

CLALLAM COUNTY PROSECUTING ATTORNEY

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September 25, 2017

Fox Blackhorn
Public Disclosure Commission

**Re: Protect the Peninsula's Future
Alleged violation of RCW 42.17A.555
Complaint #25221**

To Mr. Blackhorn:

Please accept this letter as the formal response of Clallam County Health and Human Services ("CCHHS") to the formal complaint filed on September 15th for Protect the Peninsula's Future ("PPF") by the PPF attorney, Gerald Steel.

Initially, the complaint rests entirely on speculation by the complaining attorney about an event that has not yet occurred.

Specifically PPF asserts their "belief" (without any support) that the challenged brochure "is intended to be mailed to City of Port Angeles voters prior to November 7, 2017." This is an event that has not yet occurred, may never occur and if it did occur it would not be an action taken by CCHHS.

The challenged brochure is co-branded by CCHHS. Local Health Officer ("LHO") Christopher Frank, M.D., consented to the co-branding in July 2017, a consent that consumed, at most, minutes and involved no expenditure of public funds. The statistics in the brochure came from the State Department of Health to Arcora, the successor to the WA Dental Service Foundation. CCHHS did not compile the statistics from the Smile Survey because it lacks an epidemiologist.

CCHHS has in its possession some 50 or so copies of the now-challenged brochure. However, CCHHS has taken no steps to distribute or disseminate the brochure and has no plans to distribute or disseminate the brochure either before or after the November date of the general election.

CCHHS expended no funds in preparing the challenged brochure and did not receive any money for the use of its seal on a brochure that it sees as purely informational and solely intended to "inform the public as to the causes, nature and prevention of

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disease and disability and the preservation, promotion and improvement of health within his or her jurisdiction," a mandated duty of the Local Health Officer and CCHHS. See RCW 70.05.070(4). But as stated above the challenged brochure WILL NOT BE DISTRIBUTED or DISSEMINATED by CCHHS.

The Arcora Foundation did bring the brochure to a regular meeting of the Port Angeles School Board held on August 10, 2017. LHO Frank and David Hudson from the State Department of Health referred to the brochure at that meeting. Again, these references were for the sake of getting **information** to the governing body responsible for educating children in Port Angeles. Mr. Frank's prepared remarks do NOT refer to the brochure and CANNOT be seen by any objective person as a comment on the fluoridation ballot proposition, see the attached.

Clallam County trusts that this letter convinces the Public Disclosure Commission that the allegations of PPF are without merit.

Please contact the undersigned if any other information or another response by CCHHS is required.

Very truly yours,



David Alvarez
Chief Civil Deputy Prosecuting Attorney

cc: Christopher Frank, M.D., LHO
Andy Brastad, HHS Director
Jim Jones, County Administrator
William Bloor, City Attorney, City of Port Angeles

PA school board 8-10-2017

Chris Frank – 320 W. 9th Street.

I'm here today as the health officer for Clallam County.

I wanted to briefly update the board on the updated Community Health Status Assessment

This is a report that looks at over 100 different measures and indicators that impact health in our community. The last report was done in 2012 and the update in 2017 is on the county website.

There are a number of areas that I think the board would find interesting but I wanted to highlight a few for you.

First the good parts:

Our teen pregnancy rates have continued to decline since the peak in the early 1990s

We also have seen a significant decrease in bullying in the schools based on the Health Youth Survey.

Another example is the improvement in oral health that has occurred over the past 5 years that David Hudson from the DOH will be speaking about today.

There are many areas where we have room to improve – as an example, our teen tobacco use is twice the state average and tobacco addiction is still the leading cause of preventable death in the United States.

But when I look at the big picture the report it is a powerful reminder that poverty is associated with poor health outcomes and that education is the antidote. Education has a really powerful impact on health - if we could put education in a pill we would prescribe it as a miracle drug to everyone.

It's actually pretty amazing -- The differences in many health indicators vary by education. One of the best things we can do to improve health is to make sure that our children are getting a rigorous education that affords them the opportunity to continue beyond high school with postsecondary education. Adults with more than a high school education do better on pretty much every health and economic indicator.

The full report is online and I encourage you to take a look at it and contact me with any questions or comments.

