

## Complaint Description

Evan Merritt (Tue, 3 Sep 2019 at 6:06 PM)

I write to raise a complaint involving a violation of the Fair Campaign Practices Act, RCW 42.17A. Ron Simmons, Chief of Snohomish County Fire District 4, has violated RCW 42.17A.555 by using his public office to support multiple candidates for Commissioner Position 4 of Snohomish County Fire District 4, and also to oppose my candidacy. Specifically, Chief Simmons violated RCW 42.17A.555, which prohibits public officials from using that office or any public facility, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office.

Chief Simmons has used the status of his office to endorse several candidates on his Facebook page, which clearly identifies him as "Fire Chief at Snohomish County Fire District #4." His profile's privacy settings are set such that any member of the public can view both the Chief's office, as well as his endorsement of several candidates.

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

This violation has served to sway public opinion against me and for my opponents, possibly changing the outcome of the primary election. These violations have also caused the employees of SCFD4 to become fearful of termination or discipline and consequently have withheld beneficial open support for my candidacy based on the Chief's internal memos and workplace behavior.

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

Referencing the following public FB profile:  
<https://www.facebook.com/ron.simmons.5074>

- July 16, 2019: The Chief posted a link to the Facebook page for Darci Wilson's candidacy (<https://www.facebook.com/Darci-Wilson-For-Fire-Commissioner-635192173641355/>)
- July 18, 2019:  
To all of my friends and neighbors in Snohomish, and residents of Fire District 4. PLEASE VOTE and encourage your friends and neighbors to do the same.  
The campaign has officially started for the single Commissioner position in the District and I have already received several phone calls. Continue to call me with more questions, but here is my input.

This is an important election and there are 3 individuals who will represent the public well - Hintz, Jorve and Wilson.

The 4th candidate is supported by special interests with an agenda that will not improve emergency services in the District, and will actually increase taxes.

If elected there will be conflict and contention in not only the board meetings, but the entire department. Official votes will need to be scrutinized for ethical and legal issues, and in some cases the conflict of interest should mean the inability to vote, leaving a 2 person board, which will also not serve the citizens well.

Please vote informed.

- July 20, 2019: Fun morning at Kila Ha Ya Days Parade. Lots of discussion and overwhelming support for DARCI WILSON for District 4 Fire Commissioner. FRIENDS & NEIGHBORS - VOTE INFORMED.
- July 22, 2019: SNOHOMISH NEIGHBORS AND FRIENDS. Ballots came out on Saturday and it took me a full couple of minutes to fill it out and have it ready for the mailbox. Darci Wilson or Mike Jorve are your best bets for Commissioner. Please VOTE informed, but PLEASE VOTE.
- July 23, 2019: HEY SNOHOMISH FRIENDS & NEIGHBORS. Big yellow post endorsing candidate for District 4 Commissioners race going around, you will notice that Snohomish is not on it. Special interest group with an agenda has interest in your tax dollars.
- August 6, 2019: I am taking phone calls this morning about the Fire Commissioner race for Snohomish County Fire District 4 -GREAT & THANKS. PLEASE GET ALL YOUR FRIENDS, NEIGHBORS AND RELATIVES TO SUBMIT THEIR BALLOTS TODAY! Wilson, Jorve or Hintz will all be fantastic representatives of the public interest.

Each of these posts represents a violation of RCW 42.17A.555, as each one uses the status of the Chief's public office to lend support to candidates. The statute broadly prohibits any person employed by a public office or agency from using the facilities of that office to support any candidate.

Additionally, Chief Simmons has used District email to send messages to his subordinates to discourage support for my candidacy, which constitutes a further violation of RCW 42.17A.555. On July 22, 2019, Chief Simmons sent an email message to public employees under his direct supervision, using public email system. While the Chief's email did not name a particular candidate, the Chief's outspoken public opposition to my candidacy and endorsement of individuals running against, described above, would make clear to any employee receiving the email that the Chief's tirade was in response to what he assumed to be support for my candidacy. The email chided unidentified employees for their support of my candidacy, and made implied threats should employees engage in further displays of their support. The email was apparently sent in response to the placement of a yard sign endorsing my candidacy near a Snohomish Fire District 4 station, which the Chief suggested was a breach of "professionalism" and "ethical behavior." He further chastised the firefighters he supervised that doing so was "an embarrassment," and "one of the greatest displays of disrespect toward the District, Commissioners, the public and I from someone who should know better." The letter directed employees to "stay out of the campaign gaming," which,

given the Chief's own vocal involvement in campaigning for each of my opponents, can only be understood as a directive not to support my candidacy.

