

Respondent Name
Kennewick SD
Complainant Name
John Trumbo
Complaint Description
<p>Johntnews reported via the portal (Sat, 11 Feb 2023 at 12:25 PM)</p> <p>I am unable to attach any files. John Trumbo</p>
What impact does the alleged violation(s) have on the public?
<p>Activities of the Kennewick School District and the Kennewick Citizens Levy & Bond Committee in regard to the Feb. 14 Proposition 1 Levy measure have exceeded what is allowed in the RCWs cited above. By these excesses, the two entities have not only presented information about Proposition 1, but have used public resources (taxpayer-funded) to strategically influence election results. The info graphics and photographs that are used are more than just information about district operations and programs. These communication methods also deliver emotional impact that is smartly designed and imbedded in such a way as to influence voters. The flyers, mailers, websites and banners are subtle, but intentional, appeals to voters. Taken as a whole, the KSD and committee campaign is designed to influence and persuade voters to support Proposition 1. This strategy, while clever, is clearly not allowed by language the Washington Legislature approved in RCW 28A.320.090.</p>
List of attached evidence or contact information where evidence may be found
<p>This complaint is prompted by the actions of the Kennewick School District and the Kennewick Citizens Levy & Bond Committee to influence the outcome of a public vote Feb. 14, 2023, on Proposition 1, an effort to raise the levy rate for all taxpayers in the district.</p> <p>1. The Kennewick School District and the Kennewick Citizen Levy & Bond Committee, which is registered with the state Public Disclosure Commission, are promoting the proposition with funds received from individual donors. That financial activity has been reported to the PDC on C-3 and C-4 reports as required by law. But it now appears that some of the committee's promotional materials, including handouts, flyers, digital ads, and mailers have not contained sponsor identification as requires by RCW 42.17A.320. (Digital images of examples are attached below).</p> <p>2. Also, materials that were shown and handed out at a Jan. 12, 2023, meeting of the Kennewick FOCUS Committee, held in district offices with district employees and members of the community in attendance, lacked the required sponsor identification. (RCW 42.17A. 320). In addition, it appears those materials were not solely informational about operations and programs, but were intentionally designed to influence the effort to have Proposition 1 approved in the Feb. 14 election. (Digital image of flyer included below.) Dissemination of these materials, which have been and continue to be available in the lobby of the KSD offices and through district resources, including district personnel on district property, would be a violation of RCW 28A. 320-090, which prohibits "preparation and distribution of information to the general public for the purpose of influencing the outcome of a school district election."</p> <p>3. A campaign mailer promoting Proposition 1, lacking sponsor identification and sent via the U.S. Postal Service to Kennewick district residents, bears an official Non-profit Postal Permit No. 99 postal mark and a return address of the Kennewick School District, 1000 W. 4th Ave., Kennewick, WA 99336. Who requested and paid for that permit? By what means does someone obtain a nonprofit mailing permit? Can anyone? (Digital image of the mailer is included below.)</p> <p>4. The Kennewick School District's promotional website for the Proposition1 Levy measure is KSD.ORG/LEVY which is included on an email blast dated February 3 from the Tri-Cities Area Chamber of Commerce. (Digital image of the email blast is included below). The email blast contains the KSD logo. There is no other sponsor identification on the email blast. A chamber employee informs that only chamber members are allowed to place ads in the chamber's periodic email blasts, which cost \$50 per ad. A political campaign committee would not be allowed to place the ad unless that committee was a chamber member. It would appear the Kennewick School</p>

District requested and paid for the ad in the February 3 email blast. This would be a violation of RCW 28A.320.090 which prohibits use of district resources to influence an election.

5. An image on the Kennewick School District webpage, KSD.ORG/Levy, shows a Kennewick Police Department School Resource Officer in uniform in a public school hallway during work hours as part of a promotion to get people to vote for the school levy. (Digital image included below). Although this image was used for a KSD levy flyer in April 2022, it remains on the district's levy webpage which is promoting the Feb. 13 election. Unless this image was created by the officer's employer (Kennewick Police Department) for the city's use and also available for public access as an image, this appears to violate both RCW 28A.320.090 and RCW 42.17A.555.

6. There are several images of school-age children on flyers, on KSD websites, mailers, and handouts. (Digital images provided below). Under what situations were these photos created? At KSD schools? During school hours? Who took the photos? Were parental permissions obtained beforehand? Were any KSD employees involved in making the initial contacts to the children or parents about being willing to be photographed for a political advertising campaign? Who paid the photographer and for the printing of the promotional/informational materials that contain the children's images? Answers to these questions will establish whether there were violations of RCW 28A.320.090 and RCW 42.17A.555 or other state laws.

7. Several KSD schools, including Park Middle School on 10th Avenue and Kennewick High School on Garfield Avenue, have large banners on fences on school property urging passersby to vote. In light of the ongoing efforts of the district to "inform" residents about Proposition 1, this appears to be for the purpose of encouraging passersby to vote favorably on the measure. And since the banners are not information in nature as would be required by RCW 28A.320.090, why are they allowed on school property? Who paid for the banners, and are they in violation of RCW 42.17A.555?

8. There are political signs at various locations within the Kennewick School District that are within public right-of-way but do not have permission of the adjacent property owner to be placed there. This is in violation of City of Kennewick rules regarding political signs. The city requires there be permission of adjacent property owners for right-of-way sign placements.

CONTACT THE COMPLAINANT, JOHN TRUMBO AT 5009-366-2241 FOR MORE INFORMATION OR QUESTIONS ABOUT ANY OF THE ABOVE ITEMS.

List of potential witnesses

John Trumbo at 509-366-2241

Loren Anderson, Kennewick council representative on Kennewick FOCUS Committee

Pat Mastaler, Jan Fraley, Mary Lynn Merriman -- KSD appointed members of the Proposition 1 Pro Committee. Contact 509-308-4286.

Certification (Complainant)

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.