

COMPLAINANT JOE A. KUNZLER COMMENTS AND REQUESTS FOR CASE  
#120879

24 April 2023

**RE:** Complainant Joe A. Kunzler Comments and Requests for Case #120879

Dear Washington State Public Disclosure Commission;

Want to keep fostering full disclosure of money in politics and promote confidence in the political process? Well, I do. Now normally, a complainant should let the complaint speak for itself – *Res Ipsa Loquitur*. But considering the high stakes involved with the significant history around Avrum “Alex” Tsimerman – such as documented in Tackling Tsimerman on Amazon and in case #s [95308](#) and [109529](#) plus arguably [27890](#), I feel a direct appeal to the Commission itself is necessary in Case #[120879](#). See, I believe Tsimerman’s prolific misbehavior is creating a clear path to *destroy* campaign finance laws where Tsimerman has been fined but not paid up. Failure to provide genuine enforcement for failing to provide the paper trail to who is financing this serial candidate and public commentator *will* destroy fiscal transparency in politics.

## REQUESTS OF THE PDC

### Request for Oral Comment

I request the PDC to please advise me when on April 27, 2023, to give oral comment on case 120879. I would prefer to testify as I am the complainant at the 1:15 PM hearing, but I can do so at public comment upon request. My oral remarks should not take longer than five minutes – I have reviewed some of your previous hearings and noticed how briskly they are conducted.

### No Stipulation Please

I request that the PDC please not accept any “Stipulation” under WAC 390-37-090 from Alex Tsimerman unless you have cash on hand and an agreement to suspend all campaign activities. I doubt Tsimerman will furnish either, much less both. Tsimerman is on his third violation and as of April 24, 2023, failed to pay his fines from either case 95308 or 109529. Tsimerman’s shown zero interest in compliance with campaign finance law, and his malicious conduct, such as at Bellevue City Council, Bellevue School Board, City of Kirkland, King County Council, Port of Seattle Commission, and Sound Transit, shows few signs of abating without strong enforcement.

### WAC 390-37-182 Seemingly Insufficient

I have reviewed WAC 390-37-182 and the penalty schedule seems insufficient. For one, Tsimerman has not filed his candidate registry and Personal Financial Affairs Statement (F-1 report) as of April 23, 2023. The current penalty schedule does not have entries for blatant refusal to file.

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Invocation of RCW 42.17A.755 (4)

*(4) In lieu of holding a hearing or issuing an order under this section, the commission may refer the matter to the attorney general consistent with this section, when the commission believes:*

*(a) Additional authority is needed to ensure full compliance with this chapter;*

*(b) An apparent violation potentially warrants a penalty greater than the commission's penalty authority; or*

*(c) The maximum penalty the commission is able to levy is not enough to address the severity of the violation.*

Therefore, I *am* asking that you *please* send this case to the Attorney General of the State of Washington. Let us go thru each part of RCW 42.17A.755(4).

- a) Tsimerman has not appeared in any proceedings under case 120879 so far as of 24 April 2023.
- b) Tsimerman has neither appeared nor paid his fines from either case 95308 or 109529 or preferably both as of 24 April 2023.
- c) Tsimerman's malicious use of public comment periods to the campaign was premeditated, systemic, and spanned multiple jurisdictions. Furthermore, Tsimerman has been using his campaigns to spew hate and disrupt the proceedings of many jurisdictions.
- d) The Public Disclosure Commission has had zero compliance from Alex Tsimerman so far. Without compliance, we don't know if Tsimerman is a resident in the King County Council District he's running for and how Tsimerman's activities are being funded.

Furthermore, Tsimerman's behavior is premeditated maliciousness.

Tsimerman's pattern of conduct towards you and local elected officials inspires no one to respect or even fear the PDC, making the PDC's work more difficult and bordering on impossible.

For all of those reasons, you *must* call in the Attorney General of the State of Washington. Tsimerman is too big of a threat for the PDC and your friends to handle alone. We need Tsimerman in a court of law with warrants.

