

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

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Public Disclosure Commission

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7 ROSAMARIA GRAZIANI, Respondent)
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Complaint No. 59566
GRAZIANI RESPONSE &
MOTION TO DISMISS
COMPLAINT: PARTS A & B

To: Alice Fiman, Compliance Officer

From: Don Gough, Attorney for Ms. Graziani

Thank you for your cooperation and continuances. Snohomish County finally disclosed 100+ pages of records late on Tuesday, January 21, 2020.

Preliminary Matter

Abbreviated References. For the purposes of this memorandum, Rosamaria Graziani is respectfully referred to as "Rosamaria;" Jeanne M. Crevier is respectfully referred to as "Ms. Crevier." Julietta Altamirano-Crosby is respectfully referred to as "Ms. Crosby." Marcella Sue "MarSue" Calleros is respectfully referred to a "Ms. Calleros"

Overall Structure of This Response

This response is divided into Parts A & B, with a total of seven (7) subparts:

- **Part A(1):** Motion to Dismiss – No Further Action, No Investigation, or No Adjudication is Warranted
- **Part A(2):** U.S. Supreme Court Constitutional Policy: The Role Summary Judgment & Constitutional Rules Play in Protecting a Citizen's Exercise of First Amendment Free Speech Rights
- **Part B(3):** Constitutional First Amendment Free Speech: Candidate – Fitness for Office, Character & Qualifications
- **Part B(4):** FACTS: Starting May 2019
- **Part B(5):** FACTS: The "Door Card" & Its Seven Points
- **Part B(5):** First Amendment Speech & Candidate's Fitness for Office – Character & Qualifications;
- **Part B(6):** Response: Complaint Allegations - Sentences #1 - #9

- **Part B(7):** Summary: Motion to Dismiss

PART A

Introduction. The PDC November 1, 2019, notice to Ms. Graziani merely provides the most generalized and vague allegation of “Violation of RCW 42.17A.335 for False or Defamatory Statements in Political Advertising.” Attached to the notice was the unfounded and incomplete “complaint” by Ms. Jeanne Crevier dated Wednesday, October 30, 2019, just six (6) days before the General election.

Part A(1): Motion to Dismiss – No Further Action, No Investigation, or No Adjudication is Warranted

Motion: For Immediate Dismissal of Complaint, Summary Judgment and/or Judgment on the Pleadings.

The Respondent Rosamaria respectfully moves for immediate dismissal of the Crevier complaint in this case. The complaint fails to comply with:

- **WAC 390-37-030(2)** (failing to give as much information as possible when filing the complaint);
- **WAC 390-37-040** (failing to comply with complaint procedures: (2)(a) by failing to give the date, time and place of each occurrence, and (2)(b) by failing to provide all available documentation and other evidence supporting the complaint). Failures to comply include, but are not limited to:
 - (**NOTE: Exhibit #1** shows complaint sentence cross-reference numbers, S#1, S2#, etc.)
 - S#3: Where are the facts, documents & information showing a “pattern?”
 - S#4: Where are the facts, documents & information showing “numerous contacts” via phone, email & USPS?
 - S#5: Where are the facts, documents & information showing who, where and when about the “first hand account” about a statement by Rosamaria?
 - S#6: Where are the facts, documents & information showing a statement about “police-state tactics?”
 - S#9: Where are the facts, documents & information showing “numerous falsehoods” on the door-card attached to the complaint?
- Failure to comply with these critical informational requirements and procedures severely limits Ms. Graziani ability to effectively prepare a

1 meaningful response to the complaint, and thereby unnecessarily
2 increases litigation costs, reasonable attorney fees, and other expenses.

