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

May 7, 2024

Delivered electronically to Brett Myers at myers80.bm@gmail.com

Subject: Complaints filed by Mike Curtis, Alyssa Duarte and Terry E. Parker, PDC Case 150086

Dear Sheriff Brett Myers:

Below is a copy of an electronic letter sent to Mike Curtis, Alyssa Duarte and Terry E. Parker concerning complaints filed with the Public Disclosure Commission (PDC).

As noted in the letter, 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 public facilities to support a candidate for public office. In the future, staff expects you to abide by RCW 42.17A.555 and the Guidelines for Local Agencies in Election Campaigns.

The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, contact Alice Fiman at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov

Sincerely,

/s
Alice Fiman
Compliance Officer

Endorsed by,

/s
Peter Frey Lavallee
Executive Director

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May 7, 2024

Delivered electronically to michelcurtis20@gmail.com, msalyss85@yahoo.com, and terryparkerkinunen@gmail.com

Subject: Complaints regarding Sheriff Brett Myers, PDC Case 150083

Dear Mike Curtis, Alyssa Duarte and Terry E. Parker:

The Public Disclosure Commission (PDC) completed its review of the complaints you filed Feb. 27, 2024. The complaints alleged Sheriff Brett Myers violated RCW 42.17A.555 by using public facilities to support a candidate for public office, specifically Myers's use of public facilities while participating in a video supporting Dave Reichert's 2024 campaign for Washington State Governor.

PDC staff reviewed the allegation listed in the complaint; the information submitted with the complaint; the relevant statute(s) and rules; the response to the complaint; and other relevant information, to determine whether the record supports a finding of one or more violations.

Based on this review, staff found the following:

- RCW 42.17A.555 prohibits public officials and agencies from using or authorizing the use of facilities, directly or indirectly, for the purpose of promoting or opposing candidates or ballot propositions/measures. This prohibition does not apply to activities that are part of the normal and regular conduct of the public/local agency, as defined in WAC 390-05-273.
- Facilities of a public office or agency 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.
- The PDC offers Guidelines for Local Agencies in Election Campaigns and a 2015 staff analysis to assist public agencies in determining whether an activity is permitted.
- The Guidelines state, in part, local government elected officials may engage in political activities on their own time, if there is no use of public equipment, vehicle, or facility. An elected official may use their title so long as they clarify that they are speaking on their own behalf, and not on behalf of the agency. They may also attend events and voice their

opinion about a candidate or ballot proposition if they are not compensated and are not using any public equipment, vehicle, or other facility.

- Whitman County Sheriff Brett Myers appears in the video made to promote Dave Reichert's 2024 campaign for Washington State Governor. Myers is speaking about his support of Reichert from his county office and is shown in his county-provided uniform.
- In response to the complaint, Myers noted they "accept full responsibility for any violation or oversight that may have occurred" and "will take appropriate actions so it does not happen in the future."
- In his response to the PDC, Myers, who has been in office for 22 years, stated his agency does not provide written guidance or training to staff on how to comply with RCW 42.17A.555.
- Myers does not have other similar warnings or violations of PDC requirements.

Based on the above review, the staff has determined that, in this instance, the circumstances do not support a finding of a violation that warrants further investigation. However, pursuant to WAC 390-37-060(1)(d), Myers will receive a formal written warning concerning the use of public facilities/resources to support a political candidate. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

PDC staff finds that no further action is warranted in this matter and has dismissed your complaints in accordance with RCW 42.17A.755(1)(a).

If you have questions, contact Alice Fiman toll-free at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov

Sincerely,

/s
Alice Fiman
Compliance Officer

Endorsed by,

/s
Peter Frey Lavallee
Executive Director