

## Thurston County's Response to PDC Case Number 96516-Eric Weppler's Complaint

### Introduction

Mr. Weppler alleges that Thurston County used public funds to produce a mailer promoting Proposition 1 EMS Levy Lid Lift 2021 in violation of RCW 42.17A.555. Thurston County agrees that public funds were used to produce this mailer, however the County strongly disagrees this mailer violated state law.

The County produced this mailer because it has a duty to inform the public of the operational and maintenance issues facing Medic One.

### Law

While RCW 42.17A.555 prohibits local government from using public facilities to promote a ballot proposition, WAC 390-05-271 states that this prohibition *"does not prevent a public office or agency from . . . making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency."* In PDC Interpretation 04-02, *Guidelines for Local Government Agencies in Election Campaigns*, the Commission held that *"it is not only the right, but the responsibility of local government to inform the general public of the operational and maintenance issues facing local agencies."* This Interpretation further states that *"[t]he PDC will presume that every agency may distribute throughout its jurisdiction an objective and fair presentation of the facts for each ballot measure,"* typically a jurisdiction-wide "fact sheet" mailing. Such a presentation must accurately portray the cost and other anticipated impacts of a ballot proposition and must not promote or oppose the proposition in the tenor or tone of the language used. *See* PDC Memo dated January 12, 2015 to Local Government Agency Officials re: Election-Related Communications by Local Government Agencies (2015 Guidance Memo) (PDC made this memo available to answer common questions about agency publications, as a result of PDC not having staff resources to review draft agency publications on ballot propositions and provide written recommendations in order to facilitate compliance with RCW 42.17A.555).

As illustrated in the 2015 Guidance Memo an "objective and fair presentation of the facts" concerning a property tax levy means stating the proposed tax increase in terms of the additional annual cost to the owner of a home of average value in the jurisdiction. Such a presentation should also explain, in neutral, factual terms, the outcome anticipated if the proposition is rejected by voters. An objective and fair presentation of the facts must avoid the following:

- Overtly promotional or oppositional content (including inflammatory or emotionally-driven language; check marks and other indications of support; and gratuitous photos that tend to provoke an emotional reaction—e.g. an image of a body on an EMT stretcher, or a house exploding in flames;
- Statements that speculate about possible secondary or tertiary impacts of a ballot proposition.

- Statements seeking to minimize the cost of a ballot proposition, e.g., through comparisons to small-ticket items such as coffee, pizza, or a magazine subscription.
- Statements purporting to describe the sponsoring agency's responsible fiscal management.
- Detailed information about property tax exemptions.

## **Facts and Analysis**

Thurston County staff consulted with the Prosecuting Attorney's Office several times during the drafting of the mailer to ensure that their mailer was objective and factual. A review of each panel of the mailer, attached, reflects that the mailer complies with the 2015 Guidance Memo.

Panel 1 identifies the title of the proposition, a summary of what the mailer includes, "information regarding the August 3, 2021 ballot," and a picture of a parked Medic One vehicle.

Panel 2 generally describes Medic One services, the fact that the cost of services has matched or exceeded revenue, and the proposed amount of the levy that would restore the 1999 voter approved rate.

Panel 3 identifies the services that would be eliminated or reduced if the levy does not pass and the amount or revenue that would match anticipated expenditures if the levy passes.

Panel 4 lists specific services that Medic One provides.

Panel 5 provides statistics about population growth, calls for medical services growth; and cost for medical services growth.

Panel 6 provides no information one way or another about the Proposition.

The information provided in the mailer is factual and objective. Notably there is not overtly promotional or oppositional content, including inflammatory or emotionally-driven language; check marks and other indications of support; nor gruesome photos that tend to provoke an emotional reaction—e.g. an image of a body on an EMT stretcher, or a house exploding in flames. Furthermore, the mailer does not contain statements seeking to minimize the cost of the ballot proposition, e.g., through comparisons to small-ticket items such as coffee, pizza, or a magazine subscription. Finally, there are not statements or testimonials about what a good job Medic One does in managing fiscal resources or how great the services are. *See* attached Mailer produced by Friends of Thurston Medic One.

## **Summary**

Thurston County has the responsibility to inform the public of the operational and maintenance issues Medic One is facing and distributed an objective and fair presentation of the facts. For these reasons, Thurston County's mailer complied with the requirements of RCW 42.17A.555 and PDC Guidance on these issues.

# STATISTICS



**Local population growth 2008-2019**  
(According to historical data published by the US Census Bureau)



**Calls for medical service growth 2008-2019** (According to historical data published by TCOMM 911)



**Cost for medical services growth 2008-2019** (according to historical data published by the Centers for Medicare & Medicaid Services)

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THURSTON COUNTY  
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## EMERGENCY SERVICES

*Creating Solutions for Our Future*

R000  
5925  
1317  
16



## Proposition 1 EMS Levy Lid Lift 2021

Information  
regarding the  
August 3, 2021  
ballot





# Panel 2 WHO WE ARE

Medic One provides pre-hospital emergency medical services to the residents of Thurston County. We also provide training, equipment, supplies, and medical oversight for responders.