- 3 • Failure to comply with these critical informational requirements and
4 procedures directly violates the federal and state constitutional rules and
5 procedures by making it impossible to prepare a complete response for an
6 early evaluation, determination, and disposition of First Amendment
7 defamation cases, thereby causing real harm to the Respondent.
- 8 • Ms. Crevier's complaint is only a random collection of vague, unsupported, and
9 merely conclusory statements which do **not** comprise a constitutionally valid
10 *prima facie* case of defamation. "The *prima facie* case must consist of **specific**
11 **material facts**, rather than conclusory statements ..." to support a defamation
12 claim. Davis v. Fred's Appliance, 171 Wn.App. 348, 367, 287 P.3d 51 (Div.
13 3 2012) quoting LaMon v. Butler, 112 Wn.2d 193, 197, 770 P.2d 1027 (1989).
14 Emphasis added. Furthermore, "[a] mere conclusory statement not
15 supported by facts admissible in evidence cannot be considered on a
16 motion for summary judgment. CR 56(e)." Citations omitted.¹

17 **Summary:** Allowing this complaint to proceed means PDC regulations and
18 **RCW 42.17A.335** are inconsistent with, and unconstitutional under, the First
19 Amendment of the United States Constitution, pursuant to New York Times v.
20 Sullivan² and its ensuing case law progeny, both federally, and as applied
21 by courts in Washington State.

22 **Defamation is a Cause of Action Personal ONLY to a Candidate.**

23 Unlike many other causes of action, defamation is personal and can only be
24 brought by the person about, or against, whom the statement(s) were made or
25 targeted, **but not Ms. Crevier**. In fact, the first element of defamation is that
26 one person makes:

¹ Mark v. Seattle Times, 96 Wn.2d 473, 635 P.2d 1081, cert. denied, 457 U.S. 1124, 102 S. Ct. 2942 (1981).

² New York Times v. Sullivan, 376 U.S. 254, 84 S. Ct. 710, (1964). Curtis Publishing Co. v. Butts, 388 U.S. 130, 154 – 55, 87 S.Ct. 1975, 1991 (1967). Clardy v. Cowles Publishing Co., 81 Wash. App. 53, 912 P. 2d 1078 (Div. 3 1996)

1 “(a) a false and defamatory statement concerning another,”³ which is also
2 publicly disclosed. Emphasis added.

3 The facts here show:

- 4 • Ms. Crevier is not now a candidate, nor was she a candidate in 2019. She
5 also lives in Mountlake Terrace not in Lynnwood. (See the election results
6 below for a list of primary candidates for Lynnwood Council Pos. #5, and
7 other contextual election information.)
- 8 • She filed a PDC complaint not on her behalf, but for the exclusive benefit
9 of another person who is not a party to this complaint.
- 10 • No alleged statements were targeted at her. All statements were directed
11 to a another person who actually was a candidate in 2019. Ms. Crevier
12 has failed to show that she was the intended target of any of those
13 statements. *Camer v. Seattle-Post Intelligencer*, 45 Wn.App. 29, 37, 723
14 P.2d 1195 (1986) (The identification of the one defamed must be certain
15 and apparent from the words themselves, and it must be convincingly
16 clear); *Sims v. KIRO, Inc.*, 20 Wn.App. 229, 234, 580 P.2d 642 (Div. 1
17 1978), (*Holding*: A court must dismiss a claim when plaintiff failed to
18 submit convincingly clear proof of his identity as a target of an allegedly
19 libelous statement to meet his burden of proof).⁴
- 20 • It is impossible for Ms. Crevier to be damaged, even for “assumed”
21 damages, by statements that did not target her.
- 22 • The **Section .335(1)** standard of “**actual malice**” for a “**libelous or**
23 **defamatory per se**” statement(s) applies only to public officials,
24 candidates, or public figures. **Section .335** does not create an entirely
25 **new omnibus cause of action** for **all private citizen-supporters** of one
26 winning candidate so they can file complaints **against all citizen-critics** of
27 such candidate, during campaigns.⁵ If that were the case here, then each
28 of Ms. Crosby’s **4,289** supporters could file **Sec. .335** claims against
29 Rosamaria. That’s an absurd idea. (See voter election information below.)

