

# Jeffie Wilson & Gerry Austin's Co-Complaint to: State of Washington Public Disclosure Commission Vs. Former School Board Candidate Justin Daniels

## When Things Fall Apart: The Abuse of School-Board Power

It takes a village (of people working on the same side).

School Board Director Wilson's complaint submitted to PDC against Justin Daniels: <https://pdc-case-tracking.s3.us-gov-west-1.amazonaws.com/5078/101807%20Daniels%2C%20Justin%20Complaint.pdf>

Director Wilson's lead in sentence in his PDC complaint: *"Justin C. Daniels is the leader of a criminal conspiracy that has defrauded over a thousand South Kitsap voters in the November 2, 2021 election."*

Director Wilson submitted his complaint to PDC after already winning his seat. His efforts have the appearance of trying to discourage anyone else not union picked from running for a school board position unless they are 'selected' by the unions in SKSD. By trying to make an example of Mr. Daniels, Director Wilson may have opened himself up to a civil, and perhaps criminal lawsuit.

What is bizarre is that Wilson did this after already winning his seat. His efforts have the appearance of trying to discourage anyone else not union picked to run for an of these board seats. Trying to make an example of Daniels could very well lead to a civil suit or criminal if one relies on the controlling RCW's on slander and libel.

**SKSS Treasurer Gerry Austin's PDC complaint against Justin Daniels:**

<https://pdc-case-tracking.s3.us-gov-west-1.amazonaws.com/5078/101807%20Daniels%20Justin%20Complaint%202.pdf>

Mr. Austin's complaint appears to be piggybacking on Wilson complaint for many if not all of the same reasons. Gerry was just waving signs and standing beside Wilson on the street corner. Not clever enough to 'spin one of those signs'. Need I say more? Wondering how their employers would feel about these baseless PDC complaints. **Public Disclosure Commission's Response and Dismissal of Wilson and Austin's Complaints Against Justin Daniels:**

<https://pdc-case-tracking.s3.us-gov-west-1.amazonaws.com/5078/PDC%20Case%20101807%20Justin%20Daniels%20closed%20with%20warning.pdf>

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The Public Disclosure Commission addresses Wilson and Austin 'co-complaints' and dismisses/closes both cases with warning to Mr. Daniels to not be late with filing required form F-1 in the future. PDC did not address the plethora of other 'violations' alleged by Wilson and Austin.

**\*Note\***

Neither County Election or the Public Disclosure Commission addresses the alleged violations contained within the Wilson/Austin complaints. They addresses whether or not Mr. Daniels was or was not a resident of South Kitsap for the purposes of running for the open SKSD Board Director seat. Think about it, if this was a serious as alleged by Wilson and Austin then why didn't either one of them contact law enforcement and make a complaint, or contact the county prosecutor and file a complaint? Because they are using "poor man's litigation tools" Aka the Public Disclosure Commission. I believe this was a 'lesson' being taught by Gerry Austin to Board Director Jeffe Wilson. I also believe the intentions of Wilson and Austin were to try to "dirty up" Mr. Daniels by filing their false and slanderous PDC complaints. It appears they have instead effectively defamed and slandered Mr. Daniels.

It is shameful at the least for a sitting school board director to sign his name and tile as a school board director in any complaint to the Public Disclosure Commission. By signing as a board director he is in fact representing the entire school board as the other four board directors have discussed in the past. So do we think the other four board directors had prior knowledge of the Wilson PDC complaint before it was filed? Such a vindictive and shortsighted action on a school board director's part in efforts to try to discourage future community members from running for future SKSD board seats.

Here is an explanation of defamation in Washington State:  
<https://kellywarnerlaw.com/washington-defamation-laws>

## Defining Defamation in Washington State

To win a defamation lawsuit in Washington State, plaintiffs must prove (at the very least) that their respective defendants:

1. Made a false and unprivileged statement of fact about the claimant;
2. Caused harm to befall the plaintiff, through statements; and
3. Acted with “reckless disregard for the truth” by making the statements.

There are two types of defamation – libel and slander. Libel is written defamation; slander is spoken defamation.

Washington State’s defamation statute of limitations is two years.

### Private Figure or Public Figure

Like all states, WA law differentiates between public and private figures who are filing defamation claims. Public figures and limited-purpose public figures (people who aren’t “famous” but become entangled in a matter of public interest) must prove “actual malice,” while private individuals only need to meet a negligence [standard](#).

### Defenses Allowed for Defamation Cases

In Washington state, truth is an absolute defense against libel and slander. If a statement is proved accurate, there are no grounds for a defamation claim. Privilege and [Section 230 of the Communications Decency Act](#) are also common defenses against slander and libel in Washington.

### Defamation Per Se Civil Suits are Permissible in Washington State

[As with many states, per se defamation lawsuits are possible in Washington. In these cases, the offending statement is considered automatically to have caused damages \(i.e., calling someone a criminal\), lifting the plaintiff’s burden of proof.](#)

The exact statements that can be considered defamation per se in Washington state vary from jurisdiction to jurisdiction.

## Recoverable Damages Allowed by Washington State Law

There are three basic types of defamation damages allowable by Washington State law. They are:

1. Actual damages – which can be proven – general damages and punitive damages.
2. General damages – which are caused by someone having their reputation or good name harmed and having that affect their business or personal life.
3. Punitive damages – which are extra damages, meant to punish, sometimes awarded by the court.

And then we have:

## False Light

A false light claim is similar to a defamation claim in that it allows an individual to sue for the public disclosure of information that is misleading (or puts that person in a "false light"), but not technically false. The key difference is that defamation claims only apply to the public broadcasting of false information and as with defamation, sometimes First Amendment protections prevail.

Generally, a false light claim must contain the following elements:

- ✓ *The defendant made a publication about the plaintiff.*
- ✓ *It was done with reckless disregard.*
- ✓ *It placed the plaintiff in a false light.*
- ✓ *It would be highly offensive or embarrassing to a reasonable person.*