



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

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April 28, 2021

Delivered electronically to "mannlarry95@gmail.com"

Subject: Complaint regarding South Kitsap School Supporters, Gerry Austin, Treasurer, PDC Case 85423

Dear Larry L. Mann:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on February 3, 2021. Your complaint alleged that South Kitsap School Supporters (SKSS), Gerry Austin Treasurer, may have violated RCW 42.17A.235 and 42.17A.240 by failing to timely and accurately disclose contributions, expenditures, and debt on Summary Full Campaign Contribution and Expenditure reports (C-4 reports), and RCW 42.17A.260 by failing to file special reports of political advertising (PDC form C-6) for political advertising expenditures of \$1,000 or more made within 21 days of an election.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the response provided by Gerry Austin, and the applicable PDC reports filed by the Respondent to determine whether the record supports a finding of one or more violations.

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

- **Allegation one:** That South Kitsap School Supporters failed to report the full cost of signs supporting the February 9, 2021 Levy election. **Finding:** SKSS stated they disclosed the full cost of signs for the 2021 Levy campaign in accordance with the law. Mr. Austin stated the only expense that occurred during the campaign for the signs identified in the complaint were for stickers to alter the signs to make them applicable to the 2021 Levy election. Mr. Austin said the signs, stakes, and screws were previously purchased during the November 2018 Bond and Capital Levy campaign, and expenditures were reported to the PDC as required at that time. He said following the November 2018 campaign, the signs were collected and stored by members of the PAC for reuse in future campaigns. As the previous signs were applicable to both a Bond and Levy, alteration was required to make them applicable to only a Levy election. As such, the PAC purchased stickers from Capitol City Press to place on the signs for re-use. That expenditure has been reported. Following the February 2021 election, signs were again collected for reuse in future elections.
- **Allegation two:** That South Kitsap School District mailers marked as paid for by the District may have been paid for, in part, by SKSS. **Finding:** Mr. Austin stated SKSS did not publish, mail, or

contribute to the creation, publication, or mailing of any fliers for the February 2021 Levy Campaign, including fliers distributed by the District. Mr. Austin said informational materials generated by the South Kitsap School District were done independently, without input, review, or collaboration with SKSS. He said SKSS did not share costs or provide any support whatsoever for the generation of the District's materials.

- Allegation three: That SKSS failed to report within 24 hours on PDC form C-6 the sponsorship of political advertising costing \$1,000 or more and made within 21 days of the February 9, 2021 election: Finding: Mr. Austin said SKSS did not make any expenditures of \$1,000 or more between January 19<sup>th</sup> and February 9<sup>th</sup>. No such expenditures were identified in the C-4 reports of SKSS.

Based on these findings, staff has determined that in this instance there does not appear to be evidence supporting a finding of a violation warranting further investigation.

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 Phil Stutzman at 360-664-8853, toll-free at 1-877-601-2828, or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

*Electronically Signed Philip E. Stutzman*

Phil Stutzman  
Compliance Officer

Endorsed by,

*Electronically Signed Barbara Sandahl*

Barbara Sandahl  
Deputy Director  
For Peter Frey Lavalley  
Executive Director

cc: South Kitsap School Supporters, Gerry Austin, Treasurer