



**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@pdc.wa.gov • Website: www.pdc.wa.gov

March 13, 2018

Delivered electronically to "tsutinen@gmail.com"

Subject: PDC Case 27203

Dear Homework for Voters:

Below is a copy of an electronic letter sent to Michael O'Neill concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Michael O'Neill, 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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fox.blackhorn@pdc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator

Endorsed by,

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



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Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

March 13, 2018

Delivered electronically to "mloneill418@gmail.com"

Subject: Complaint regarding Homework for Voters, PDC Case 27203

Dear Michael O'Neill:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on November 3, 2018. Your complaint alleged that Homework for Voters may have violated RCW 42.17A.335 for publishing false statements of material fact to defame candidates in political advertising.

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

- For a statement to constitute libel or defamation *per se* in violation of RCW 42.17A.335, it must be made with actual malice (knowledge of untruth or reckless disregard for truth). RCW 42.17A.005(1).
- The Longview Daily News reported the positions of the candidates listed in the "Activist Agenda" portion of the mailing in their October 21, 2017 article on candidate stances, and one of the quotes are attributed to the Longview Daily News.
- Violations of RCW 42.17A.335 must be found by clear and convincing evidence, which is the same standard as 'beyond a reasonable doubt,' and no such evidence has been presented in this case.

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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fox.blackhorn@pdc.wa.gov.

Sincerely,

/s_____
Fox Blackhorn
Compliance Coordinator

Endorsed by,

/s_____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Homework for Voters