

JAK Written Public Comment for 23 Jan. 2025 PDC Meeting

[Joe Kunzler](#) reported via email

(Tue, 21 Jan 2025 at 12:56 PM)

To:"PDC Support" <pdcc@pdc.wa.gov>

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External Email

Hi there PDC;

Coming down in person to see how you gents operate Thursday but I wanted to provide the Commission and Staff with a read-ahead document of intentions. My ETA if I can make [all the transit connections](#) is 10:15 AM. If that runs later, will e-mail with an absolute worst case ETA of 11:32 AM.

You may notice all the CCs. There is a reason: I want the attention and awareness of the CCs about Avrum (Alex) Tsimmerman's continued misconduct and the need for fixes. I also want it clear to the two state legislators on this thread that I am doing my fair share and hopefully more to work on these problems a Neo-Nazi poses to our commons.

See the PDC in person Thursday.

Thoughtfully;

Joe A. Kunzler

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21 January 2025

RE: JAK Written Public Comment for 23 Jan. 2025 PDC Meeting

Dear Public Disclosure Commission Commissioners and Staff;

As you are aware, I have submitted [a petition for rulemaking](#) again. Although [the staff response we got](#) is unsurprising and a bit inaccurate, I am nonetheless deeply concerned. The new petition is somewhat different and makes clear what is required for compliance. Especially at a time when we have Avrum (Alex) Tsimerman continuing to make borderline, if not campaign statements at multiple public comment periods, at a time when we just had the front row of a US Presidential Inauguration full of social media CEOs, and at a time where it's harder not easier to serve our communities. All should be of mutual concern requiring action for *clarity*.

I want to bring to your attention at the outset a quote from Timothy Snyder in [On Tyranny](#):

“It is institutions that help us to preserve decency. They need our help as well. Do not speak of “our institutions” unless you make them yours by acting on their behalf. Institutions do not protect themselves. They fall one after the other unless each is defended from the beginning. So choose an institution you care about—a court, a newspaper, a law, a labor union—and take its side.”

That's how I approach my interactions with the Public Disclosure Commission. I also think a Public Disclosure Commission that cannot enforce its findings, has a backlog of enforcement cases and is diminished in its ability places Washington State democracy in grave danger.

I also see a grave danger to democracy if we start having people use public comment as a public resource for their campaigns. That's why *enforcement* of the requirement to not use public comment for campaigning is vital.

I am also concerned about the grave danger of a PDC with a caseload that cannot be resolved promptly. That cannot hold malicious actors like Avrum (Alex) Tsimerman and Brian Heywood accountable promptly. This is a green light to haters and big money to take over our democracy, a green light from a lack of enforcement and investment.

With that, I have attempted to craft a rule that clarifies what a violation of RCW 42.17A.555 during public comment as per RCW 42.30.240 is. I added clear instructions both for enforcement of this rule and penalties. In an interest to show mercy to those who serve our communities and attempt to administrate public comment with unclear guidance, constant bullying, and such, I wrote in a penalty that is more about rehabilitation than retaliation. I also suggested as to how to speed up complaint processing. Overall, this is an attempt to lighten the burden of public service.

I am also open to genuine staff and CC list suggestions that provide *clarity* to all. In my many conversations with local elected officials and their attorneys about Tsimerman's malicious abuse of public comment, the fear of lawfare comes up. So providing clarity is a must to protect the public from Tsimerman's malicious misbehavior, which does include not just campaigning but "Sieg Heli" chants alongside Nazi salutes and refusing to pay the Public Disclosure Commission no less than \$36,250 in accumulated fines. Clearly, "institutions do not protect themselves."

I wish to be clear in closing: If any of you have better ideas that provide clarity in enforcement and make clear this misbehavior has to cease and desist, I am all ears. I'm not going to be receptive to a dismissive attitude when we can safely expect more complaints about this misbehavior in an overloaded enforcement system. I think it's safe to say that Kirkland City Council will likely be the next complaint, considering their horrendous, if not malicious, record in appeasing Tsimerman. Again, I am doing my best to save the PDC, and as former President Biden said in his farewell address;

"I still believe in the idea for which this nation stands — a nation where the strength of our institutions and the character of our people matter and must endure. Now it's your turn to stand guard. May you all be the keeper of the flame. May you keep the faith."

I intend to, and quite frankly, I believe the CCs *not* from Kirkland will also. As always, I thank you and the CCs for your public service to the Best State in the Union.

Very strategically submitted;



Joe A. Kunzler
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CC List of Good Public Servants Most Affected:

- State Sen. Javier Valdez, Chair of State Senate State Gov't & Elections
- State Rep. Sharlett Mena, Chair of State House State Gov't & Elections
- King County Council Chair Girmay Zalihay
- Bellevue Mayor Lynne Robinson
- Redmond Mayor and Sound Transit Board Member Angela Birney
- Redmond Council President Vanessa Kritzer
- Seattle City Council President Sara Nelson
- Kirkland Mayor Kelli Curtis
- Kirkland City Attorney Darcey Ellers