³ Restatement 2d of Torts Sec. 558 (1977). Emphasis added. See also Restatement 2d of Torts Sec. 580A (1977); Prosser & Keaton on Torts, Sec. 111.

⁴ The Court of Appeals, Division 1: “We hold that if it can be said as a matter of law that the **plaintiff has failed to submit convincingly clear proof of his identity as a target** of an allegedly libelous statement, the **trial court must dismiss** the action when a motion for summary judgement is brought on that basis by defendant.” Bold emphasis added. *Sims v. KIRO, Inc.*, *supra*, at 234.

⁵ *New York Times v. Sullivan*, 376 U.S. 254, 84 S. Ct. 710, (1964). *Curtis Publishing Co. v. Butts*, 388 U.S. 130, 154 – 55, 87 S.Ct. 1975, 1991 (1967).

1 **Crevier’s Complaint Does Not Fit Under Sec. .335.** Ms. Crevier’s fatally
2 flawed complaint fails to fit within any of the three (3) possible factual
3 “circumstances” under **RCW 42.17A.335** regarding “libel or defamation per
4 se.” The “*plain language*” of the statute is clear and unambiguous.⁶

- 5 • **Sec. .335(1)(a) False Material Fact About a Candidate.** Ms. Crevier’s
6 complaint does not fit here. She is not now, nor was in 2019, a
7 candidate about whom a false statement of material fact could be made.
- 8 • **Sec. .335(1)(b) False Representation of Incumbency.** Ms. Crevier’s
9 complaint makes no allegation regarding any false representation of
10 incumbency by any person, organization or candidate.
- 11 • **Sec. .335(1)(c) False Claim of Support/Endorsement.** Ms. Crevier’s
12 complaint makes no allegation regarding any false representation of
13 support or endorsement by any person, organization or candidate
- 14 • **Sec. .335(2)(a) & (b) Definition of “Libel or Defamation Per Se”.** Ms.
15 Crevier’s complaint makes no allegation(s) of any statements targeting
16 her. Therefore, it is impossible for her to be “libeled” or “defamed per
17 se” by any means set forth under subsection 2(a) and 2(b).

18 **Summary**

19 **Ms. Crevier Has No Defamation Action.** Ms. Crevier has no cause of action
20 for defamation in normal law, nor within the intended scope of **RCW 42.17A.335**.

21 Pursuant to PDC regulations and law, including, but not limited to: **WAC 390-**
22 **37-060(1)(a)** the Crevier complaint is unfounded, frivolous and outside the
23 PDC’s subject matter jurisdiction to enforce under **RCW 42.17A.335**; and thus,
24 no further action is warranted and no investigation of any kind is appropriate
25 under **WAC 390-37-060(1)(f)**; nor is any adjudicative proceeding justifiable
26 under **WAC 390-37-060(4)**. The Crevier complaint must be dismissed with
27 prejudice now.

28 **Part A(2): U.S. Supreme Court Constitutional Policy:**

29 **The Role Summary Judgment & Constitutional** 30 **Rules Play in Protecting a Citizen’s Exercise of** 31 **First Amendment Free Speech Rights**

⁶ *Davis v. Fred’s Appliance*, 171 Wn.App. 348, 287 P.3d 51 (Div. 3 2012).

1 Our motion to dismiss is based upon what our Washington courts have said over
2 the last **56 years** since New York Times⁷ about the role of summary judgment
3 and the constitutional rules that protect the exercise of First Amendment free
4 speech. Washington courts have said:

5 **A New Facet.** “In defamation actions . . . we are convinced the decisions of the
6 United States Supreme Court have **added a new facet** ,... Which must now be
7 considered and resolved by the trial courts.”⁸ Emphasis added.

8 “Summary judgment serves important functions ... Chief among these are
9 avoidance of long and expensive litigation productive of nothing, and curbing
10 the danger that the threat of such litigation will be used to harass or to coerce a
11 settlement...”⁹ Emphasis added.

