



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

In the Matter of Enforcement  
Action Against

Todd Blackman and 2011 Todd  
Blackman Campaign

Respondent.

PDC Case No. 13-001

Notice of Administrative Charges

IT IS ALLEGED as follows:

**I. Jurisdiction**

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all related exhibits by reference.

**II. Allegations**

2. Staff alleges that Todd Blackman violated RCW 42.17.130 by using the public facilities of Franklin County Public Utility District No. 1 (Franklin Co PUD #1) to assist his 2011 campaign for Fire Commissioner of Franklin County Fire Protection District No. 3.

**III. Facts**

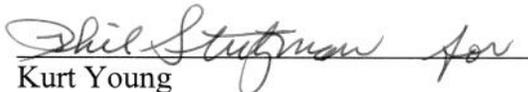
3. Todd Blackman is an incumbent Fire Commissioner for Franklin County Fire Protection District # 3. He was appointed to that position in April of 2002, and was successfully elected in 2005.
4. Mr. Blackman was an unopposed candidate for Fire Commissioner in 2011, and was successfully re-elected to that position in November of 2011.

5. On June 10, 2011, at 11:09 AM, Mr. Blackman received an email from Colleen Kimsey. He received the email at his Franklin County PUD e-mail address, TBlackman@franklinpud.com. The subject line of the email stated “Draft Letter” and included an attachment document entitled “ballot statement.”
6. Later in the day on June 10, 2012, at 3:06 PM, Mr. Blackman replied to Ms. Kimsey’s 11:09 AM email, and attached an edited version of Mr. Blackman’s 2011 draft Voter’s pamphlet statement. The e-mail contained a signature block for Mr. Blackman along with the Franklin County PUD address, and his work telephone number and work email address. Mr. Blackman’s ballot statement began by stating “*It has been a my honor and privilege to serve as Fire Commissioner for Franklin County Fire Protection District #3, thank you for considering my candidacy for reelection...*”
7. Mr. Blackman’s ballot statement included eight minor edits that he made while working from his PUD workstation.
8. Still later in the day on June 10, 2012, at 3:26 PM, Mr. Blackman sent an email to Ms. Kimsey that included an attachment titled “ballot statement2.doc.” The attachment appeared to be a final version of Mr. Blackman’s ballot statement.

#### IV. LAW

**RCW 42.17.130** prohibits elected officials, their employees, and persons appointed to or employed by a public office or agency from using or authorizing the use of public facilities, directly or indirectly, for the purpose of assisting a candidate’s campaign or for the promotion of, or opposition to, any ballot proposition. This prohibition does not apply to activities that are part of the normal and regular conduct of the office or agency.

RESPECTFULLY SUBMITTED this 21<sup>st</sup> day of September 2012.

  
Kurt Young  
PDC Compliance Officer