Further, a paper memo was placed in each employee's internal mailbox dated August 9th. This letter includes the phrase, "Some of us will need to work to gain some trust within the department, however I can't mandate that nor will I try." With the context of everything else that has been provided in this complaint, this memo serves as a final warning to employees to avoid politics and anything approaching dissent with the administration or board of commissioners.

**List of potential witnesses with contact information to reach them.**

**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.



1525 Avenue D  
P.O. Box 820  
Snohomish, WA 98291-0820

*Snohomish County  
Fire District #4*

DATE: August 9, 2019  
TO: ALL PERSONNEL  
FROM: CHIEF SIMMONS  
SUBJECT: WOW!

I want to come to each of you and deliver this message, but since I would be here every day for a month to catch each of you, please accept this as my personal message to you.

THANK YOU FROM THE BOTTOM OF MY HEART! For all of the people you talked to, the kids you gave a hat to and let climb all over the rigs, the time you spent at Kla Ha Ya Days and the Thursday Markets, and for just the great service you provide to our public every day. This EMS Levy success is yours, you earned it, you deserved it.

I was telling everyone on Wednesday and Thursday that there was no way we could make up the low voter numbers. This means guaranteed funding and potentially a new outlook on the service we can provide. In the coming months we will develop the 2020 budget and I will be working with the Commissioners to find ways to bolster our resources and response to the needs of the public.

Unfortunately this election brought about a negative. The Commissioners race has created a division that has carried over to business that we have been attempting to conduct with the city. The biggest problem we have at this point is that we now have a relationship that we will have to rebuild. As a result of the acts of a minority we have City Councilmembers and Staff that consider some of our members "less than impressive" and that reflects on all of us.

Ever hear the term, and I know this is not quite right, but "instead of using a telegraph, tell a firefighter"? This is just one of the reasons that everyone in the department has not been fully aware of the station ownership issues. There was a reason the majority of this discussion was held in Executive Session with the Commissioners. Some of this was confidential, legal, most of it was financial, but there was also tactical issues related to what has been going on for months. However, nobody attends Commissioner Meetings so what was discussed and decided in the open sessions had no ears to be heard.

We will work to regain the trust and confidence of the City. Some of us will need to work to gain some trust within the Department, however I can't mandate that nor will I try.

I think we still have great things to offer to this community. I believe that each of you can be positive contributors.

Thanks to you for your contribution to our efforts to serve the public, and to your families for graciously allowing your presence. Thanks for the work that you do and do so well.



Messages / INBOX

## < Messages



# Election Issue 1

Ron Simmons  
07/22/2019 15:07



I heard a few whispered chuckles this morning related to the grand gesture of "ethical behavior" and "professionalism" that established the 4x8 campaign sign facing my office window from across the roundabout. It is embarrassing to think that this is what some people believe to be community minded and respectable representation of the public. There are some who will think I am over-thinking my importance if this sign was just placed for my benefit, but I have to ask which way it is facing, has anybody ever put a big sign in this location, isn't it just a little oversized, and what traffic do they expect to see it. Considering its location and the idea that people would look at it, it probably presents more of a hazard than anything else. I think this is one of the greatest displays of disrespect toward the District, Commissioners, the public and I from someone who should know better. I would ask that you all disregard the juvenile efforts of the few and represent the District with true professionalism and respect while presenting information to the public about the EMS Levy. Please stay out of the campaign gaming.  
Chief

Reply

Reply All

Forward



Messages / INBOX

## < Messages



# Election Do & Don't

Ron W Simmons  
06/28/2019 15:06



This is going out to everyone. In the Bulletin Board is a file called Election Do & Don't. We posted this last year and none of it has changed. It is the legal rules for the ability of anyone to campaign on District property, using District equipment or in uniform. The bottom line rule is that it is illegal to do so. Please take some time to look over this file and ask any questions if you have them. Thanks. Chief