12 **Unjustified Lawsuits: Threaten & Chill the Exercise of Free Speech.** “In the
13 First Amendment area, **summary procedures** are even **more essential**. For at
14 stake here, if harassment succeeds, is free debate ... Serious problems
15 regarding the exercise of free speech ...are raised if unwarranted lawsuits are
16 allowed to proceed to trial. The **chilling effect** of the pendency of such litigation
17 can itself be sufficient to curtail the exercise of these freedoms.” (Citations
18 omitted.) Tait v. KING Broadcasting Co., 1 Wash. App. 250, 255, 460 P. 2nd 307
19 (1969).¹⁰ Emphasis added.

20 **Plaintiff’s Burden of Proof on Summary Judgment.** “[T]he function of the
21 trial court in ruling on a defense motion for summary judgment in a defamation
22 action is to determine [if] the plaintiff’s proffered evidence is of a **sufficient**
23 **quantum** to establish a **prima facie case with convincing clarity**. Unless the
24 plaintiff has done so, the [defense] **motion must be granted**. Chase v. Daily
25 Record Inc., 83 Wash. 2d 37, 515 P. 2d 154 (1973)” (citation omitted).¹¹ “A
26 **mere conclusory statement not** supported by facts admissible in evidence
27 cannot be considered on a motion for summary judgment. CR 56(e).” Citations
28 omitted.¹²

29 **Defendant’s Burden of Proof Standard.** “It is now generally agreed that a
30 defamation defendant need **not prove the literal truth of every claimed**
31 **defamatory statement**. W. Prosser, Torts 798 (4th ed. 1971). A defendant

7 Id.

8 Mark v. Seattle Times, Id. at 485-486

9 Id. at 484-485.

10 Id. at 485-486.

11 Id. at 486.

12 Id. at 490.

1 need only show that the statement is **substantially true** or that the **gist** of the
2 story, the portion that carries the “**sting**”, **is true**. *W. Prosser, supra.*¹³

3 “The ‘sting’ of a report is ‘the **gist or substance** of a report **when considered**
4 **as a whole.**” *Herron v. KING Broadcasting, Inc.*, 112 Wash. 2d at 769, 776 P.
5 2d 98¹⁴. ... [Defendant] must show that the statement is **substantially true** or
6 that the **gist** of the story, the portion that carries the “**sting**” is **true**. *Mark*, 96
7 Wash. 2d at 494, 635 P. 2d 1081.”¹⁵

8 Statements are **not false** if they are **substantially true**.¹⁶

9 **Summary Judgment & Constitutional Rules Control the PDC.** The “*new*
10 *face*” created by *New York Times*,¹⁷ and its federal and Washington state
11 progeny, creates protections and requirements which are mandatory and
12 controlling over any form of “**state action**” to stop infringement upon, and/or
13 **chilling** of the exercise of, those First Amendment free speech rights, involving
14 public officials, candidates, and public figures, whether by (1) state legislative
15 action, (2) state courts (all levels), and/or (3) any state agency action or
16 decisions, **including the Public Disclosure Commission.**

17 **PDC Investigations, Actions & Decisions Must Include:**

- 18 • Various First Amendment privileges that have been established;

19 **Plaintiff’s Burden on Summary Judgment.**

- 20 • Summary judgment is established as the means for early evaluation,
21 determination, and disposition, of defamation claims. It is to **measure**
22 whether plaintiff’s proffered *prima facie* evidence is of constitutionally
23 “**sufficient quantum**”¹⁸ with “**convincing clarity**” to be allowed to move
24 forward.
- 25 • If First Amendment **privilege** is asserted, plaintiff must disprove the
26 privilege.
- 27 • Statement(s) which express mere “**opinions and views**”¹⁹ are not
28 provable facts and thus cannot form the basis of a defamation action;

¹³ *Id.* at 494.

¹⁴ See also *Mohr v. Grant*, 153 Wash. 2d 812, 825, 108 P. 3d 768 (2005).