Thank you.

David Alvarez

From: PDC Support <pdcc@pdc.wa.gov>
Sent: Thursday, September 21, 2017 12:00 PM
To: David Alvarez
Subject: Re: PDC - Clallam County Health and Human Services: Alleged violation of RCW 42.17A.555 for use of public facilities to support a Port Angeles ballot proposition (EY 17; Sep 17)
Attachments: 25221 Clallam County Health and Human Services Complaint.pdf

Mr. Alvarez,

The Public Disclosure Commission received a complaint from Gerald Steel on 9/15/17, which has been assigned PDC Case Number 25221. The Complaint alleges the following:

Allegation: Violation of RCW 42.17A.555 for misuse of public facilities to support a fluoridation ballot proposition in Port Angeles.

Please review the attached complaint and provide your response by 9/28/17.

If you have any questions, or need additional time to respond, please reply to this email.

Thank you,

Fox Blackhorn
Compliance Coordinator
360.753.1980 | 360.753.1111



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To respond, please reply to this email.

Washington Public Disclosure Commission
<http://www.pdc.wa.gov>
1.360.753.1111

File a Formal Complaint - Gerald Steel

Geraldsteel (Fri, 15 Sep at 4:00 PM) via Portal [Meta](#)

The Arcora Foundation (formerly Washington Dental Service Foundation ("WDSF")) has recently produced the attached pro-fluoridation brochure and co-branded it with its Smile Mobile activity and with Clallam County Health & Human Services ("CCHHS"). Eleven years ago WDSF spent over \$400,000 to build the City of Port Angeles a fluoridation facility under a contract/grant that would have required the City to pay money back to WDSF if fluoridation was terminated before 10 years of use. Fluoridation was terminated about a year ago after 10 years of use. The City Council has put a ballot measure up for the November 7, 2017 City election asking whether the City should restart fluoridation. My Client, Protect the Peninsula's Future, believes that this Arcora brochure was created to be mailed to City of Port Angeles voters before November 7, 2017 to promote a yes vote on the fluoridation ballot measure (advising the City Council to restart fluoridation). To the best of our knowledge, Arcora is not registered with the PDC as a political committee that can promote a yes vote on the fluoridation ballot measure. We believe that significant funds have been used to develop and print the brochure and we believe that Arcora is in violation of registration and reporting requirements. We also take issue with Clallam County Health & Human Services. We believe that by co-branding this brochure which we believe is intended to be mailed to City of Port Angeles voters prior to November 7, 2017, that CCHHS is also promoting a yes vote on the fluoridation ballot measure and acting as a political committee without registration or reports. It is our understanding that such public agency support, spending money to promote a yes vote on this ballot measure, is not allowed by law. The money spent by CCHHS is small and reflects primarily the Health Officer's time to consider and agree to the co-branding.

Therefore, I am filing this formal complaint as the attorney for Protect the Peninsula's Future.