## WHAT IS THE ISSUE?

Medic One is supported by a permanent property tax levy that was passed in 1999. This levy is allowed by law to grow at 1% plus new construction. However, medical service costs including pharmaceuticals, medical supplies, paramedic salaries, and patient care equipment, matched or exceeded revenue every year.



## WHAT WILL THIS COST ME?

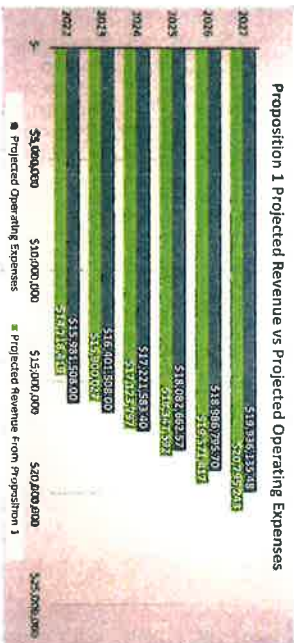
By restoring the levy to \$0.35/\$1,000 property value in 2022, and increasing it by \$0.03/\$1,000 property value in years 2023-2027, the levy would be fully restored to its 1999 voter approved rate of \$0.50/\$1,000 property value in the final year of the stair-step restoration.

# Panel 3 WHAT IF THE LEVY DOES NOT PASS?

- Defer modernization and replacement of medical equipment, including paramedic units.
- Cancel the deployment of the 8th Medic Unit in the county
- Reduce the citizen CPR training program by 64 percent
- Reduce financial support to fire agencies for medical equipment, supplies and training for EMTs

## HOW MUCH REVENUE WILL MEDIC ONE GAIN?

In order to keep pace with costs for medical services, Medic One needs to increase revenue. Proposition 1 seeks to gradually increase revenue through a property tax restoration at a rate that nearly matches anticipated expenditures over the next 6 years.



This levy will restore the rate back to the original 1999 voter approved \$0.50 cents per thousand of assessed property value over the next 6 years.

## WHAT DO WE PROVIDE

- 1 Medic One provides CPR and AED training free of charge. 74% of cardiac arrests occur at home, and you are the first on the scene.
- 2 Basic Life Support (BLS) EMTs. Medic One provides initial and ongoing EMT training, supplies, equipment, and resources to all fire agencies in Thurston County.
- 3 Advanced Life Support (ALS) Paramedics. Medic One provides 7 Medic Units throughout the county, 100% of equipment, and supplies for ALS services, and 80% of medic salaries.





*"My grandson had a severe allergic reaction. I called Medic One. They were responsive, professional & kept me calm while treating him. We are so grateful!"*

- Cheryl Sparkuhl, Olympia, WA

*"The Paramedics from Tumwater... got him exactly where he needed to be and saved my husband's life!"*

- Sharon Jones, Tumwater, WA

*"I feel I can provide better care to the patients of Thurston County because of the training and equipment we receive from Medic One."*

- Scott Torkelson, EMT, Lacey, WA



**Please remember to vote YES and return your ballot by August 3rd.**

2019 accident scene on I-5 near 113th. Photo credit: unknown

Additional testimonials can be found at: [www.yesmedicone.org](http://www.yesmedicone.org)



**Yes!**

**MEDIC ONE**

**Prop 1**





# Yes!

## MEDIC ONE

### Prop 1



**The Best:** Thurston County is fortunate to have one of the best Emergency Medical Systems in the Country.



**Leader in Service:** Medic One was the first county-wide system in the United States to combine high quality emergency medical response and cost-effective cooperation with fire agencies, setting an example for others.



**Saving Lives:** Medic One provides basic and advanced life support, emergency medical and trauma care, including transportation of critical patients.



**Vote Yes:** Medic One prevents deadly outcomes and provides emergency care for illnesses and injuries we can depend on.

**Medic One Proposition No. 1 Levy**  
**Lid Lift is a funding measure on**  
**your Primary Election Ballot.**  
**Approval will ensure first**  
**responders continue to be trained,**  
**equipped, and are prepared to**  
**meet the growing needs of our**  
**emergency medical services.**

Top five contributors of \$1,000 or more:  
Tumwater Firefighters Union IAFF Local 2409;  
Lacey Professional Firefighters IAFF local 2903;  
Olympia Fire Fighters IAFF Local 468;  
Braun Northwest

Paid for by: Friends of Thurston Medic One  
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www.yesmedicone.org

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MAILBOX OF OLYMPIA



**Please remember to vote YES and**  
**return your ballot by August 3rd.**

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OR CURRENT RESIDENT  
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