¹⁵ *Clardy v. Cowles Publishing Co.*, 81 Wash. App. 53, 912 P. 2d 1078 (Div. 3 1996)

¹⁶ *Mark*, *supra*, at 494.

¹⁷ 376 U.S. 254, 84 S. Ct. 710, (1964).

¹⁸ *Sims v. KIRO, Inc.*, 20 Wn.App. 229, 234, 580 P.2d 642 (Div. I 1978); *W. Prosser, Torts* 798 (4th ed. 1971).

¹⁹ *Corbally v. Kennewick School District*, 94 Wn.App. 736, 973 P.2d 1074 (Div. 3 1999)

- 1 • That even **false** “ideas or opinions” are also not actionable.²⁰

2 **Defendant’s Burden on Summary Judgment.**

- 3 • Assert a First Amendment privilege relative to plaintiff, if applicable.
- 4 • That defendant’s burden of proof is **not** to prove the “literal truth” of every
- 5 statement, but rather to prove that it’s “substantially true,” or the “**gist**” of
- 6 the statement(s) as a whole is true.²¹ And likewise, (1) statements are
- 7 **not false** if they are **substantially true;**²² and (2) under the First
- 8 Amendment there is no such thing as a false idea.²³
- 9 • True statements are a defense, and showing that mere “ideas or opinions,”
- 10 even if **false**, are also **not** actionable.²⁴
- 11 • Other requirements to protect citizen-critics’, like Rosamaria, who exercise
- 12 their federal Constitutional First Amendment free speech rights.

13 **Summary: Ms. Crevier’s Complaint Violates PDC Requirements &**

14 **Constitutional Standards and Therefore, Rosamaria’s Rights.**

15 As shown in **Part A(1)**, Ms. Crevier’s complaint does not comply with simplest

16 and most obvious PDC informational requirements. Consequently, the PDC

17 cursory categorization process and this Crevier complaint do not reasonably

18 allow for Rosamaria’s preparation of an appropriate and complete response

19 that makes full use of her constitutional defenses and rights. Likewise, such a

20 massive failure to comply appears to indicate an intention to withhold or to

21 secret, large quantities of relevant and material information, facts and

22 documents. Without those, it is impossible for the PDC to conduct a fair

23 investigation, or make a constitutionally valid summary judgment evaluation and

24 determination of the insufficient Crevier complaint. It’s a rambling compilation

25 of summary and conclusory “spaghetti allegations” thrown up against the wall to

26 see what sticks. Such “summary or conclusory” statements do not meet the

27 constitutional standards of a “quantum” of evidence, nor the “convincing clarity,”

28 to sustain even a prima facie case of defamation, or under **RCW 42.17A.335.**”

²⁰ Schmalenberg v. Tacoma News, Inc., 87 Wm.App. 579, 591, 943 P. 2d 350 (1997)

²¹ Herron v. King broadcasting Co., 109 Wash. 2d 514, 746P. 2nd 295 (1987).

²² Mark, supra, at 494.

²³ Camer v. Seattle-Post Intelligencer, 45 Wn.App. 29, 39, 723 P.2d 1195 (1986)

²⁴ Schmalenberg v. Tacoma News, Inc., 87 Wm.App. 579, 591, 943 P. 2d 350 (1997)

1 As shown above, Ms. Crevier’s complaint does not fit with the scope of **RCW**
2 **42.17A.335**, and therefore, the PDC is without subject matter jurisdiction to
3 even consider, that alone decide this case.

4 Ms. Graziani is entitled to the benefit and the fullest protections of the
5 previously noted constitutionally required rules, processes, factors and
6 privileges, including an early summary judgment evaluation, determination, and
7 decision, that Ms. Crevier’s vague and rambling complaint does not meet
8 constitutional standards. It is fatally flawed and insufficient. It is an
9 unwarranted lawsuit. It must be **dismissed now**.