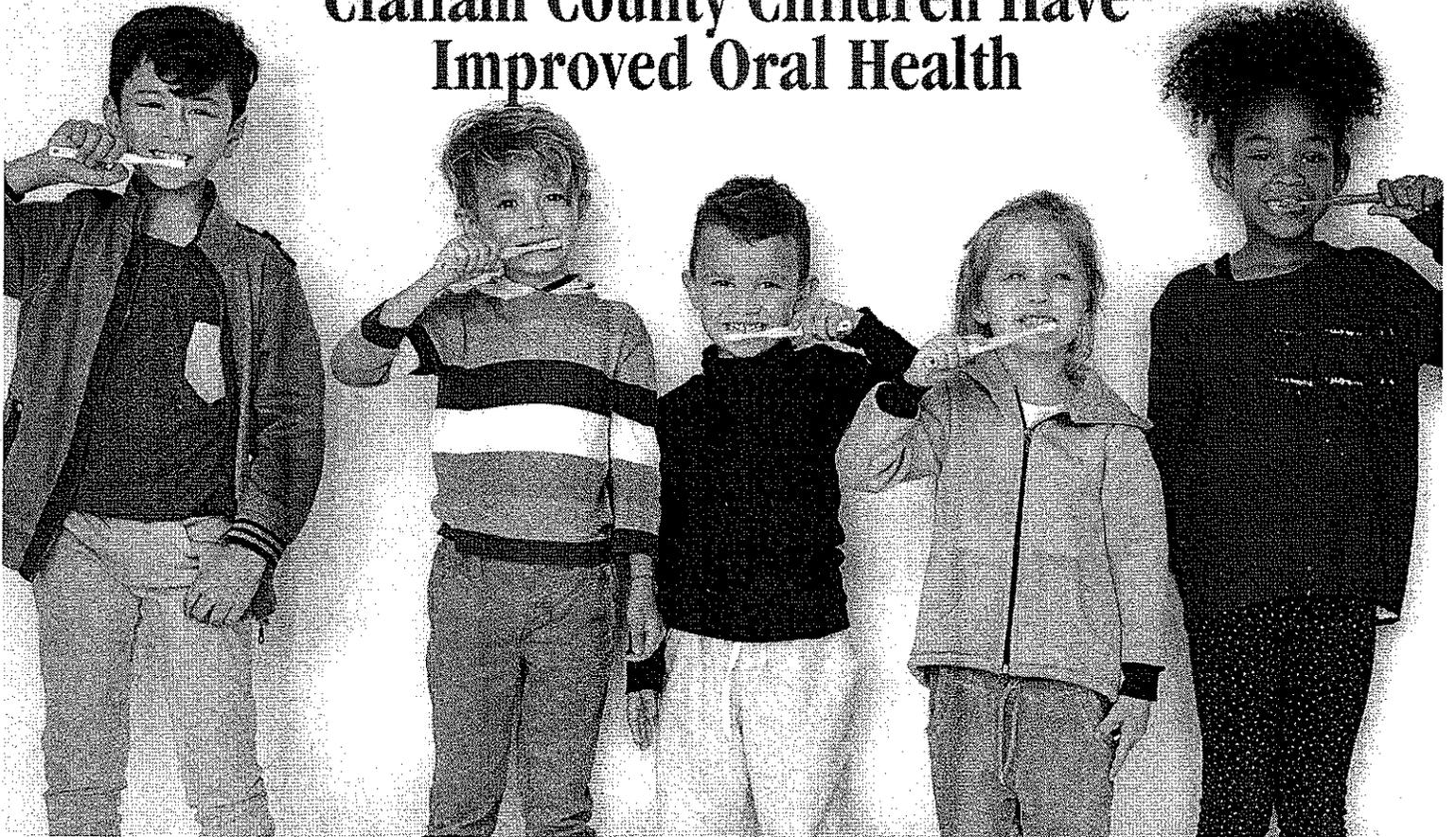
**Optimal fluoride in water
protects and heals teeth –
improving overall health.**

