

Respondent Name
No on 2117
Complainant Name
Dan Brady
Complaint Description
Dan Brady reported via the portal <i>(Thu, 19 Sep 2024 at 3:30 PM)</i> See attachment.
What impact does the alleged violation(s) have on the public?
Supplemental Complaint to PDC Case No. 159256
List of attached evidence or contact information where evidence may be found
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.



September 19, 2024

Peter Frey Lavalley, Executive Director
Washington State Public Disclosure Commission
P.O. Box 40908
Olympia, WA 98504-0908

Via Email Only

RE: Supplemental Complaint for PDC Case No. 159256

Dear Mr. Lavalley:

I am contacting you again on behalf of Let's Go Washington (Sponsored by Brian Heywood) (LGW), a political committee registered in Washington State, regarding potential continuing violations of RCW 42.17A by the No on 2117 Committee

Attached are screen shots of No on 2117 ads currently running in a variety of mediums. The first ad is the same featured in our initial complaint with a modified but still insufficient Top 5 disclaimer: The black background is clearly not one third of the screen. Attachment 1.

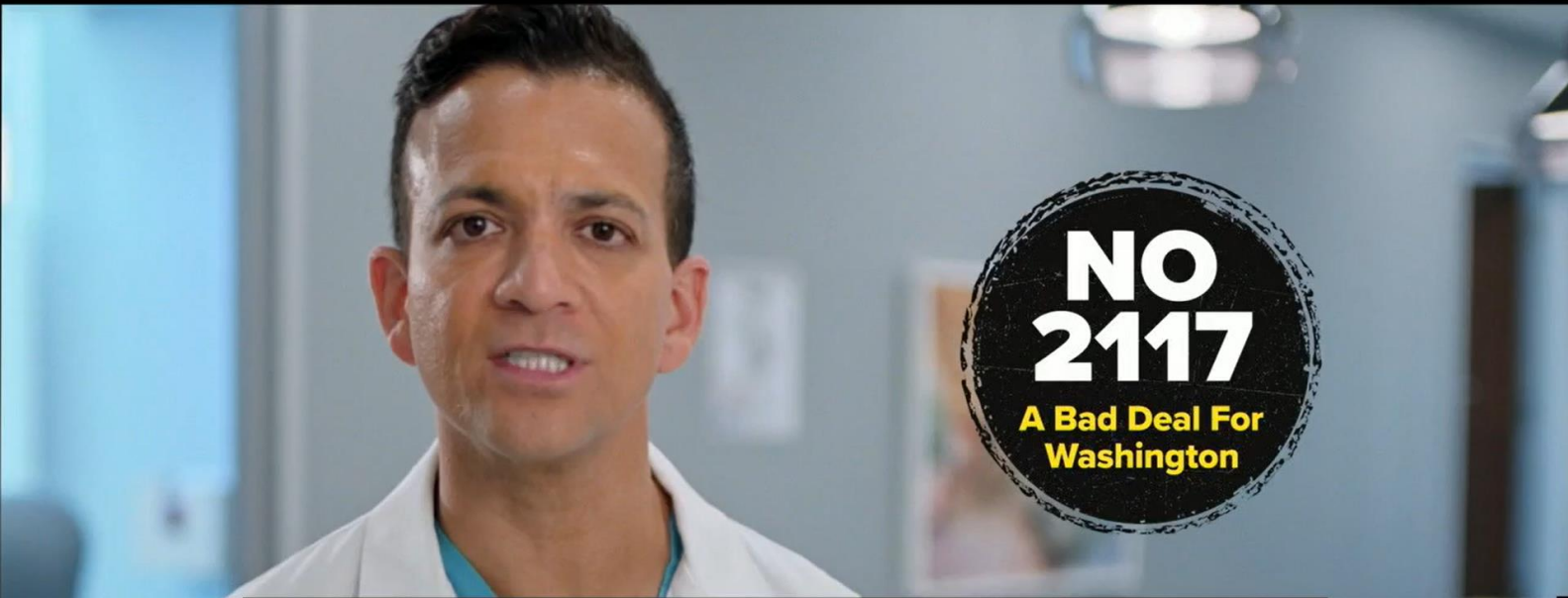
The second screen shot shows a second ad now running again with the same issue as Attachment 1: The black background clearly is not one third of the page. Attachment 2.

