

Sheriff Ozzie Knezovich's Response to allegations listed in PDC Case Number 105472.

Complainant: Paul Dillon

Date of Complaint: 7 March 2022

Allegation: Violation of RCW 42.17A.555 for misuse of public resources to support or oppose of a candidate for office.

Response:

In his complaint Mr. Dillon alleges: "Sheriff Ozzie Knezovich has used public facilities to assist a candidate's campaign for Spokane County Commission in violation of RCW 42.17A.555 by posting a YouTube video (available here: <https://www.youtube.com/watch?v=5UgxCoH6fsU>) which amounts to an independent expenditure opposing the candidacy of a candidate for County Commission. Mr. Dillon's allegation is false on its face and Mr. Dillon has committed perjury in making this allegation. Mr. Dillon knowingly only mentions part 2 of a two-part YouTube video presentation. Part 1 can be located at: <https://www.youtube.com/watch?v=XfMYTEVYiqU>.

Mr. Dillon knowing filed a false allegation knowing this presentation contained two parts. He also knew the focus of the video was the rising number of violent shootings in our community. The Spokane County Sheriff's Office has used our YouTube Channel to communicate with the citizens of Spokane County for years. RCW 42.17A.555 Use of public office or agency facilities in campaigns subsection (3) clearly states "Activities which are part of the normal and regular conduct of the office or agency." is an exemption relating to this RCW. Mr. Dillon knew or should have known this at the time he filed his false complaint.

Mr. Dillon also knew, or should have known, that in order for there to be a violation of RCW 42.17A.555, he would have to show evidence that I created the video, "... for the purpose of assisting a campaign for election of any person to any office...". Mr. Dillon knew, or should have known, based on the content of the entire video series that the message behind the videos was the rise of violent shootings in the Spokane County area and providing information to the citizens of Spokane County as to whom they should talk to concerning this increase in violent shootings.

Mr. Dillon knew, or should have known, that WAC 390-05-273: "Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17A.555, means conduct which is (1) **lawful**, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) **usual**, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use." is not a prohibition to using YouTube to communicate with the public. The use of YouTube to communicate to our citizens is **lawful**, as noted in subsection (1) of the WAC and there is no prohibition to using said means to communicate with the public through YouTube or any other social media source. This means of communication with the public meets

the definition of **usual** under subsection (2) of the WAC in that governmental agencies have been using such means of communication to address and communicate with the public for years. The Spokane County Sheriff's Office has used YouTube as a means to inform our community since approximately 2012. Once again, Mr. Dillon knew, or should have known, based on the content of the YouTube presentations in question were not made for the "... purpose of assisting a candidate's campaign..." per the above-mentioned RCW or WAC.

Mr. Dillon falsely alleges, "Sheriff Ozzie Knezovich has used public facilities to assist a candidate's campaign for Spokane County Commission in violation of RCW 42.17A.555 by posting a YouTube video (available here: <https://www.youtube.com/watch?v=5UgxCoH6fsU>)... As there is only one other candidate for that district at the time the video was made, negative comments and attacks directed at one candidate is assistance to the other candidate." Mr. Dillon provides no evidence concerning this allegation other than the video was made, and there is only one other candidate running for the district in question at this time. I would point out that it is currently March of 2022 and the official filing date for this district does not take place until May of 2022. Giving ample time for other candidates to enter this race.

Mr. Dillon states: "Amber Waldref is a Democrat running for Spokane County Commission. Michael Cathcart is a Republican also running for Spokane County Commission. Both candidacies are shown on the PDC's candidate filing website... Waldref and Cathcart are the only candidates for Spokane County Commission's district 2." As stated above the official filing date of this district is not until May 2022. At no time in the video is Ms. Waldref's opponent mentioned nor do I tell people to vote for her opponent or against her.

Mr. Dillon states: "The video attacks 9 Democrats and three African American members of the public who are working for police reforms in Spokane. No Republicans are mentioned in the video." Mr. Dillon is correct that the individuals listed in the videos support police reforms. What Mr. Dillon fails to point out is that I also support police reforms and have lead police reform efforts within the state of Washington. I do not support the "police reforms" advocated by those in this video which make our communities less safe and have led to an increase in violent crime in Spokane County and the state of Washington. As to Mr. Dillon's assertion that no Republicans are listed in the videos, he is correct. No Republican elected officials that I know of support these unsafe reforms.

Mr. Dillon falsely asserts and provides no evidence to said assertion: "This video and its attacks targeted at candidate Waldref are an effort by Sheriff Knezovich to assist Mr. Cathcart in his election to County Commission...". As stated above Mr. Cathcart is not mentioned in the videos nor are any statements made pro or con in support or opposition to either candidate in the videos.

As stated above the purpose for this video was to inform the public as to the rising number of violent shootings in our community. In the last nearly year and a half we have lost several young people to this senseless violence. In March of 2021, the Police Chief of the City of Spokane held a press conference due to this violence. At that time four young people had lost their lives due to this senseless violence. The Chief and I held the press conference to inform the public and ask for their help in stopping this violence. My agency also posted a video of that press conference on our YouTube channel: <https://youtu.be/KAbuOwFIbzQ>. In August of the same year, I held a

press conference with leaders in the African American community in order to inform the public concerning this issue and to gain their support in stopping the deaths of our young people, <https://youtu.be/7U4YAUyNaFA>. I saw no PDC complaints filed by Mr. Dillon concerning these videos, however the Chief and I were labeled racists and white supremist for using the word gangs during the press conference. As mentioned above RCW 42.17A.555 Use of public office or agency facilities in campaigns subsection (3) clearly states “Activities which are part of the normal and regular conduct of the office or agency” is an exemption relating to this RCW. As you can see, I use YouTube and other social media sources to communicate with the citizens of Spokane County on a regular basis. One can find just how often by going to the Spokane County Sheriff’s Office YouTube channel, <https://www.youtube.com/user/SpokaneSheriff>.