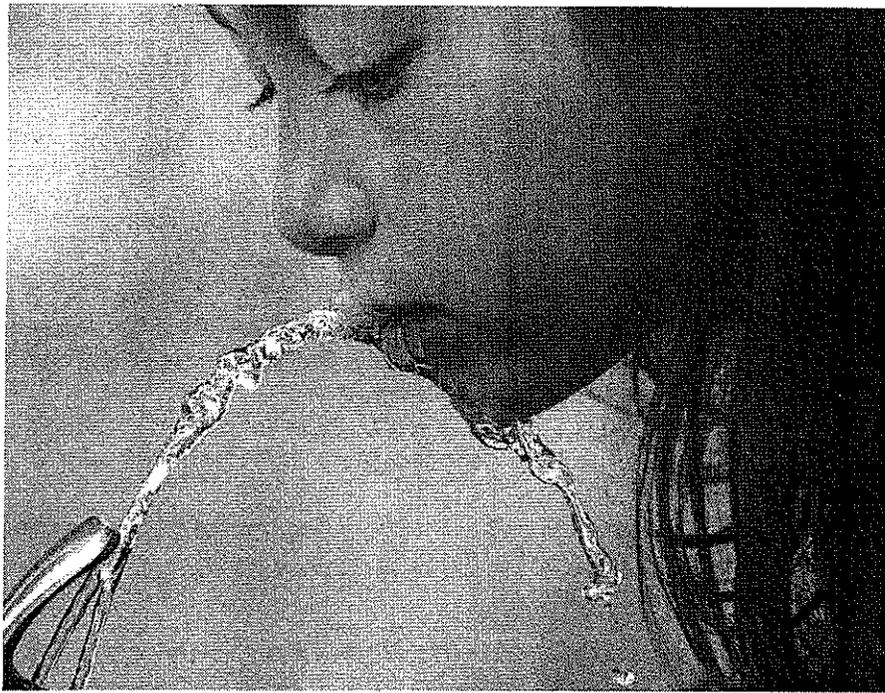


Clallam County Health & Human Services
111 E. 3rd Street
Port Angeles, WA 98362

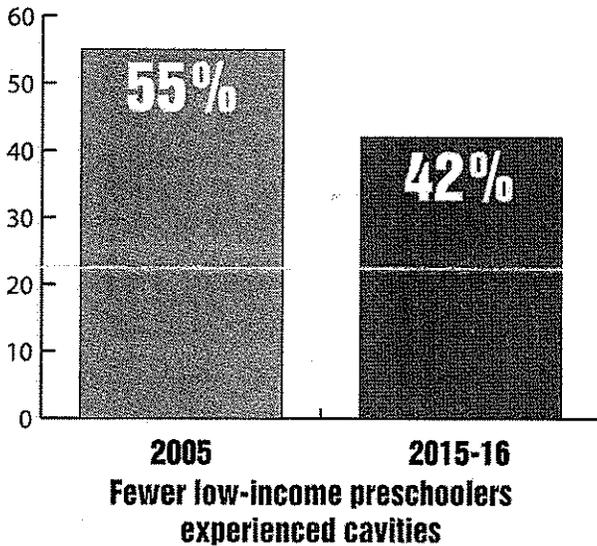


**Clallam County Children Have
Improved Oral Health**





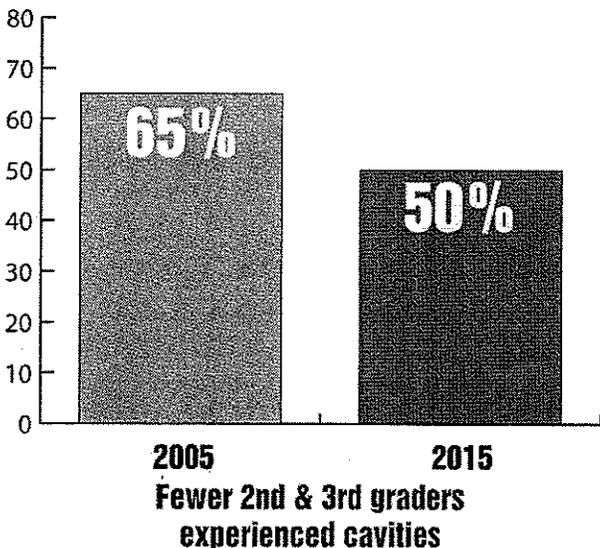
Clallam County children have improved oral health over the last decade, but challenges remain.



Recent surveys of children in Clallam County show a substantial improvement in kids' oral health in the past ten years.

