutzman at 1-360-664-8853 toll-free at 1-877-601-
2828, or by e-mail at phil.stutzman@pdc.wa.gov.

Sincerely,

/s _____
Phil Stutzman
Sr. Compliance Officer

Endorsed by,

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



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June 8, 2018

Delivered electronically kcs Shankland.mpa@gmail.com

Subject: Complaint regarding Chad Magendanz, 2018 Candidate for State Representative,
Legislative District 5

Dear Kenneth (K. C.) Shankland:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on May 3, 2018. Your complaint alleged that Chad Magendanz sponsored political advertising that falsely represented he is the incumbent for the office of State Representative in the 5th Legislative District that he is seeking, when he is not the incumbent, an alleged violation of RCW 42.17A.335(1)(b). Your complaint also alleged that Mr. Magendanz sponsored political advertising that made a false claim stating or implying the support or endorsement of elected officials, and the Municipal League of King County, alleged violations of RCW 42.17A.335(1)(c).

PDC staff reviewed your allegations, and as a result of staff's initial review, we found the following:

- Chad Magendanz sponsored political advertising that stated, "Re-Elect Chad Magendanz State Representative (R) open seat."
- The advertising also stated, "Thank you for taking the time to visit my website and learn more about my 2018 re-election campaign for the Washington State House of Representatives, filling the seat to be vacated by Rep. Jay Rodne."
- The website of Mr. Magendanz also included the statement "Rated Outstanding by the Municipal League of King County."
- The website also included pictures of Mr. Magendanz with U.S. Senator Maria Cantwell, State Representative Gerry Pollet, and other elected officials.
- On February 28, 2018, Mr. Magendanz sought clarification from the PDC, and was told there was agreement in the compliance division that saying a person is running for an open seat is the functional equivalent of stating that the person is not the incumbent. The question was asked and answered because of WAC 390-18-040, which states, in part, "(2) The term "reelect" may be used in an advertisement by a nonincumbent candidate who has previously been elected to the office being sought provided that in the same advertisement it is clearly stated that the candidate is not the incumbent.

- Chad Magendanz was an elected State Representative in the 5th Legislative District from 2013 through 2016. Although Mr. Magendanz held position 2 previously, and is now a candidate for position 1, he is running for the same office (State Representative, LD 5) previously held. Mr. Magendanz is compliant with advice received from PDC staff concerning use of the term re-elect in his political advertising.
- Mr. Magendanz stated that he used the most recent rating from the Municipal League of King County, and that the League has not published guidelines for using ratings in political advertisements. In addition, PDC staff did not see evidence that the pictures of Mr. Magendanz with other elected officials constituted a prohibited false claim stating or implying the support of endorsement of the elected officials pictured.

Based on these initial findings, staff has determined that in this instance, no evidence supports a finding of a material violation warranting further investigation.

The PDC has closed the matter, 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 Phil Stutzman at 1-360-664-8853 toll-free at 1-877-601-2828, or by e-mail at phil.stutzman@pdc.wa.gov.

Sincerely,

/s _____
Phil Stutzman
Sr. Compliance Officer

Endorsed by,

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

cc: Chad Magendanz