

# Professor Wilson Wins "A Mammoth Victory"



Incredible man-hours expended by the Public Disclosure Commission results in quite an impressive "WIN" for Director Wilson.

## An Incredible Victory!!

And now we all know - - "The Rest of the Story" Mr. Wilson has proven to us that he does know the difference between the numbers 001 and 01 in a Gmail address. In a small clerical error by Director Daily, Mr. Wilson finally get's his man and wins "A Monumental VICTORY" for the rest of Team SKSD Board.

**ATTA-BOY Mr. Wilson!**



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)**

October 25, 2023

Delivered electronically to [skcdrt01@gmail.com](mailto:skcdrt01@gmail.com) , [jwpdaily@wavecable.com](mailto:jwpdaily@wavecable.com) and [votenosksdbondsandlevys@gmail.com](mailto:votenosksdbondsandlevys@gmail.com)

Subject: Complaint filed by Jeffrey D. Wilson, PDC Case 140557

Dear South Kitsap Citizens Demanding Responsible Taxation and Treasurer Jeffrey T. Daily:

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

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

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning the inaccurate email address disclosed on the committee's C-1pc report, which was corrected on 7/31/23. PDC staff expects you to disclose and maintain accurate contact information with the PDC in future years. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

PDC staff is also reminding SKCDRT that it should make every effort to timely accommodate digital or in-person requests to inspect its books of account during the 10 days preceding an election by granting access to such records within 48 hours of the inspection date and time requested by the requester. Due to its mini-reporting status, the committee's financial information is not disclosed on reports filed with the PDC and, as a result, the public's only access to this information occurs during the brief 10-day window prior to an election.

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

*Electronically signed Tabatha Blacksmith*  
Tabatha Blacksmith  
Compliance Officer

Endorsed by,

*Electronically signed Peter Frey Lavallee*  
Peter Frey Lavallee  
Executive Director



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October 25, 2023

Delivered electronically to [jeff@psygenx.com](mailto:jeff@psygenx.com)

Subject: Complaint regarding South Kitsap Citizens Demanding Responsible Taxation, PDC Case 140557

Dear Jeffrey D. Wilson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 31, 2023. The complaint alleged that South Kitsap Citizens Demanding Responsible Taxation, a continuing committee, and its Treasurer, Jeffrey T. Daily, may have violated RCW 42.17A.235 by failing to timely provide access to accurate books of account per an inspection request.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, rules, and reporting requirements; the responses provided by South Kitsap Citizens Demanding Responsible Taxation (SKCDRT) (the “Respondent”) and its Treasurer; the applicable PDC reports filed by the Respondent; and other relevant information to determine whether the record supports a finding of one or more violations.

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

- RCW 42.17A.205 requires every political committee to register with the PDC and file a statement of organization (C-1pc report) containing, among other things, its electronic contact information.
- The Respondent is a continuing committee that registered with the PDC on 8/8/22 and selected the Mini-Reporting option on its C-1pc report. SKCDRT amended its C-1pc report on 2/3/23 and 7/30/23. The committee indicated it opposes two ballot propositions<sup>1</sup>.

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<sup>1</sup> Proposition 1 entitled *Regular Property Tax Levy Lid Lift for Fire Protection & Emergency Medical Services* was adopted by the South Kitsap Fire and Rescue District and submitted to voters for consideration at the August 1, 2023 Primary election. According to Kitsap County Elections’ website, this measure was passed by voters.

Proposition 1 entitled *Capital Improvement and School Construction General Obligation Bonds - \$271,000,000* was adopted by the South Kitsap School District 402 and has been submitted to voters for their consideration at the November 7, 2023 General election.