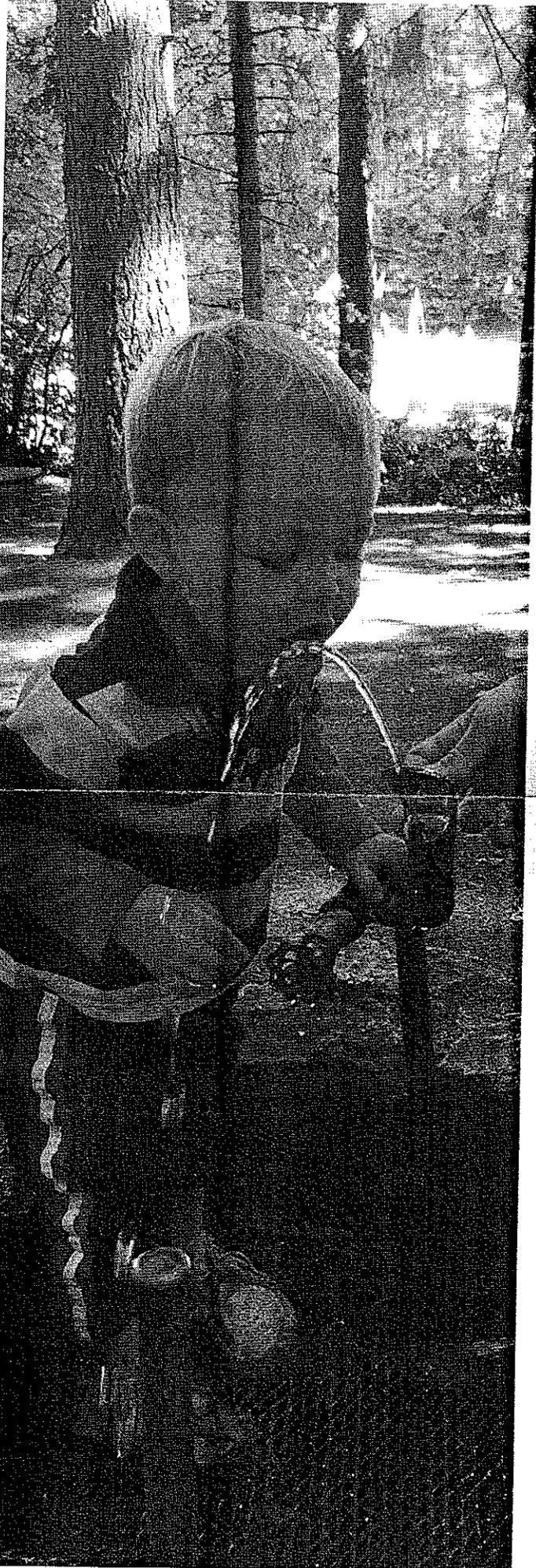
What has helped children these past 10 years?

- The percentage of people with access to fluoridated water increased from 5% to 31%.
- The Access to Baby and Child Dentistry program helped connect more children to dental care, increasing utilization of dental services for kids ages 0-6 by 28 percent.
- More dental clinics served children and low-income residents (SeaMar, Lower Elwha, Jamestown S'Klallam, VIMO and SmileMobile).



What challenges remain?

- In August of 2016, Port Angeles lost optimal fluoride in drinking water, bringing its availability in Clallam County back to 5%. Statewide 56% of people on public water systems have fluoridated water, nationally 75% do.
- Clallam County remains listed by the federal government as having a shortage of dental professionals. Children, especially low-income children, and low-income adults still have trouble finding dentists.
- In the most recent survey, 21% of children have untreated decay by the 3rd grade compared to the state average of 12%.



Optimal fluoride in water protects and heals teeth – improving overall health.

What is fluoride?

Fluoride, a natural mineral, is found in most water supplies. Fluoridation adjusts the existing fluoride concentration to a level known to reduce tooth decay and improve oral health. Fluoride does this by joining with other minerals in the mouth to rebuild the tooth surface when a hole starts to form. Fluoride in water works with toothpaste and varnish to fix small decay before it becomes a cavity.