Reply

Reply All

Forward



Messages / ARCHIVE

## < Messages



# Election Issue 2

**Ron Simmons**  
07/22/2019 16:07



I took several text and email messages over the weekend regarding campaign signs and have dealt with the issues to the best of my ability. Remember, the signs do not belong to the District, they belong to the different campaigns who are also for assuring that campaign rules are followed. One of the candidates signs were somehow being attached to the EMS signs leaving the impression too some that the District endorsed the candidate. Thanks to Neil and Aaron for responding to my request that they resolve this issue. The District has posted a message on the web site and on Facebook that these are 2 separate issues, we do not endorse any candidate and are unable to campaign on behalf of the levy. Should you receive any complaints about this you may contact me or Neil. Thanks. Ron

Reply

Reply All

Forward

Ron Simmons Timeline Recent

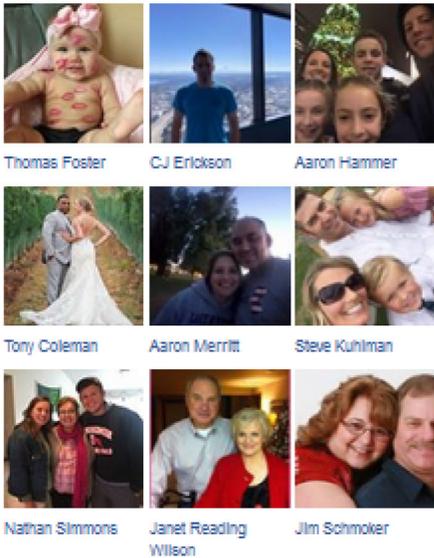
Add Friend

Went to Eastmont High School  
Married

Photos



Friends - 297 (6 Mutual)



Life Events

**Started New Job at Snohomish county Fire District #4**  
November 1985

Write a comment...

Ron Simmons July 18 · 🌐

To all of my friends and neighbors in Snohomish, and residents of Fire District 4. PLEASE VOTE and encourage your friends and neighbors to do the same.

The campaign has officially started for the single Commissioner position in the District and I have already received several phone calls. Continue to call me with more questions, but here is my input.

This is an important election and there are 3 individuals who will represent the public well - Hintz, Jorve and Wilson.... See More

Neil Broumley and 15 others 9 Comments 6 Shares

Like Comment Share

Shirley Houser Siegel Thanks so much Ron. This is very helpful.

Like · Reply · 6w

Norman Bob What specifically is the conflict of interest with the candidate and SCFD 4. What special interests? A special interest group?

Like · Reply · 5w · Edited

Ron Simmons The Special Interest group is his Labor Organization who is supporting his campaign. The conflict is that he is an employee of a neighboring Fire District. Some of the votes and issues that he will have to deal with could effect his employment situat... See More

Like · Reply · 5w

Mark Stultz Many, professional firefighters serve as commissioners. Not always a bad thing and infact many Snohomish county departments have professional firefighters serving as commissioners with excellent results. I can't speak to the personal agenda. But I can speak to the fact that professional firefighters have a good understanding of how fire departments work. what is needed to provide quality service to the community.

Like · Reply · 5w

Marcus Dill Mark Stultz ..... I think the Chief was giving his input on the upcoming election.... I don't he needs defend his position....

Like · Reply · 5w

Mark Stultz Thank you for the insite

Like · Reply · 5w

Write a reply...

Merritt Weese Ron, with regard to conflicts of interest, do you have any concern about candidate Darci Wilson's husband being currently employed by Fire District 4 on the administrative staff?

Like · Reply · 5w · Edited

Ron Simmons No, as a matter of act I don't. Nor of Mike Jorve considering his son is an employee. Thanks for asking.