- The email address disclosed by the committee on its C-1pc reports filed 8/8/22 and 2/3/23 was [skcdrt101@gmail.com](mailto:skcdrt101@gmail.com). The committee's email address was later corrected to [skcdrt01@gmail.com](mailto:skcdrt01@gmail.com) on 7/30/23.
  - As a Mini-Reporter, the Respondent is not required to file periodic C-3 and C-4 reports with the PDC, disclosing its contribution and expenditure activities. However, the committee is required to make its books of account available for public inspection during the 10 calendar days preceding an election.
- RCW 42.17A.235(6) & (7) require the Treasurer of a political committee to maintain accurate and current books of account. During the 10 calendar days preceding an election, the committee must make its records available for public inspection to a requester via one of the following means:
    1. by allowing in-person access to records at a mutually agreed upon location between 9AM-5PM on any day within 48 hours of the requested inspection day/time (excluding Saturday, Sunday or a legal holiday); or
    2. by providing digital access or copies of records in lieu of scheduling an in-person inspection.

A committee's refusal to allow and keep an appointment for inspection is a violation of .235.

- On June 16, 2023, David Kimble emailed the PDC regarding an \$820 independent expenditure (IE) he made for yard signs. The value of the signs was below the reporting threshold for an IE, which was adjusted to \$1,000 effective April 1, 2023, so PDC staff informed Mr. Kimble that he was not required to file a C-6 report disclosing the IE.
  - Mr. Kimble later confirmed that his IE included two types of yard signs: 1) a red sign with white text opposing South Kitsap Fire & Rescue's Proposition 1; and 2) a pale-yellow sign with black text opposing South Kitsap School District 402's Proposition 1.
- The 2023 Primary Election was held on Tuesday, August 1, 2023 so the 10-day books of account inspection period for political committees commenced on Saturday, July 22, 2023.
- On Friday, July 28, 2023 at 9:25AM, the Complainant, Jeffrey Wilson, emailed the Respondent's Treasurer at the email address disclosed on its C-1pc report, which was [SKCDRT101@gmail.com](mailto:SKCDRT101@gmail.com). In this email, the Complainant requested a copy of the Respondent's financial records via email as soon as possible or an in-person meeting anytime on Friday 7/28/23 or Monday afternoon, which was August 31, 2023 and the day before the Primary election.
  - The email sent to [SKCDRT101@gmail.com](mailto:SKCDRT101@gmail.com) bounced and the Complainant received a Delivery Status Notification (Failure) message stating his message was not delivered "because the address couldn't be found or is unable to receive mail."
  - At 9:35AM, the Complainant reached out to the Respondent at the telephone number disclosed on its C-1pc report (360-874-7517) and left a voice mail message.

- At 11:02AM on Friday 7/28/23, the Complainant sent another request for financial records to the Respondent’s Treasurer using a different email address ([votenosksdbondsandlevys@gmail.com](mailto:votenosksdbondsandlevys@gmail.com)). In this email, the Complainant informed the Respondent that the email address listed on their registration ([SKCDRT101@gmail.com](mailto:SKCDRT101@gmail.com)) was incorrect and emails sent to it were not being delivered. The Complainant asked the committee to update its registration with the PDC.
  - The Respondent replied at 4:42PM saying: “Try taking out one of the ones” and did not provide the requested records digitally or schedule an in-person books inspection.
- At 5:07PM on Friday 7/28/23, the Complainant sent another email to [votenosksdbondsandlevys@gmail.com](mailto:votenosksdbondsandlevys@gmail.com) requesting the Respondent’s Treasurer provide its financial records that same day (7/28).
  - The Respondent replied at 7:28PM and said: “WAC 390-16-043 You need to read it! Not my fault you can’t tell 01 from 101.” The Respondent did not provide the requested records digitally or schedule an in-person books inspection.
- At 7:37PM on Friday 7/28/23, the Complainant sent another email to [votenosksdbondsandlevys@gmail.com](mailto:votenosksdbondsandlevys@gmail.com) requesting the Respondent either provide its financial records electronically that day (7/28) or schedule an in-person inspection for Monday 7/31/23.
- On July 31, 2023, the Respondent amended its C-1pc report (committee registration) to correct its erroneous email address from [skcdrt101@gmail.com](mailto:skcdrt101@gmail.com) to [skcdrt01@gmail.com](mailto:skcdrt01@gmail.com).
- On Monday 7/31/23 at 8:45PM, the Respondent fulfilled the books of account inspection request by attaching a digital copy of its records to an email and sending it to the Complainant. In the email, the Respondent’s Treasurer said: “I have not heard a response from you as to meeting date or time” and indicated the requested document was attached “to save us both time.”
- In a complaint filed on July 31, 2023, the Complainant indicated his belief that the Respondent did not timely comply with his books inspection request and provided a “fake” email address on its C-1pc report. On August 3, 2023, the Complainant supplemented his complaint with an allegation that the financial records provided to him by the Respondent were incomplete because he said they failed to include “Anti-Fire” and “Anti-School Bond” yards signs opposing Proposition 1 that were erected in South Kitsap.
  - As indicated above, the two types of signs opposing Proposition 1 (fire and school) were an independent expenditure made by an individual and were not purchased by SKCDRT.
- On September 25, 2023, the Respondent’s Treasurer, Jeff Daily, contacted the PDC by telephone regarding the complaint filed against them. Mr. Daily said he spoke to the PDC’s Deputy Director after they received the campaign books inspection request, and he recalls her asking the committee to provide the records by Monday 7/31/23. Mr. Daily