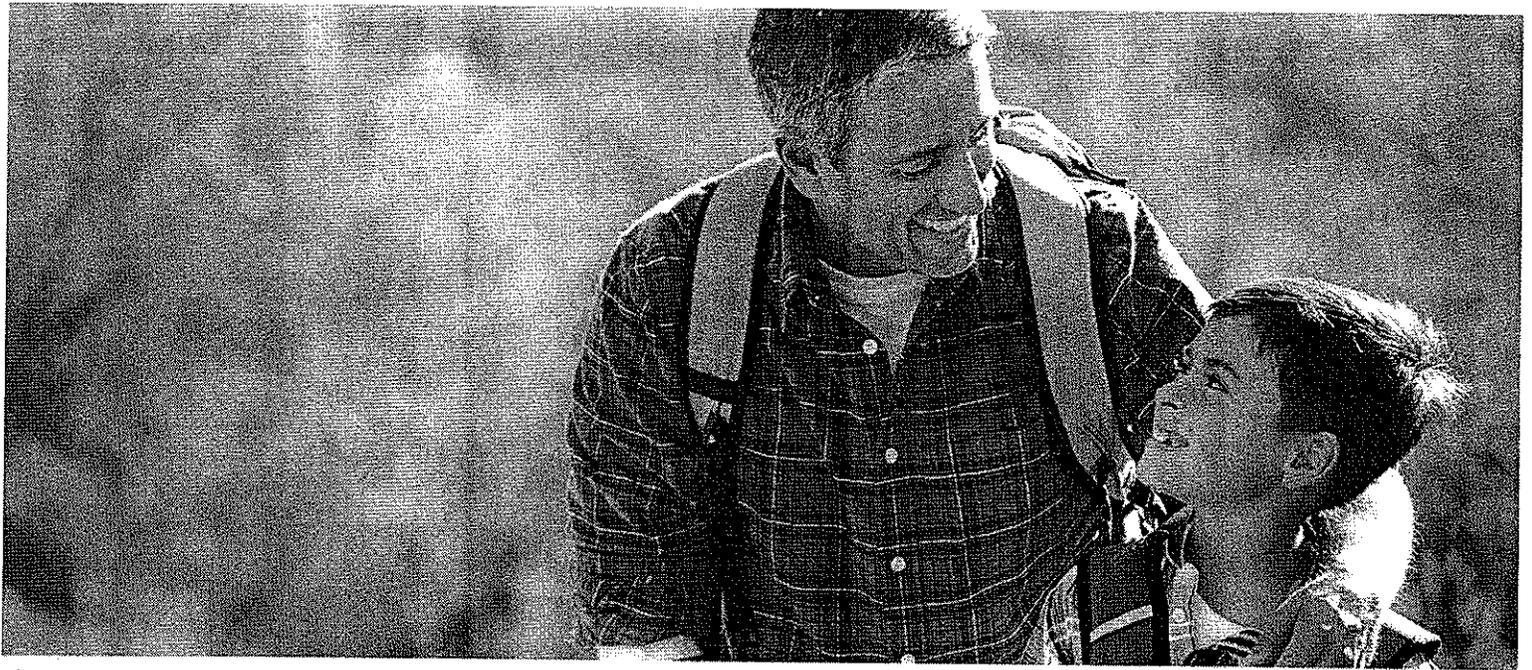
More than 70 years of scientific research has consistently shown that **an optimal level of fluoride in community water is both safe for health and for preventing cavities** by at least 25% in children and adults.

Just as iodine is supplemented to salt, Vitamin D to milk, and folic acid to breads and cereals to protect human health, **fluoride is supplemented to water to help defend against cavities.**

Clallam County is one of 35 of the state's 39 counties identified by the federal government as not having enough dental professionals to serve the public. Fluoride in the water helps strengthen and protect teeth for everyone, including those who have difficulty accessing dental care.

The SmileMobile visits locations annually throughout Clallam County to provide care for babies and children 18 and under. For more information, please call 1-888-286-9105.



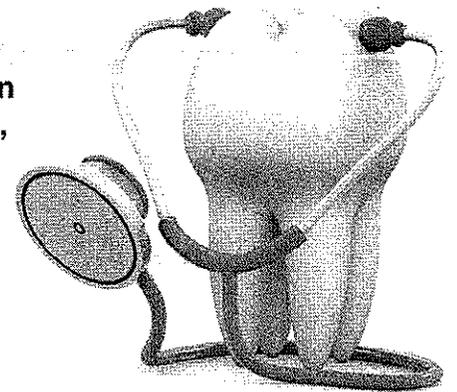


What is the benefit to the community?

Fluoridation reaches individuals of all ages and socio-economic groups, making it a sound, population-based public health measure to improve oral health.

Painful cavities can affect school attendance, sleep, employment opportunities, nutrition, pocketbooks and quality of life.

The small amount of money needed to fluoridate water is a fraction of what it costs to treat dental disease in the community. **Fluoridation costs an average area homeowner less than 10 cents per month, much less than the cost of a single filling, for a lifetime of protection.** It reduces personal out-of-pocket costs for private payers and public insurance charges for low-income families and disabled individuals.



Bottom line: water with fluoride saves money.

Please, ask your dentist or doctor about fluoride.

Since fluoridation began, medical and dental professionals in Port Angeles have reported a noticeable improvement in their patients' dental health, with fewer cavities in both children and adults.