Ultimately: I call upon the Public Disclosure Commission to *please* make extremely clear that if you fail to comply with campaign finance law maliciously and use the special free speech protections given candidates to abuse public resources plus harass public servants – you will see a day in court. You *will*.

### Reminder Letter Request

Finally, I request upon the Public Disclosure Commission to please request staff to issue each jurisdiction Alex Tsimerman is found to have campaigned in a *de facto* reminder letter. In that 'reminder letter' should be a citation to this case and counsel to uphold RCW 42.17A.555 or face serious consequences for *any* future appeasement. The only way Alex Tsimerman was stopped in using public comment for his latest campaign is because yours truly was running behind Tsimerman, reminding elected officials of this law to temper his outbursts plus filing this complaint.

## WHY DID I FILE THIS COMPLAINT?

Fair question. Let me attempt to answer acutely. Although I recognize that the Public Disclosure Commission regulates neither public meetings nor public comment when the Public Disclosure Commission members decide to invoke RCW 42.17a.755(4); the *conduct* of Alex Tsimerman must be a factor.

I have had to suffer thru Tsimerman's malicious, unparliamentary misconduct – and the appeasement of – since 2016. The constant "Sieg Heil" and Nazi salutes coupled to public displays of affection for Donald Trump that would be deplorable almost anywhere else – behavior that has alarmed and traumatized some in the community. At some point – especially with campaign finance transparency endangered by Tsimerman's prolific conduct to further a malicious campaign of hate – my fellow Americans and I must ensure "never" in never again is genuine.

To quote President Biden's message to Jewish Americans recently,

Under my presidency, we continue to condemn antisemitism at every turn. Failure to call out hate is complicity. Silence is complicity. And we will not be silent.

Standing up to Alex Tsimerman and his hate speech will require the full arm of the law. I know none of you at the Public Disclosure Commission signed up to do more than manage campaign finance law and all I wanted was to cheer on Sound Transit, but here we are. As Ukrainian President Zelensky tweeted,

We remember: it is only the victory of life that stops evil. Wherever hatred rears its head, life must prevail - by law and force. We value everyone who preserves the memory of the Holocaust and protects life.

That is where you come in – to ensure life prevails by law because the only way to stop hatred itself without fighting fire with fire is to uphold the law and get the force of law enforcement involved.

## CONCLUDING THOUGHTS

I suspect this is going to be hard for the Public Disclosure Commission to call in the Attorney General's Office of the State of Washington. This case's outcome will decide whether we have campaign finance law with integrity – especially considering Tsimerman's recidivism.

As such: If you fail to refer this case to Attorney General Bob Ferguson's office, then you are complicit in what is next. Most likely, Alex Tsimerman will not pay his fines this time without a court order like Alex Tsimerman did not pay his fines the first or second time.

This PDC's fault is not impatience or grace. You have been patient and gracious for many months with Alex Tsimerman.

But I assure you that the only thing that will make Alex Tsimerman retreat is the use of force. Whether from the Sound Transit Police serving as bailiffs or the threat of public comment suspension, that's all Tsimerman respects.

If the Public Disclosure Commission pulls back from maximum enforcement of sending in Attorney General's Office attorneys to get warrants at the time of reckoning – what then? What will Tsimerman and others with contempt for campaign finance law feel? Strengthened beyond measure. If non-compliance with any campaign finance requirement becomes normalized without consequence, then why even have a Public Disclosure Commission?

At the very moment when the PDC and the Attorney General's Office of the State of Washington are most needed to defeat Alex Tsimerman and defend campaign finance law, will you falter? I will not be a party to such a course, that's why I filed my complaint. This is the time for the PDC and Attorney General's Office of Washington to stand up for what you know to be right. To show that we *will* confront monsters like Alex Tsimerman, who put our democracy at risk. To show at the moment of decision that we have the courage to do the right thing to ensure that the "never" in never again means something.

Please decide to send Alex Tsimerman to the Attorney General's Office under RCW 42.17A.755(4) so we can retain our public disclosure laws. Engage.

Respectfully submitted;



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