10 We respectfully demand that this PDC Complaint #59566 be dismissed with
11 prejudice immediately.

12 If the complaint is not dismissed, then respectfully, defendant may have no other
13 options than to bring further causes of action to:

- 14 • Protect Rosamaria’s civil rights pursuant to **42 U.S.C Sec. 1983**,²⁵ and
- 15 • Request reasonable attorney fees and costs under **42. U.S.C Sec. 1988**.²⁶

16 **Election Information Display: 2019 Primary & General Results**. Ms. Crevier was
17 not a candidate in 2019. Candidates for Council Pos. #5 are shown in section “D.”

18	<u>A. General: Candidates All Positions</u>	<u>% Victory</u>	<u>Votes</u>
19	Shannon Sessions – 4 year Incum.	61.02%	4,507
20	James (Jim) Smith – 24 year Incum.	60.28%	4,450
21	Julieta Altamirano-Crosby – New	57.94%	4,289
22	George Hurst – 4 year Incum.	57.64%	4,185
23	<u>B. General: Candidates – Pos. #5 Only</u>	<u>% Victory</u>	<u>Votes</u>
24	Julieta Altamirano-Crosby – New	57.94%	4,289
25	David Schirle – New	41.53%	3,074
26	<u>C. Primary: Candidates All Positions</u>	<u>% Victory</u>	<u>Votes</u>
27	Shannon Sessions – 4 year Incum.	47.14%	2,539
28	Julieta Altamirano-Crosby – New	41.56%	2,229
29	James (Jim) Smith – 24 year Incum.	34.87%	1,872
30	<u>D. Primary: Candidates – Pos. #5 Only</u>	<u>% Victory</u>	<u>Votes</u>
31	Julieta Altamirano-Crosby – New	41.56%	2,229

²⁵ Parmelee v. O’Neel, 168 Wn.2d 515, 229 P.3d 723 (2010), corrected May 27, 2010; prior appellate decision at 145 Wn.App. 223, 186 P.3d 1094 (2008), reversed in part on other grounds.

²⁶ Id.

1	David Schirle – New	34.70%	1,861
2	Rosamaria Graziani – 2d Time Candidate	23.53%	1,262

3 PART B

4 Introduction: If No Immediate Dismissal - Alternative Arguments

5 If the complaint is not immediately dismissed, as it most assuredly should be for
6 all the reasons in Part A, then alternatively the following detailed response is
7 submitted. Reviewing the speculative, totally inaccurate, and simply wrong,
8 allegations of the complaint, as shown below, further supports the motion to
9 immediately dismiss of Ms. Crevier’s fatally flawed complaint.

10 Incorporation of All Exhibits by Reference. Each of the exhibits attached to
11 this response is incorporated by reference as though fully set forth herein.

12 Part B(3): Constitutional First Amendment Free Speech: 13 Candidate – Fitness for Office, Character & 14 Qualifications

15 Virtually all election communications by candidaates to voters are subject to
16 intense public scrutiny. The public has a right to know, not just what positions
17 a candidate may have on a specific issue, but all aspects of a candidate’s
18 “fitness for office,” “character,” and “qualifications” which include past general
19 life experiences and educational levels and types.

20 The United States Supreme Court in New York Times²⁷ acknowledged and
21 approved of a rule establishing a constitutionally protected “privilege” for
22 citizen discussion against public officials. And in its “privilege” analysis, the
23 court expressly acknowledged a “privilege” involving **candidates**, which had
24 been adopted by a number of state courts. The court’s expansive analysis of
25 creating a First Amendment “privilege” included quoting with direct approval
26 and agreement, Coleman v. MacLennan, 70 Kan. 711, 90 P. 281 (1908):

27 “On appeal, the Supreme Court of Kansas, in an opinion by Justice Burch,
28 reasoned as follows (78 Kan., At 724, 98 P. at 286):

29 “It is of the utmost consequence that the people should discuss
30 character and qualifications of candidates for their suffrages. The

²⁷ New York Times, Id.at 280.

