



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.pdca.wa.gov

May 8, 2018

Delivered electronically to Patricia Pepper

Subject: Patricia Pepper Complaint Return Cover Letter, PDC Case 23494

Ms. Pepper:

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

As noted below in the electronic letter to Ms. Thomson, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

If you have questions, please contact PDC staff member Kurt Young by e-mail at kurt.young@pdcc.wa.gov.

Sincerely,

/s _____
Kurt Young
Compliance Officer

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director



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May 8, 2018

Delivered electronically to Johna Thomson at “bdrecall.com”

Subject: Complaint filed against Patricia Pepper, PDC Case 22106

Dear Johna Thomson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 17, 2017. Your complaint alleged that Patricia Pepper, an incumbent Black Diamond City Councilmember and an official that was the subject of a recall effort, may have violated RCW 42.17A.

Specifically, you alleged Ms. Pepper violated RCW 42.17A.205, .235, and .240 by failing to disclose a flyer that was hand-delivered to homes in Black Diamond, two separate decline to sign recall yard signs had been placed around the City of Black Diamond, legal costs and attorney’s fees related to the recall efforts for Mayor Pepper, without those expenditures being disclosed to the PDC. PDC staff reviewed allegations in your complaint, and as a result we found the following:

- PDC staff received a similar complaint from Robbin Taylor in PDC Case 24849, that was recently returned in which she named Save Black Diamond and Kristen Bryant in her complaint. As part of Ms. Taylor’s complaint, she also attached photographs of two yard signs containing a “decline to sign” message, and a copy of a “decline to sign” handout that was distributed door to door.
- In that case, Ms. Bryant stated that in May of 2017, she was one of the people involved in producing and distributing the flyer with the decline to sign message, that included the contact information for Save Black Diamond. She stated the flyer explained the recall attempt, encouraged people not to sign a recall petition, and was hand-delivered to “approximately 700 households.” She stated the flyers were hand-delivered by volunteers, that the total cost to produce the flyer was less than \$100, which included being printed in black and white by a volunteer using his printer. She stated the cost of paper was \$22 for 250 sheets of paper, and was the primary expense.
- Ms. Pepper stated in her response she did not know who created or paid for the 8.5” x 14” glossy flyer, and that the flyer was “not part of a campaign sponsored by me.”

- “Ms. Pepper stated the following concerning funds being spent on her legal defense: “I have retained an attorney and have incurred expenses for a legal appeal in state court. I have not considered these expenses to be a campaign related expenditure.” In a February 22, 2018 article in the Reporter, Erin Stout, newly elected Black City Councilmember was quoted as stating that Black Diamond “is already paying for its legal fees and half the legal fees for Pepper, Weber and Morgan...”
- Concerning the decline to sign yard signs, Ms. Pepper stated that she did not pay for the yard signs or have any knowledge about who created the signs, or posted them around the City of Black Diamond.

No evidence was provided or found that Ms. Pepper was directly involved with the decline to sign efforts, and Ms. Pepper was recalled and is no longer in office. The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Kurt Young by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

/s_____
Kurt Young, Compliance Officer

Endorsed by,

/s_____
Barbara Sandahl, Deputy Director
For Peter Lavalley, Executive Director

cc: Patricia Pepper

