

Complaint Description

File a Formal Complaint - Brian Ritchie

[Ritchibj](#) reported (Sat, 3 Nov at 11:54 AM) via Portal [Meta](#)

I am writing regarding a so-called “fact sheet” for Snohomish County Proposition 1 (proposed sales tax increase to fund an emergency radio system). This fact sheet was apparently composed, printed and mailed by the Snohomish County Emergency Radio System using tax dollars already allotted to the agency. In my opinion, the flyer is clear advocacy in favor of the measure, and violates RCW 42.17A.555 and the Public Disclosure Commission’s guidelines regarding such fact sheets.[\[1\]](#) My conclusion is based on the following observations:

- Under WAC 390-05-271, a fact sheet is permissible only “if such action is part of the normal and regular conduct of the office or agency.” To the best of my knowledge, it is not part of this agency’s regular conduct to communicate to the public via mail.

- Statements like “Ensure lifesaving 911 services,” “ensuring police & fire hear your call,” and “so first responders will always hear your call” give the false promise that if voters enact this tax increase, the 911 system will be “guaranteed” to work correctly. Obviously even a new radio system cannot be guaranteed to be problem-free. Moreover, the radio system has no impact on the public’s ability to successfully make a 911 call, which among other things depends on the caller’s connection to the dispatchers (*e.g.*, quality of cell phone signal, break in telephone lines, etc.).

- The statement “Replacing our aging 911 system is so important, Snohomish County Council members were unanimous in agreeing to put this countywide sales tax measure on the November 6 ballot” is undisguised advocacy in favor of the measure. The prefatory “so important” language is not necessary to state the council members’ position. Moreover, the Council’s decision to submit the measure to a public vote is not the same as supporting the measure itself. And at best, this only amounts to listing endorsements in favor of the measure, which is not factual information about the measure itself.

- The flyer is full of hyperbolic “emotionally-driven language” and implies that people will die if the measure is not passed. The PDC expressly disapproves of such emotional language.
- The statement that “Local officials and voters in other counties have already acted” is irrelevant to this particular measure, and is the sort of peer pressure-based argument (“everybody’s doing it”) that even children are advised to ignore. There is also no information regarding which jurisdictions those are. Further, I presume that some other jurisdictions have *not* approved tax increases expressly for emergency radios, but that is not discussed.
- The section titled “How do I know my tax dollars will be used wisely?” is flatly contrary to the PDC’s instruction that fact sheets must avoid “Statements purporting to describe the sponsoring agency’s responsible fiscal management.”
- The section titled “How much is 1/10 of 1%,” and its example showing a cost of only \$0.10, is arguably contrary to the PUD’s instruction that fact sheets must avoid “Statements seeking to minimize the cost of a ballot proposition” So is the statement that the measure will not affect property tax bills, which is self-evident from the fact that this is a proposed sales tax increase.
- The fact sheet essentially implies that if the tax increase is not passed, the current “deteriorating” system will remain in place and 911 response will continue to get worse. There is no discussion of the possibility that existing funding sources could be used to upgrade equipment.
- The fact sheet reports that several “Fire Chiefs Associations” support the measure. I can see some tenuous value of reporting the positions of individual jurisdictions (*e.g.*, cities or fire districts) – though again, the flyer only lists entities which support the measure. However, to my knowledge, “Fire Chiefs

Associations” are not units of government. The flyer is simply printing endorsements.

· The online version of the flyer notes that the existing system is 20 years old, provides photos of antiquated computers and phones, and asks: "Can you remember a computer or cell phone like these?" As the PDC has previously held in the materials attached to the fact sheet memorandum, the age of an existing system, by itself, is not relevant to the need for replacement.

· The various “glossy” stock photographs of firefighters and other emergency responders serve no explanatory purpose.

· The statement “Please vote by November 6, 2018” in combination with all of the advocacy language discussed above, amounts to a request to vote in favor of the measure.

[1] See <https://www.pdc.wa.gov/sites/default/files/Fact.Sheets.pdf>.

What impact does the alleged violation(s) have on the public?