1 importance to the State and to society of such discussions is so vast,
2 and the advantages derived are so great, that they more than
3 counterbalance the inconvenience of private citizens whose conduct
4 may be involved, and occasional injury to the reputations of individuals
5 must yield to the public welfare . . . The **public benefit** from publicity is
6 so great, and the chance of injury to private character so small, that
7 **such discussion must be privileged.**” Emphasis added.

8 The [Kansas] court thus sustained the trial court’s instruction which was
9 a correct statement of the law, saying:

10 “In such a case the occasion gives rise to a privilege, qualified to this
11 extent: anyone claiming to be defamed by the communication must
12 show actual malice or go remediless. This privilege extends to a great
13 variety of subjects, and includes matters of public concern, public
14 men, and **candidates for office.**” Emphasis added.

15 It is often overlooked, as being so obvious, that the *New York Times* court
16 specifically included **candidates**, as well as public officials, in its analysis,
17 creation, and application, of a First Amendment privilege protecting the voter’s
18 exercise of constitutional free speech rights as citizen-critics of candidates,
19 like Rosamaria. The *New York Times* court quoted with approval that:

20 “Analogous considerations support the privilege for the **citizen-critic** of
21 government. It is as much his duty to criticize as it is the official’s duty to
22 administer. See *Whitney v. California*, 274 U.S. 357, 375 (concurring
23 opinion of Mr. Justice Brandeis) quoted *supra*, page 270.” Emphasis
24 added.

25 “As [James] Madison said, see *supra* page 275, ‘the censorial power is in
26 the people over the Government, and not the Government over the
27 people.’” Emphasis added. *New York Times*, *supra*, at 282-283.

28 Notably, candidates by virtue of their voluntary declaration of candidacy
29 classically “thrust [themselves] into the vortex”²⁸ of a swirling stew of
30 sometimes cool, but usually hot political issues in their respective local
31 communities, state, and on occasion, federal levels. Filing a declaration of
32 candidacy means he/she placing their lives into the public “fishbowl,” and
33 knowingly and intentionally they have “assumed the risk of close public
34 scrutiny – a necessary consequence of involvement in public affairs. *Getz*,

²⁸ *Clardy v. Cowles Publishing Co.*, *supra*.

1 418 U.S. at 344. 94 S. Ct. at 3009 (1974).”²⁹ Common wisdom which says, *if*
2 *you can’t stand the heat, then stay out of the kitchen*, really encapsulates
3 this point.

4 **Election Statements are First Amendment Free Speech Discussions**
5 **About Candidate: Fitness for Office, Character & Qualifications**

6 Keeping the *New York Times/Coleman* constitutional analysis in mind is a
7 necessary framework as one reads and evaluates the “she said – she said,”
8 back-and-forth between the ‘fishbowl’ candidate Ms. Crosby, and citizen-critic
9 Rosamaria.

10 **Response: Scope & Formatting**

11 **Detailed Format.** This Response uses a numbering system format to reference
12 each sentence in the “complaint” (i.e. **S #1, etc.**), **Exhibit #1**, and also a
13 numbering system format referencing the eight (8) points on the “door card.” (i.e.
14 **Card #1, etc.**). **Exhibit 2.**

15 First, we will address and analyze the allegations involving the printed “door
16 card.” Then second, since there is overlapping and duplication of issues with the
17 printed “door card” and complaint sentences #1-#9 will be addressed and
18 analyzed separately after that.

19 **Part B(4): FACTS – Starting May 2019**

- 20 • In 2018, and based upon a **March 11, 2019**, deed of sale and other
21 information, Rosamaria reasonably believed Ms. Crosby was a resident of
22 the city of Mukilteo, Washington into mid-spring 2019. Ms. Crosby’s
23 Mukilteo address was 1009 Campbell Street. Up until **May 15, 2019**, she
24 was registered to vote in Mukilteo.
- 25 • A statutory warranty deed (parcel #00527505602100) showing sale of the
26 Mukilteo residence by Ms. Crosby and her husband was filed and recorded
27 with the Snohomish County Auditor on **March 11, 2019**. **Exhibits #3,**
28 **Auditor.**

²⁹ **Clardy**, *supra*, at 59.