Like · Reply · 5w

Merritt Weese Interesting 😊

Like · Reply · 5w

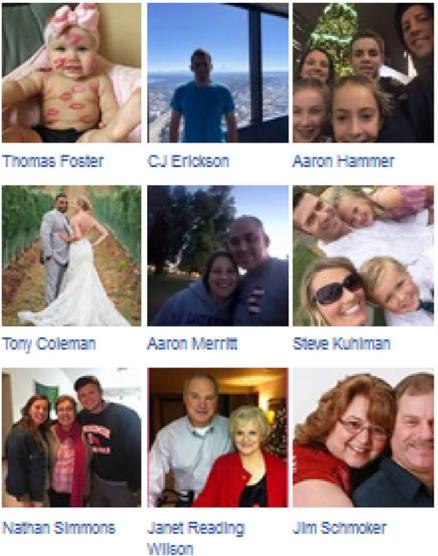
 Ron Simmons Timeline Recent

Married

Photos



Friends · 297 (6 Mutual)



Life Events

  
**Started New Job at Snohomish county Fire District #4**  
November 1985

English (US) · Español · Português (Brasil) · Français (France) · Deutsch

 **Ron Simmons** August 6 at 8:29 AM · 

I am taking phone calls this morning about the Fire Commissioner race for Snohomish County Fire District 4 -GREAT & THANKS. PLEASE GET ALL YOUR FRIENDS, NEIGHBORS AND RELATIVES TO SUBMIT THEIR BALLOTS TODAY! Wilson, Jorve or Hintz will all be fantastic representatives of the public interest.

 Thomas Foster and 5 others  2 Comments

 Michele Sayed If I was in your district I would vote! 😊  
Like · Reply · 4w

 Ron Simmons Thanks Miss!  
Like · Reply · 4w

 **Ron Simmons** July 23 · 

HEY SNOHOMISH FRIENDS & NEIGHBORS. Big yellow post endorsing candidate for District 4 Commissioners race going around, you will notice that Snohomish is not on it. Special interest group with an agenda has interest in your tax dollars.

 3  1 Comment  1 Share

 Hilary Melander Thanks Ron! I'll pass it on!  
Like · Reply · 5w

 **Ron Simmons** July 22 · 

SNOHOMISH NEIGHBORS AND FRIENDS. Ballots came out on Saturday and it took me a full couple of minutes to fill it out and have it ready for the mailbox. Darci Wilson or Mike Jorve are your best bets for Commissioner. Please VOTE informed, but PLEASE VOTE.

 5

 **Ron Simmons** July 20 · 

Fun morning at Klia Ha Ya Days Parade. Lots of discussion and overwhelming support for DARCI WILSON for District 4 Fire Commissioner. FRIENDS & NEIGHBORS - VOTE INFORMED.

 8  1 Share

Peter Lavelle  
Executive Director  
Washington State Public Disclosure Commission  
PO Box 40908  
Olympia, WA 98504-0908

Re: Violation of Fair Campaign Practices Act by Chief Ron Simmons

Dear Mr. Lavelle:

I write to raise a complaint involving a violation of the Fair Campaign Practices Act, RCW 42.17A. Ron Simmons, Chief of Snohomish County Fire District 4, has violated RCW 42.17A.555 by using his public office to support multiple candidates for Commissioner Position 4 of Snohomish County Fire District 4, and also to oppose my candidacy. Specifically, Chief Simmons violated RCW 42.17A.555, which prohibits public officials from using that office or any public facility, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office.

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<sup>1</sup> The Chief explained what “special interests” he was referring to in response to an inquiry made in the comments: “The Special Interest group is his Labor Organization who is supporting his campaign. The conflict is that he is an employee of a neighboring Fire District. Some of the votes and issues that he will have to deal with could effect his employment situation, and his agenda is a conflict with the interests of the current Board of Commissioners, but supporting of his employers. The last thing a Fire District needs is a Firefighter in a position to govern finance and policy of a neighboring department. WE need business people in this position who have the public's interests in mind. Wilson, Jorve and Hintz all are those people.”

If elected there will be conflict and contention in not only the board meetings, but the entire department. Official votes will need to be scrutinized for ethical and legal issues, and in some cases the conflict of interest should mean the inability to vote, leaving a 2 person board, which will also not serve the citizens well.

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Further, a paper memo was placed in each employee’s internal mailbox dated August 9<sup>th</sup>. This letter includes the phrase, “Some of us will need to work to gain some trust within the department, however I can’t mandate that nor will I try.” With the context of everything else that has been provided in this complaint, this memo serves as a final warning to employees to avoid politics and anything approaching dissent with the administration or board of commissioners.

I urge the PDC to conduct an immediate review into these allegations. Please contact me with any questions.

I attest that the above is true, according to my knowledge.

Sincerely,

Evan Merritt  
(ph) 520-247-4835