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***Submitted via www.wapdc.gov
and via e-mail to pdc@pdc.wa.gov***

November 4, 2024

Peter Frey Lavallee
Executive Director
Washington Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

Re: Formal Complaint – Washington State Republican Party
Our File No. 6800-999

Dear Executive Director Lavallee:

On behalf of the Washington State Democratic Party, we are submitting this formal complaint alleging violations of the Fair Campaign Practices Act committed by the Washington State Republican Party (the Republican Party).

As you are well aware, less than one week ago the Public Disclosure Commission ruled that the Republican Party, between October 2023 and January 2024, committed a number of serious campaign finance law violations, including making an illegal contribution to a political committee, accepting over-limit anonymous contributions, failing to include sponsor ID on a text message in the 2023 election, and delaying reporting the expenditure until after the election was over. Rather than sternly sanctioning the Republican Party for these violations, the Commission, for reasons known only to it, imposed what can only be described as the gentlest of slaps on the wrist: a \$5,000 fine, with \$1,000 suspended. Most shockingly, if the Republican Party chooses, it can simply pay that remaining \$1,000 fine, and then not even have to deduct from its non-Exempt account the \$100,000 that the Republican Party unlawfully spent from its Exempt account, thus accomplishing precisely the unlawful financial manipulation (i.e., avoiding using non-Exempt funds, when only such funds could lawfully be used) that the Republican Party's unlawful conduct achieved.

Perhaps not surprisingly, the Republican Party appears to have been emboldened, rather than chastened, by the PDC's ruling. As was most recently reported in the Washington Observer, the Republican Party has been sending out text messages in Spanish which, translated into English, read:

This is Matteo from the Washington State Republican Party. Maria Beltran, Ana [Ruiz] Kennedy [sic], and Chelsea Dimas support chemically castrating your children in school without your knowledge or consent. They reject God's design for two genders and want to confuse your children about whether they are boys or girls. They are deranged to the point

of wanting to eliminate the Spanish language, which is why the words are no longer feminine or masculine, but non-binary. They call themselves "Latinx" instead of "Latino." They hate you, they hate your family, they hate God, and they hate the truth. Don't let them represent you!

While every part of this message is crude and abusive, debasing civil discourse in Washington State and showing, yet again, that the Republican Party has lost all integrity and instead is doing everything it can to ape the coarse and revolting rhetoric of former President Trump, the second sentence, in particular, violates RCW 42.17A.335(1)(a), as it constitutes sponsorship of political advertising or an electioneering communication that contains a false statement of material fact about not one, but three candidates for public office, where the statement constitutes libel or defamation per se and is made with actual malice.

Specifically, the claim “*Maria Beltran, Ana [Ruiz] Kennedy [sic], and Chelsea Dimas support chemically castrating your children in school without your knowledge or consent,*” is not only obviously false, it is made with knowledge of its falsity, or with reckless disregard as to its truth or falsity, and thus satisfies the statutory requirement that actual malice exist (*see* RCW 42.17A.005(1)). As Paul Queary and Sara Kassabian wrote in November 3’s Washington Observer:

Some Republicans view progressives’ support for minors receiving gender-affirming care such as puberty blockers without parental permission as a major political vulnerability to be exploited in swing districts. **However, exactly nobody supports involuntary chemical castration of children in schools**, which puts this firmly in the category of the Big Lie politicking practiced by Lyndon Johnson¹ back in the day and by Donald Trump today. In Washington, public schools can’t administer Tylenol [without parental approval](#), much less expensive hormone treatments that would cost way more than the [materials and supplies Washington public schools](#) are scraping for.

(Emphasis added).

Nor can there be any dispute over the fact that this statement constitutes “libel or defamation per se,” as it is obvious that saying that somebody supports chemically castrating children in school without their parents’ consent tends to expose them “to hatred, contempt, ridicule, or obloquy, or to deprive him or her of the benefit of public confidence.” *See* RCW 42.17A.335(2). Indeed, it is apparent that the sole reason why the Republican Party made this offensive communication is *precisely* to expose their targets to hatred, contempt, ridicule, or obloquy, and perhaps most of all to deprive them “of the benefit of public confidence,” such that they do not win their campaigns for public office.

In light of the above, we request that the PDC investigate this matter and take all appropriate follow-up actions necessary to ensure that the FCPA is upheld. Via this Complaint, the undersigned is putting the PDC on notice that these violations of the FCPA may well justify referral of this violation to the Office of the Attorney General for criminal prosecution as a misdemeanor under RCW 9.92 (RCW 42.17A.750(2)(a)) and/or may result in a civil action to void any of the elections involving the above-identified candidates, should it appear that the violation of RCW 42.17A.335(1)(a) “probably affected the outcome” of that election.

Peter Frey Lavalley
November 3, 2024
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Please contact me with any questions or concerns at (206) 257-6003.

Sincerely,

A handwritten signature in black ink, appearing to read "Dmitri Iglitzin". The signature is fluid and cursive, with the first name "Dmitri" being more prominent and the last name "Iglitzin" following in a similar style.

Dmitri Iglitzin
Counsel for the Washington State Democratic Party