

Respondent Names
CT Publishing
Complainant Name
Kyle Wheeler
Complaint Description
<p>Kyle Wheeler reported via the portal 14 days ago (Tue, 13 Feb 2024 at 9:04 AM)</p> <p>Following PDC enforcement case 144126 I requested commercial advertiser books from multiple areas to compare their accuracy as relates to local advertising. It should be noted that the chronicle newspaper, the silver agency advertising firm and CT Publishing are all owned by Chad & Coralee Taylor and are essentially connected businesses with similar policies and employees all working for the same person.</p> <p>Both the Chronicle newspaper and the Silver Agency marketing firm were very reluctant to even provide the books for public inspection as required under RCW 42.17A.345. When these books were eventually provided, they were incomplete in not only the required categories listed in this RCW but I later discovered a transaction listed on the lewis county republican party financial statements which were not included on the silver agency books until pointed out and corrected. Both the silver agency and chronicle were asked multiple times why their political advertiser books did not include all categories and information requirud under RCW and neither division of CT Publishing has replied to multiple inquiries on that.</p> <p>Separately, I will be filing a somewhat related complaint of LCRP and Northway Strategies failing to disclose rather significant in kind donations until discovered and asked to correct as well as running ads with no sponsorship information in other areas separate from resolved complaint 144126.</p> <p>My ideal outcome from this complaint is for all divisions of CT Publishing (including the Nisqually Valley News and Battleground Reflector also owned by CT Publishing) to be given proper information and coaching on the required categories listed in this RCW so they may strictly comply with simple public transparency requests in a more accurate and forthcoming manner in the future.</p>
What impact does the alleged violation(s) have on the public?
By failing to keep or provide accurate political advertiser books, each division of CT publishing has deprived the public of transparency of the four w's - who what when where - of local electioneering communications.
List of attached evidence or contact information where evidence may be found
Multiple emails chains with Chronicle and Silver Agency requesting books.
Copy of books initially provided as well as corrected books later provided by Silver Agency.
List of potential witnesses with contact information to reach them

Certification (Complainant)

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.



Kyle Wheeler <kyle88wheeler@gmail.com>

Inspection of books

Kyle Wheeler <kyle88wheeler@gmail.com>
To: Kyle Wheeler <kyle88wheeler@gmail.com>

Tue, Feb 13, 2024 at 8:50 AM

----- Forwarded message -----

From: **Kyle Wheeler** <kyle88wheeler@gmail.com>
Date: Fri, Jan 26, 2024 at 8:09 AM
Subject: Re: Inspection of books
To: Emily Fitzgerald <emily@chronline.com>
Cc: Brian Watson <bwatson@chronline.com>, Chronicle - External Contact <news@chronline.com>, <chad@silveragency.com>, <chad@chronline.com>, <eschwartz@chronline.com>

Checking back as I have not heard form the Chronicle nor the silver agency here.

In my experience these request are reasonably fulfilled within 48 hours most of the time.

Is it possible to have this information provided by each division of CT Publishing end of day?

On Wed, Jan 24, 2024, 9:07 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

Thank you Emily!

Brian (And Chad for the Silver Agency) - just going to mention this is a request under 42.17A.345 and WAC 390-18-050.

Please let me know as soon as these are available for each entity/agency.

Kyle

On Wed, Jan 24, 2024 at 8:51 AM Emily Fitzgerald <emily@chronline.com> wrote:

The newsroom doesn't have any advertising records that I'm aware of, so you'd need to take that up with the ad department. I've cc'd the head of that department, Brian Watson, on this reply.

Emily Fitzgerald
She/Her
Assistant Editor, The Chronicle
emily@chronline.com
360-736-3311 x112

On Wed, Jan 24, 2024 at 8:44 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

If the Silver Agency keeps separate books as a division of CT Publishing, I would like to request those for inspection as well.

On Wed, Jan 24, 2024, 8:04 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

Good morning,

I'd like to inspect the chronicles commercial advertiser books for the last two years of political advertising. Is this available to be provided to me electronically or only available for inspection on site?

Thanks

Kyle



Kyle Wheeler <kyle88wheeler@gmail.com>

Inspection of books

noreply noreply <noreply@chronline.com>
To: Kyle Wheeler <kyle88wheeler@gmail.com>

Tue, Feb 6, 2024 at 10:03 AM

Yes, that is correct.

On Tue, Feb 6, 2024 at 7:43 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

Thank you.

Just to make sure I have this right, the \$2600 invoice they paid for their "Keep Lewis County Red" ads for all candidates and the Sarah Holmes ads only?

Besides Ms. Holmes ads and the LCRP ads, there were no other candidate specific ads covered by that invoice ran in print or online?

