



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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

December 16, 2024

Delivered electronically to gretl@gretlhomes.com , gretl.crawford@ci.kennewick.wa.us ,
chuck.torelli@ci.kennewick.wa.us , john.trumbo@ci.kennewick.wa.us ,
jim.millbauer@ci.kennewick.wa.us , brad.beauchamp@ci.kennewick.wa.us ,
loren.anderson@ci.kennewick.wa.us , jason.mcshane@ci.kennewick.wa.us and attorney-info@ci.kennewick.wa.us

Subject: Complaint filed by Don Britain, PDC Case #159389

Dear Gretl Crawford:

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

As noted in the letter to Don Britain, the PDC has dismissed this matter in accordance with [RCW 42.17A.755\(1\)](#) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to [WAC 390-37-060\(1\)\(d\)](#), this serves as a formal written warning concerning your use of a Kennewick City Council Workshop Meeting to promote an upcoming ballot proposition as noted in the enclosed letter sent to Mr. Britain. In the future, PDC staff expect you not to use public office-related facilities (resources) when expressing your personal views concerning supporting or opposing any candidate or ballot proposition, in accordance with WAC 390-05-271 except for the activities that are specifically permitted under .555(1), (2) and (3). The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

We also urge you to review the PDC's [guidelines](#) concerning the use of public facilities to prevent future activity that could violate RCW 42.17A.555 and reach out to PDC staff before using facilities if you are in doubt about whether an activity is permitted.

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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Electronically signed Tabatha Blacksmith

Tabatha Blacksmith
Compliance Officer

Endorsed by,

Electronically signed Peter Frey Lavallee

Peter Frey Lavallee
Executive Director



**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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

December 16, 2024

Delivered electronically to dwbritain@gmail.com

Subject: Complaint regarding Gretl Crawford, PDC Case 159389

Dear Don W. Britain:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on September 13, 2024. The complaint alleged that Gretl Crawford, Mayor of the City of Kennewick, may have violated RCW 42.17A.555 by using public office or agency facilities to assist an election campaign. Specifically, you alleged that Ms. Crawford made comments at a Kennewick City Council Workshop Meeting in support of an upcoming ballot proposition.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes and rules; the response provided by Gretl Crawford (the “Respondent”); and other relevant information to determine whether the record supports a finding of one or more violations.

Applicable Laws & Rules

- [RCW 42.17A.555](#) prohibits elected or appointed officials, their employees, and employees of a public office or agency from using, or authorizing the use of, public office/agency facilities¹ (resources), directly or indirectly, for the purpose of assisting an election campaign or for the promotion of, or opposition to, any ballot proposition.

However, the following activities do not violate .555:

- Action taken at a public meeting to express a collective decision, or to vote upon a motion, proposal, resolution, order or ordinance, or to support or oppose to a ballot proposition so long as 1) any required notice of the meeting includes the title and number of the ballot proposition; and 2) members of the council or the public are afforded an equal opportunity to express an opposing view.
- A statement made by an elected official in support of, or in opposition to, a ballot proposition at an open press conference or in response to a specific inquiry.

¹ “Facilities” include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency.

- [WAC 390-05-271\(1\)](#) states that RCW 42.17A.555 does not restrict the right of any individual to express their own personal views concerning supporting or opposing any candidate or ballot proposition if such expression does not involve a use of public office or agency facilities.
- [PDC Interpretation No. 04-02](#) are guidelines set forth by the PDC to aid local governmental agencies in complying with RCW 42.17A.555.

Background & Findings

Based on staff review, we found the following:

