



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

August 2, 2023

Delivered electronically to skcdrt01@gmail.com

Subject: Complaint filed by Jeffrey Wilson, PDC Complaint 140132

Dear South Kitsap Citizens Demanding Responsible Taxation:

Below is a copy of an electronic letter sent to Jeffrey Wilson concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Jeffrey Wilson, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and WAC 390-37-060(1)(a) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

If you have questions, you may contact Tabitha Townsend at 1-360-753-1111, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

Electronically Signed by Tabitha Townsend

Tabitha Townsend
Compliance Coordinator



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August 2, 2023

Delivered electronically to jeff@psygenx.com

Subject: Complaint regarding South Kitsap Citizens Demanding Responsible Taxation, PDC Complaint 1

Dear Jeffrey Wilson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 25, 2023. The complaint alleged that South Kitsap Citizens Demanding Responsible Taxation (Respondent), a registered Political Action Committee with the PDC may have violated RCW 42.17A.335 by “*committing libel by publishing doctored photos of South Kitsap School Board Directors (Wilson & Pickard).*”

PDC staff reviewed the allegations; the applicable statutes, rules to determine whether the record supports a finding of one or more violations.

Based on staff’s review, we found the following:

- Pursuant to RCW 42.17A.335 it is a violation of this chapter for a person to sponsor with actual malice, political advertising that includes a statement constituting libel or defamation per se; upon a candidate during an election cycle.
- Staff’s review of the PDC candidate database indicated that neither Jeffrey Wilson nor Brian Pickard are registered candidates in the 2023 election cycle, and their names will not be appearing on the 2023 ballot.
- Since both Jeffrey Wilson and Brian Pickard appeared on the ballot in 2021 (and were elected to office), and the facts that:
 - (1) neither of the two candidates will have their names appearing on the 2023 ballot;
 - (2) their images, pictures, likeness on the yard signs does not support or oppose either candidate for the current election; and
 - (3) the political advertising appears to be in support of or opposition to local ballot propositions and is therefore not subject to the provisions of RCW 42.17A.335.
- John Berg and Katherine Anne Epsy are not shown in the photos you alleged to be “doctored or photoshopped” in reference to the allegation of RCW 42.17A.335.
- Of the photos provided as evidence, only those showing Jeffrey Wilson and Brian Pickard appear to be related to the alleged violation of RCW 42.17A.335.

- However, pursuant to RCW 42.17A.335(2) the evidence provided concerning the yard signs in question does not meet the statutory definition of defamation or libel standard, and includes the following: "libel or defamation per se" means statements that:

- (a) expose a living person to hatred, contempt, ridicule, or obloquy, or to deprive him or her of the benefit of public confidence or social intercourse, or to injure him or her in his or her business or occupation, or
- (b) injure any person, corporation, or association in his, her, or its business or occupation.

Based on this information, the PDC finds that no action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1), and WAC 390-37-060(1)(a).

If you have questions, you may contact Tabitha Townsend at 1-360-753-1111, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Electronically Signed by Tabitha Townsend

Tabitha Townsend

Compliance Coordinator

cc: South Kitsap Citizens Demanding Responsible Taxation