On Mon, Feb 5, 2024, 3:39 PM noreply noreply <noreply@chronline.com> wrote:

Regarding the ads referenced in your request for Marty Poirrier and Teresa Ekdahl-Johnson concerning incomplete or missing sponsorship information; None were published in The Chronicle or chronline.com.

However, the Lewis County Republican Party ran two ads published in The Chronicle that referenced candidates they endorsed, including Marty Poirrier and Teresa Ekdahl-Johnson. Those ads are attached. The ads were paid for by the Lewis County Republican Party as noted on each ad.

Thank you,

On Mon, Feb 5, 2024 at 10:51 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

Hi again, checking back here one more time due to lack of response.

Perhaps some more context of my inquiry may spur better transparency of these complete books:

I have been trying to compare your books to ads I know were run by the lewis county republican central committee during the last election cycle. Due to their recent warning letter from the PDC regarding case 144126 and improper sponsor information on ads printed in the chronicle and ran digitally, I am trying to determine if the same improper information was provided to additional voters for the same 21 day period prior to the general election as the Sarah Holmes ads were.

For reference, I have included copies of all of the ads Northway Strategy provided me from their own inspection of books. In Marty Poirrier's case, I see all ad copies provided by Northway failed to provide complete sponsor information similar to Sarah Holmes' ads. More concerning though, Teresa Ekdahl-Johnson's ads appear to have *no sponsor information on any of them at all*.


I am trying to figure out how many times these additional ads, particularly those that appear to contain no sponsor information at all, were disseminated in print as well as online to voters prior to the general election. I am currently assuming that it was for the same 21 day period preceding the general as Sarah Holmes' ads, but that is just an assumption until accurate books with the information can confirm that.


Any additional help clarifying would be appreciated,


Kyle



LCRP_Keep Lewis County Red-20231018T234853Z-...

 Marty Poirrier-20231018T234859Z-001 (1).zip

 Sarah Holmes-20231018T234912Z-001 (1).zip

 Teresa Ek Dahl-Johnson-20231018T234908Z-001 (1).zip

On Tue, Jan 30, 2024 at 9:18 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

Hi again,

I appreciate both the chronicle and silver agency did give me copies of what they currently produce as these books yesterday. I have attached those email receipts and the records I was provided from each entity yesterday for reference. Looking at them, I am concerned that neither company appears to be accurately keeping these books in the complete manner required in WAC 390-18-050. Specifically, the categories that should be recorded listed under section 6(a) through (e). The categories I currently see missing from these books provided are:

(6) The information and books of account that must be maintained open for public inspection pursuant to RCW **42.17A.345** are:

(a) The name of the candidate or ballot measure supported or opposed or the name of the candidate otherwise identified;

(b) A copy of the advertisement or communication in a print or digital graphic record for any media with a visual component, or in an audio or transcribed record for any radio or other media that does not include a visual component;

(c) The name and address of the sponsoring person or persons actually paying for the advertising or electioneering communication, *including the federal employer identification number*, or other verifiable identification, if any, of an entity, so that the public can know who paid for the advertising or communication, without having to locate and identify any affiliated entities;

(d) The total cost of the advertising or electioneering communication, or initial cost estimate if the total cost is not available upon initial distribution or broadcast, how much of that amount has been paid, as updated, *who made the payment, when it was paid, and what method of payment was used*; and

(e) Date(s) the commercial advertiser rendered service, including the dates, where applicable, that the advertising or communication was presented to the public.

Additionally, there are likely additional category specific requirements for each entity under section 7 here for printers like the silver agency versus newspapers like the chronicle. I do not know where CT publishing may fall in that section as a middle ground between both a printer and a newspaper.

I will commend Northway Strategies, who was able to provide me with their books, including all required components, with no fanfare or discrepancies all within 48 hours of request last week. So, public kudos to those ladies for that.

Giving an abundance of courtesy here, is it possible for the chronicle and/or CT publishing and/or the silver agency to accurately update these books and provide the whole and complete information as required within the next few days?

Appreciated,

Kyle

On Mon, Jan 29, 2024 at 9:10 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

For additional context here, last week I made this same request to Northway Strategies, the Chronicle, and the Silver Agency simultaneously following up regarding a recent PDC warning that occurred about the Lewis County Republican Party failing to provide complete sponsor information on their political advertisements.

Northway Strategies promptly turned over their books within 48 hours of initial request. In those books, I noticed copies of other advertisements beyond candidate Holmes which may not have met the stringent requirements to have been published and I am trying to confirm if they were published anyways and if so, how long each ran prior to the election, performance impressions for each advertisement during that time, etc.