- The Respondent is a Kennewick City Council Member whose term expires on December 31, 2025. She currently serves as the Mayor of Kennewick.
- [Initiative 2066](#) (I-2066) is “an act relating to promoting energy choice by protecting access to [natural] gas for Washington homes and businesses.” I-2066 was placed on the ballot for voters’ consideration at the November 5, 2024 General Election.
- At a Kennewick City Council Workshop Meeting held on August 13, 2024, Rick Dunn with the Benton Public Utility District (PUD)² gave a presentation that included discussion about the city’s energy needs and challenges. Towards the end of this discussion, the Respondent made the following comments:
 - Mayor Crawford said: *“There is an initiative on the ballot that is coming up, um, put on by the people, and I would just say: You get to decide, at this point in time, what you want to vote for but, as I think Rick has poignantly pointed out, it is not necessary to completely cut out natural gas in our state. I would highly recommend that people educate themselves and hopefully vote to not ban natural gas because it’s going to end up, uh, costing us more and wreaking havoc...”*
 - Another Council Member (later identified by the Respondent as Mayor Pro Tem Torelli) interrupted saying: *“Excuse me mayor, as Council, we can educate but we cannot, um, argue for, and I think we’re hitting that edge there, maybe I’m wrong...”*
 - Mayor Crawford said: *“Okay, educate yourself. I won’t say any more tonight about it...”*

[Emphasis added]

- On September 27, 2024, the Respondent replied to the complaint by email and said she “was responding to the speaker’s comments on a scheduled topic” at the city’s August 13, 2024 Workshop Meeting. The Respondent said 1) she did not reference the ballot initiative by name or ask viewers to “vote yes” as the complaint alleged; and 2) her comments were made in the context of the presentation and discussion that preceded them. The Respondent stated the initiative was relevant to the topic being discussed and would “have an effect” on the city’s energy and affordable housing issues.

² Benton PUD provides electrical power to customers in Kennewick, Prosser and surrounding areas of Benton County.

- The Respondent also indicated her belief that there is some ambiguity surrounding the prohibition against use of facilities because the statutory notes in RCW 42.17A.555 say 1) “the public benefits from an open and inclusive discussion of proposed ballot measures by local elected leaders;” 2) that such discussions have included an opportunity for elected councils to “vote in open public meetings” to support/oppose ballot propositions affecting their jurisdictions; and 3) the state has a long-standing policy of “promoting informed discussions and understanding of ballot propositions” by allowing elected councils to “adopt resolutions supporting or opposing ballot propositions.” The Respondent said her comments were made with the intention of providing “informed public discussion.”
- The Respondent admitted her comments may have unintentionally come close to what was alleged in the complaint and indicates she would be more thoughtful in how she phrases comments in the future.
- I-2066 was passed by Washington State voters at the November 5, 2024 General Election.
- The Respondent does not have previous warnings/violations of PDC requirements.

Summary and Resolution

The comments made by the Respondent at the city’s August 13, 2024 Workshop Meeting appear to promote Initiative 2066. This activity is partially mitigated by 1) the fact that the comments were made in the context of a broader discussion about issues impacting the city; and 2) the Respondent’s good-faith misunderstanding concerning the application of the statute. However, the public was not properly noticed that the ballot proposition would be discussed at the meeting nor were members of the public or the Council given an equal opportunity to express an opposing view at a properly noticed meeting as required pursuant to .555(1).

Based on our findings, staff has determined that, in this instance, the Respondent’s use of public facilities to promote a ballot proposition does not appear to be a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Gretl Crawford will receive a formal written warning concerning her use of a Kennewick City Council Workshop Meeting to promote a ballot proposition. The formal written warning will include staff’s expectation that Gretl Crawford does not use public office-related facilities (resources) when expressing her personal views concerning supporting or opposing any candidate or ballot proposition, in accordance with WAC 390-05-271 except for the activities that are specifically permitted under .555(1), (2) and (3). The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

We are also urging the Respondent to review the PDC’s [guidelines](#) concerning the use of public facilities to prevent future activity that could violate RCW 42.17A.555 and reach out to PDC staff before using facilities if she is in doubt about whether an activity is permitted.

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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed Tabatha Blacksmith

Tabatha Blacksmith
Compliance Officer

Endorsed by,

Electronically signed Peter Frey Lavalley

Peter Frey Lavalley
Executive Director

cc: Gretl Crawford, Mayor/Kennewick City Council Member
Charles Torelli, Mayor Pro Tem/Kennewick City Council Member
John Trumbo, Kennewick City Council Member
Jim Millbauer, Kennewick City Council Member
Brad Beauchamp, Kennewick City Council Member
Loren Anderson, Kennewick City Council Member
Jason McShane, Kennewick City Council Member
Laurencio Sanguino, Kennewick City Attorney