It has now been over a week since our initial complaint was filed and two weeks since the noncompliant No on 2117 television ads first started running. Clearly, the No on 2117 Committee does not take PDC guidance on the matter seriously, and the agency should take this into account as it attempts to timely resolve this matter.

Sincerely,

Dan Brady
Let's Go Washington Legal Counsel

Attachment 1: Screen shot of modified No on 2117 television ad
Attachment 2: Screen shot of second No on 2117 television ad
Attachment 3: Initial Complaint filed September 11, 2024



**NO
2117**
A Bad Deal For
Washington

PAID FOR BY NO ON 2117 COMMITTEE, PO BOX 21961 SEATTLE, WA 98111. TOP FIVE CONTRIBUTORS STEVE AND
CONNIE BALLMER, CHRIS STOLTE, WILLIAM H. GATES, THE NATURE CONSERVANCY, AND PUYALLUP TRIBE OF INDIANS.

0:00:14

0:00:00

NO ON 2117 9.17 X2





NO 2117

A Bad Deal For
Washington

PAID FOR BY NO ON 2117 COMMITTEE, PO BOX 21961 SEATTLE, WA 98111. TOP FIVE CONTRIBUTORS STEVE AND CONNIE BALLMER, CHRIS STOLTE, WILLIAM H. GATES, THE NATURE CONSERVANCY, AND PUYALLUP TRIBE OF INDIANS.

0:00:13

0:00:01

NO ON 2117 9.17 X1





September 11, 2024

Peter Frey Lavalley, Executive Director
Washington State Public Disclosure Commission
P.O. Box 40908
Olympia, WA 98504-0908

Via Email Only

RE: Possible Violation(s) of RCW 42.17A by the No on 2117 Committee

Dear Mr. Lavalley:

I am contacting you on behalf of Let's Go Washington (Sponsored by Brian Heywood) (LGW), a political committee registered in Washington State, regarding potential multiple violations of RCW 42.17A by the No on 2117 Committee, also a registered political committee in Washington State.

Current Public Disclosure Commission (PDC) guidance states the following for "broadcast, video, and online audio ads":

Broadcast, video, and online audio ads

Clearly identify or speak the sponsor's name and any party preference. Sponsor's address is not required.

The Top 5 (and [Top 3](#), if applicable) contributor information required in videos and television ads about ballot measures may be displayed on the screen for at least 4 seconds in letters greater than 4% of the visual screen height on a solid black background on the entire bottom one-third of the television or visual display screen or bottom one-fourth of the screen if the sponsor does not have or is otherwise not required to list its top five contributors, and have a reasonable color contrast with the background. Abbreviations may be used when naming a Top 5 contributor, if the full name of the contributor has already been clearly spoken in the advertisement. Attachment 1.

<https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/sponsor-id-placement-and-size>

The No on 2117 Committee is currently running the attached and linked ad on multiple platforms including television: <https://www.youtube.com/watch?v=67rjZcwtg48>. Attachment 2. As is visible from the evidence here, this ad has had no black background as required in the guidance cited above. The lack of the black background makes it more difficult to view the top 5 contributors to this committee. In addition, there is no audio disclosure of the top 5 contributors.

Peter Frey Lavalley
September 11, 2024
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The severity of this apparent violation is compounded by the fact that in contrast to the No on 2117 Committee, LGW, the major proponent of I- 2117, is in fact using the black background in its broadcast and video ads as required by the PDC guidance.

Finally, this ad appears to have been running since September 5, 2024. The No on 2117 Committee has booked nearly millions of dollars in television advertising on broadcast and cable television. Attachment 3. This ad has run and will continue to run hundreds and perhaps thousands of times across Washington and through multiple digital mediums. If the PDC guidance is correct, the No on 2117 Committee must change all their advertising and face some sanction for improper disclosure of advertising expenditures valued at hundreds of thousands of dollars stretching back many weeks.

Sincerely,



Dan Brady
Let's Go Washington Legal Counsel

Attachment 1: PDC Website Guidance
Attachment 2: No on 2117 video ad
Attachment 3: No on 2117 advertising booking