If the chronicle and/or silver agency and/or CT Publishing only retains this information in an antiquated system of handwriting ledgers I might understand the need for a physical inspection on site, but if these books are

kept in an electronic format already I don't see a need to have kept them from me for more than two business days or in the Silver Agency's case - with no response at all so far. We don't live in the 50's anymore and most things have hopefully moved beyond hand written record, especially a news and advertising agency I would hope, but if this is truly how you still maintain these ledgers, please confirm that for me and we can proceed with an onsite physical inspection.

I will again mention this is a *public transparency* request under RCW 42.17A.345 and WAC 390-18-050 and respectfully request a copy of these books be provided promptly from each division of CT Publishing.

Thanks,

Kyle

On Fri, Jan 26, 2024 at 8:46 PM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

Hi there,

No idea why this reply was sent from a do not reply address, so pulling everyone back in this response seeking clarity. I do appreciate receiving a reply by end of day as requested. For the record, I have still not received any response to this request by the Silver Agency, a separate division of CT Publishing also included through the conversation for these requests.

It is my understanding these books or related information have been recently provided to the PDC, at least in part, through email transmission as outlined in WAC 390-18-050 (4)(b)(i) - "*By digital transmission, such as email, promptly upon request, but no later than two business days*".

Before I go through the hassle of budgeting the time and travel to bring a camera and sit in your office to photograph records for a morning, I am curious if there is a reason to necessitate a physical inspection here beyond making the process more opaque and restrictive for members of the public?

Any clarity would be appreciated.

Kyle

On Fri, Jan 26, 2024 at 5:21 PM noreply noreply <noreply@chronline.com> wrote:

Hi Mr Wheler,

Thank you for reaching out. The inspection of our commercial advertiser books for the last two years of political advertising is available to anyone during business hours Monday through Friday 9 AM to 3 PM. We do ask that you make an appointment so that we can assign a staff member to assist you with your viewing needs.

To schedule your appointment please call 360-736-3311

Thank you

Candidate or Committee	Campaign season 2022-23	Office seeking		Cost	Description of Purchase	Street Address	City	State
Dianne Dorey	2023	Commissioner Port Of Centralia	The Silver Agency	\$6,292.11	Mailing	910 Goff Street	Chehalis	WA
Dianne Dorey	2023	Commissioner Port Of Centralia	The Silver Agency	\$525.43	Rack Cards		Chehalis	WA
Kevin Emerson	2022	LC PUD Commissioner District 1	The Silver Agency	\$2,000.00	partial payment for 290 signs, 250 steel stakes	208 Salkum Heights Drive	Salkum	WA
Kevin Emerson	2022	LC PUD Commissioner District 1	The Silver Agency	\$1,977.53	Second and final payment of 290 signs, 250 steel stakes		Chehalis	WA
Kevin Emerson	2022	LC PUD Commissioner District 1	The Silver Agency	\$1,972.89	signs		Chehalis	WA
Kevin Emerson	2022	LC PUD Commissioner District 1	The Silver Agency	\$988.18	Signs and Video		Chehalis	WA
Kevin Emerson	2022	LC PUD Commissioner District 1	The Silver Agency	\$333.19	Information Cards		Chehalis	WA
Kevin Emerson	2022	LC PUD Commissioner District 1	The Silver Agency	\$178.19	Rack Cards		Chehalis	WA
John D Snaza	2022	Thurston County Sheriff	The Silver Agency	\$6,434.56	Design postcard mailer, print & mail	5024 Lambskin St SW Suite B	Chehalis	WA
John D Snaza	2022	Thurston County Sheriff	The Silver Agency	\$3,000.00	KAYO Radio ads for September and October 2022		Chehalis	WA
John D Snaza	2022	Thurston County Sheriff	The Silver Agency	\$567.84	Consulting: Design & Prepress		Chehalis	WA
John D Snaza	2022	Thurston County Sheriff	The Silver Agency	\$425.00	Sept/Oct 2022 Video Production / Video shoot, production/editing, rendering for social media		Chehalis	WA
Michael E. Catlett	2022	Grays Harbor Sheriff	The Silver Agency	\$500.00	Website	P.O. Box 616	McCleary	WA
Peter Abbarno	2022	State Representative 19th	The Silver Agency	\$5,617.88	Printing of campaign signs	P O Box 94	CENTRALIA	WA
Peter Abbarno	2022	State Representative 19th	The Silver Agency	\$511.36	Sales tax		CENTRALIA	WA
Peter Abbarno	2022	State Representative 19th	The Silver Agency	\$348.75	Sign stakes		CENTRALIA	WA
Peter Abbarno	2022	State Representative 19th	The Silver Agency	\$269.49	Print rack cards		CENTRALIA	WA
Peter Abbarno	2022	State Representative 19th	The Silver Agency	\$234.76	Invitation printing		CENTRALIA	WA
Peter Abbarno	2022	State Representative 19th	The Silver Agency	\$129.05	Print remit envelopes		CENTRALIA	WA
Peter Abbarno	2022	State Representative 19th	The Silver Agency	\$85.00	Design updates		CENTRALIA	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$6,747.43	(25) LARGE SIGNS, (500) 24X18 SIGNS, (250) ENVELOPES, (1000) RACK CARDS, (1000) SMALL HANDOUTS, (104) T-SHIRTS	P.O. Box 564	CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$5,568.17	(10) 8X4 SIGNS; (500) 24X18 SIGNS; (130) T-SHIRTS; (300) METAL STAKES; DESIGN CONSULTING		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$4,903.21	RADIO ADDTL FOR OCT; RADIO ADS SEPT & OCT; DESIGN UPLOAD; PRINTING OF SHIRTS; WEBSITE BUILDER (9); SR DYNAMICS AD; BUSINESS TO BUSINESS AD; WEB DOMAIN		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$3,035.44	T-SHIRTS, WEB DOMAIN, WEB HOSTING, RACK CARDS, INSERT IN NEWSPAPER FLYER, PRINTING OF NEWSPAPER FLYER INSERT		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$1,954.33	(10) 4X8 SIGNS, (100) T-SHIRTS, DESIGN CONSULTING AND PREPRESS		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$1,600.00	KELA/KMNT RADIO NOVEMBER; LIVE 95/KITI RADIO NOVEMBER		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$1,259.97	NOVEMBER SENIOR DYNAMICS; BUSINESS TO BUSINESS; EAST COUNTY JOURNAL OCT 26 AND NOV 2		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$750.00	RADIO ADS FOR LIVE 95		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$385.50	THANK-YOU AD IN EAST COUNTY JOURNAL		CHEHALIS	WA
Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$73.04	(50) METAL STAKES		CHEHALIS	WA