It should be noted, Ms. Waldref is a former councilwoman for the City of Spokane, which makes her a public figure. The fact that she is running for office also makes her a public figure. With that said all of the individuals in the video are either elected officials, governmental appointees or leaders of organizations within the Spokane County area and the state of Washington which also makes them public figures. They support or have created policies which have led to an increase in violent and non-violent crimes in the Spokane County area. Pointing these facts out in a video does not constitute attacking or attempting to campaign for any would-be opponent.

If this were the case, then Mr. Dillon’s complaint is incomplete, since two other individuals listed in the videos, Rep. Marcus Riccelli (D), and Rep. Timm Ormsby (D), are also running for office this year. Mr. Dillon would have you believe that I only listed democrats in the videos out of partisan politics, knowing full well I have the reputation of endorsing local democrats much to the chagrin of my own party. I have had a good working relationship with the two representatives for years even though we disagree on items from time to time.

On November 3, 2021, Ms. Waldref made false and disparaging comments concerning myself and the Sheriff’s Office via Twitter: “Replying to @lisa4progress @SheriffOzzie Wow. @spokanecounty had to do some financial gymnastics to close a \$6 million budget deficit last year. And this how our limited public dollars are being spent? Where is the budget accountability?” As Sheriff, I have an obligation to my agency and the community to set the record straight concerning such comments made by a former elected official regardless of her status as a candidate. Ms. Waldref made these comments knowing that she intended to run for the open commissioner position. See attached screenshot of said Twitter post. It was this post to which I was referring in the video subject to Mr. Dillon’s complaint.

Lastly, if this video was made to further Ms. Waldref’s opponent’s campaign, why would I invite her, and all the others listed in the video, to meet with me every Friday at 9 a.m., in order to find a solution to the violence ravaging our community. Had any of the above-mentioned community leaders taken me up on this offer they would have been seen in a very positive light and would have been recognized as being willing to work with me to solve this issue. An issue which is killing our young people. Meeting with me would have actually been a boost to her campaign. Under Mr. Dillon’s logic perhaps her opponent would have had grounds to file a PDC complaint against me for assisting her campaign as she would have been seen as being willing to work with me in saving the lives of our young people.

Mr. Dillon has attempted to use one of the oldest and most used campaign tools there is to benefit his candidate, Ms. Waldref, and bully me into silence, which is to file this type of PDC compliant. These videos were not created to aid Ms. Waldref's opponent, they were created to inform the public as to the rise in violent shootings in our community, to give them the names of those who they need to talk with in order to express their concerns regarding this issue, and to give those listed a chance to come to the table and work with their law enforcement leaders to stop the deaths of young people within our community, many of which are young people of color.

These videos were made because I am just bone tired of watching young people die, of having our law enforcement officers watch these kids being put into body bags, of knowing that our law enforcement officers will have to once again watch another autopsy performed on a young person, of having them hear the screams of mothers when they learn their child will never come home again, of watching the families of victims plead for justice and an end to this violence, of young people fearing that they may be next. These videos were made to draw attention to this issue and to hopefully shame our community leaders into listening to the public at large and work towards fixing a broken criminal justice system and end policies which are killing our children. My motivation has been consistent in this matter since the press conference with the Spokane City Police Chief last March and the subsequent video's since. All of which are posted on the Sheriff's Office YouTube Channel. Parisian politics never crossed my mind in creating them. Ms. Waldref and her opponent will win or lose their race on based on their own action or inaction.

Mr. Dillon has falsely filed this complaint for his own political means in an effort to help his candidate and to silence me in our community. He has attempted to use the PDC process as a weapon and in doing so he has committed perjury. This fact is evidenced in his March 7, 2022 Facebook post, bragging about filling said complaint: "Today, I filed a PDC complaint against Sheriff Knezovich. In a recent video, he attacked members of the 3rd LD, Spokane City Council, Spokane County Commissioner candidate Amber Waldref and singled out individuals in Spokane's Black community – Pastor Walter Kendricks, Sandy Williams and Kurtis Robinson. The video is full of falsehoods - but when he named Waldref, he was using his elected office against a candidate which appears to be violation of RCW 42.17A.555. This isn't the first the time he's done this but it's escalating. Enough is enough. My whole life, I have never tolerated bullying of any kind. That's why we need accountability – especially for those who abuse power. We should follow facts, not fear. I hope this action helps." See attached screenshot.

Sheriff Ozzie Knezovich

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.



Paul Dillon

March 7 at 4:05 PM · 🌐



Today, I filed a PDC complaint against Sheriff Knezovich.

In a recent video, he attacked members of the 3rd LD, Spokane City Council, Spokane County Commissioner candidate Amber Waldref and singled out individuals in Spokane's Black community – Pastor Walter Kendricks, Sandy Williams and Kurtis Robinson.

The video is full of falsehoods - but when he named Waldref, he was using his elected office against a candidate which appears to be violation of RCW 42.17A.555.

This isn't the first the time he's done this but it's escalating. Enough is enough. My whole life, I have never tolerated bullying of any kind. That's why we need accountability – especially for those who abuse power.

We should follow facts, not fear.

I hope this action helps.



95

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Amber Waldref

@amberwaldref

Replying to [@lisa4progress](#) [@SheriffOzzie](#)

Wow. [@spokanecounty](#) had to do some financial gymnastics to close a \$6 million budget deficit last year. And this how our limited public dollars are being spent? Where is the budget accountability?

10:57pm · 3 Nov 2021 · Twitter for Android

📍 Spokane, WA, United States

1 Reply **2** Retweets **35** Likes