This type of advocacy interferes with the public's ability to make an independent decision regarding the merits of the measure. This is also a misuse of the tax money already allotted to the agency, which is being spent on political advocacy rather than emergency services.

List of attached evidence or contact information where evidence may be found.

See attached images of mailed fact sheet. Similar content is posted online at:

<http://sers800.org/prop1/>

http://sers800.org/wp-content/uploads/2018/10/SERS_HearTheCall_Brochure.pdf?Proposition%201

List of potential witnesses with contact information to reach them.

Snohomish County Emergency Radio System personnel involved in preparing the fact sheet.

Complaint Certification:

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.

Approved Countywide Emergency Communications Requested by:

Cities and Towns of:

Arlington
Brier
Darrington
Edmonds
Everett
Gold Bar
Granite Falls
Lake Stevens
Lynnwood
Marysville
Mill Creek
Monroe
Mountlake Terrace
Mukilteo
Snohomish
Stanwood
Woodway



Local Fire Agencies:

North County Regional Fire Authority – Stanwood
South County Fire RFA – Lynnwood, Brier,
Edmonds, Mountlake Terrace
Marysville Fire District
Fire District 4 – Snohomish
Fire District 5 – Sultan, Startup
Fire District 7 – Monroe, Clearview, Mill Creek
Fire District 8 – Lake Stevens
Fire District 17 – Granite Falls
Fire District 19 – Silvana
Fire District 22 – Getchell
Fire District 26 – Gold Bar
Fire District 28 – Index

Fire Chiefs Association
Police & Fire Chiefs Association
Fire Commissioners Association

Please vote by
November 6, 2018

Frequently Asked Questions

How do I know my tax dollars will be used wisely? State law legally limits these funds for emergency communications. An Advisory Committee of local first responders and leaders will provide guidance to the County Council on the highest emergency communication needs in open public meetings before funds are spent.

How much is 1/10th of 1%? That's 10¢ for each \$100.00 spent on taxable retail purchases (not on food and drugs that are exempt).

Don't E-911 taxes cover this? E-911 funds the telephone system that you call for help and the technology that aids knowing where you are so help can find you. It does not support the radio system.

Why do responders use radios? Radios are the most durable, reliable and effective way for responders to communicate traveling to and at emergency scenes. Radios also reach less populated areas out-of-range to most cell phone service.

Will this add to my local property tax bill? No

For more information visit: sers800.org

On the November 6 Ballot

County

Snohomish County Proposition No. 1

Emergency Communication and Facilities Sales and Use Tax

The Snohomish County Council passed Ordinance 18-037 concerning an emergency communication systems and facilities sales and use tax. This proposition would authorize the imposition of a countywide sales and use tax, in addition to any other taxes authorized by law, of one tenth of one percent (0.1% -- 10 cents for every \$100.00) to be used for emergency communication systems and facilities as authorized by RCW 82.14.420.



Snohomish County
Emergency Radio System
14900 40th Ave NE #102
Marysville, WA 98271

ECRWSS
POSTAL CUSTOMER

PSRPT STD
US POSTAGE
PAID
SEATTLE, WA
PERMIT NO 1523

911: Ensuring Police & Fire Hear Your Call



Please vote by
November 6, 2018

FACTS: Countywide Proposition 1

Snohomish County's 911 emergency radio system is deteriorating. This past January the emergency radio system broke down. 911 service was disrupted affecting 400,000 people in many communities. Police, Fire and other emergency operations were all impacted. There have been more breakdowns since then and spare parts are difficult to find. Technicians often have to shop online for previously used components to keep the system operating.

If approved by voters in November, Proposition 1 will:

- Ensure lifesaving 911 services by replacing old and failing emergency communications equipment
- Reduce public safety risks by adding to their emergency communications capacity
- Provide multiple local agency responders with the ability to communicate using compatible radio technology
- Guarantee reliable funding to keep improving so first responders always will hear your call

Replacing our aging 911 radio system is so important, Snohomish County Council members were unanimous in agreeing to put this countywide sales tax measure on the November 6 ballot. Local officials and voters in other counties have already acted to add an additional 1/10th of 1% in sales tax to fund emergency communications upgrades.