Candidate or Committee	Campaign season 2022-23	Office seeking		Cost	Description of Purchase	Street Address	City	State
Lewis County Republication Party	2023	NA	The Silver Agency	\$425.00	web design, site issue troubleshooting.	PO Box 702	Chehalis	WA
Dianne Dorey	2023	Commissioner Port Of Centralia	The Silver Agency	\$6,292.11	Mailing	910 Goff Street	Chehalis	WA
Dianne Dorey	2023	Commissioner Port Of Centralia	The Silver Agency	\$525.43	Rack Cards		Chehalis	WA
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Rob Snaza	2022	Lewis County Sheriff	The Silver Agency	\$73.04	(50) METAL STAKES		CHEHALIS	WA



Kyle Wheeler <kyle88wheeler@gmail.com>

The Silver Agency commercial - two years political advertising 22-23

noreply noreply <noreply@chronline.com>
To: Kyle Wheeler <kyle88wheeler@gmail.com>

Mon, Feb 12, 2024 at 1:53 PM

Attached is our TSA - commercial advertiser - political advertising - 2022-23 list.

On Sun, Feb 11, 2024 at 9:39 AM Kyle Wheeler <kyle88wheeler@gmail.com> wrote:

Thank you for providing these books previously. I have a brief follow up.

There appears to be work performed by the silver agency for the lewis county republican party that was not included in the silver agency books provided to me but does show on the party's own reports to the pdc. Specifically, a payment of \$425 in March 2023 for website services that should be on the SA books and is not.

LCRP recently amended a financial report to reflect a \$2000 in-kind contribution to re-re-design this website once again in Sept 2023 with Northway Strategies. So, it appears the party reported the work provided by the silver agency on their financial reports, perhaps because there was a payment involved, but then did not initially report the in-kind work provided by northway strategies until the recent amendment. That said, it appears the silver agency side of books do not reflect the payment for service in March 2023 from the party as they should as well.

Is it possible to have the silver agency books updated to accurately reflect the previous work provided to lewis county republican party should anyone else request this information from yall during the 5 year retention period?

Separate but related, I have never heard back from anyone at either of CT Publishing's holding about properly recording these books at each entity to include all categories of information required by WAC 390-18-050 subsection (6). Is that something that is being addressed at both the silver agency and the chronicle?

Thanks,

----- Forwarded message -----

From: **noreply noreply** <noreply@silveragency.com>

Date: Mon, Jan 29, 2024 at 6:05 PM

Subject: The Silver Agency commercial - two years political advertising 22-23

To: <kyle88wheeler@gmail.com>

Mr. Wheeler,

We were informed by The Chronicle that you would like to inspect The Silver Agency commercial advertiser books for the last two years of political advertising.

Attached are the records requested.

 **TSA - commercial advertiser - political advertising - 2022-23.pdf**
216K