also said he checked their committee's email address and it appeared to be correct, adding that they live in a rural area where the internet is spotty.

- On September 27, 2023, the Respondent's Treasurer emailed the PDC a written response to the complaint wherein he indicated his belief that 1) the committee was only required to *respond* within five days, not meet and allow a books inspection to occur within five days; and 2) the email address reported by the committee on its C-1pc was accurate. The Treasurer said he spoke to the PDC's Deputy Director on Monday 7/31/23 about the timing of providing access to the committee's books of account and disagreed with the PDC's interpretation of the requirement. He said he told the Deputy Director he would accommodate the Complainant's inspection request later that day (7/31/23). In the 9/27/23 response, the Treasurer also said the financial statements he provided to the Complainant were correct.
- On October 15, 2023, the Respondent's Treasurer indicated that SKCDRT purchased dark, yellow-colored signs with black text opposing South Kitsap School District 402's Proposition 1 that were delivered and paid for in August, after the complaint was filed by Mr. Wilson.

Aggravating and mitigating factors in this case include the following:

- The original request for books inspection made by the Complainant included two options for the committee to provide access to its records: 1) "via email ASAP" or 2) by scheduling an in-person inspection "anytime" on Friday 7/28/23 or Monday 7/31/23 "in the afternoon." The Respondent ultimately did provide digital access to its records within 48 hours of the requested Monday afternoon in-person inspection and prior to the Primary Election.
- The inaccurate email address on the Respondent's C-1pc report delayed the Complainant's request for a campaign books inspection and might have thwarted it altogether if the latter had not located an alternate email address that does not appear on the Respondent's C-1pc report.
- The Respondent does not have previous warnings/violations of PDC requirements.

Based on our findings, staff has determined that, in this instance, the committee's failure to accurately report its email address on a C-1pc does not amount to a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, South Kitsap Citizens Demanding Responsible Taxation (SKCDRT) will receive a formal written warning concerning the inaccurate email address disclosed on its C-1pc report. The formal written warning will include staff's expectation that SKCDRT disclose and maintain accurate contact information with the PDC in the future. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

PDC staff is also reminding SKCDRT that it should make every effort to timely accommodate digital or in-person requests to inspect its books of account during the 10 days preceding an election by granting access to such records within 48 hours of the inspection date and time requested by the requester. Due to its mini-reporting status, the committee's financial



information is not disclosed on reports filed with the PDC and, as a result, the public's only access to this information occurs during the brief 10-day window prior to an election.

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

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Sincerely,

Endorsed by,

*Electronically signed Tabatha Blacksmith*

Tabatha Blacksmith

Compliance Officer

*Electronically signed Peter Frey Lavalley*

Peter Frey Lavalley

Executive Director

cc: South Kitsap Citizens Demanding Responsible Taxation