- 1 • Rosamaria filed as a candidate for Lynnwood Council, Position #5, on **May**
2 **15, 2019.**
- 3 • On **May 16, 2019**, Ms. Crosby changed her voter registration from Mukilteo
4 to 6406 - 208th St. S.W., in Lynnwood, WA, - just **6 months before** city
5 council elections. **Exhibit #4, Auditor.**
- 6 • Ms. Crosby filed as a candidate for Council Pos. #5 on **May 17, 2019.**
7 Rosamaria tried to call Ms. Crosby to discuss the situation and the **RCW**
8 **35A.12.030** residency requirement. She couldn't reach her, but left a
9 message. Three (3) days later, on May 20th, Rosamaria then sent a
10 private cordial email to Ms. Crosby wishing to discuss this situation:
11 "I would love to **talk to you on the phone.** I left you a
12 **message.** Best regards, R." **Exhibit #5(A).**
13 **Ms. Crosby did not respond until May 28, 2019. Exhibit #5(B).**
- 14 • Between May 17th and May 27th, Rosamaria spoke with several city
15 activists and former city council members. **Exhibits #6, & #7.**
- 16 • The City of Lynnwood is an Optional Municipal Code (OMC) city. **RCW**
17 **35A.12.**
- 18 • After the Crosby filing, Rosamaria spoke with community activist, **Van**
19 **AuBuchon**, a former four (4) year council incumbent. He mentioned that
20 to be eligible to run for an OMC city office, a person needed to be a
21 **resident** of Lynnwood for at least one (1) year prior to election. **Exhibit #6.**
- 22 • Rosamaria also spoke with a long-time Lynnwood activist **Mary Lou**
23 **Eckart** who, in her 27 year experience of helping many city council and
24 mayoral candidates and incumbents, was familiar with the mandatory one
25 (1) year residency to run for city office. Ms. Eckart urged Rosamaria to
26 check out this serious issue with the local election official County Auditor
27 Weikel. **Exhibit #7.**
- 28 • But, **before** visiting the auditor, Rosamaria felt it important to try to resolve
29 the residency issue with a direct communication with Ms. Crosby. Ms.
30 Crosby privately answered Rosamaria's **May 20th** private cordial email on
31 **May 28th** at 4:19 p.m., which expressly invited written communications
32 from Rosamaria:

1 “Can you **write** to me so I know what you need? . . . Many
2 thanks and have a **wonderful day**. **Sincerely Julieta**.”
3 Emphasis added. **Exhibit #5(B)**.

- 4 • So Rosamaria did. That night, **May 28th** at 10:49 p.m., Rosamaria
5 respectfully, cordially, and privately emailed Ms. Crosby’s about the **one**
6 **(1) year** residency issue:

7 “I just wanted to tell you that you need to **clarify the issue of your**
8 **residence**. . . . And to be able to be a candidate, **you have to live in the**
9 **City of Lynnwood for at least a year**. **Cordially**, Rosamaria” Emphasis
10 added. **Exhibit #5(C)**. (*English translation provided by a qualified 3rd*
11 *party translator.*)

12 **Ms. Crosby never answered** Rosamaria’s May 28th email.

- 13 • Next morning, **May 29**, 2019, Rosamaria went to see the local election
14 official County Auditor Weikel. In a brief 5 minute conversation with the
15 counter staff, Rosamaria was given the official “Voter Registration
16 Challenge Form.” and told to fill it out and follow its instructions. **Exhibit**
17 **#8, Auditor**. She was shown at the customer counter a long list of
18 challenger duties required by law (**RCW 29A.08.810**). **Exhibits #9A &**
19 **#9B, Auditor**,
- 20 • But, that was the **wrong** process. Rosamaria went to the auditor’s office
21 about an “**eligibility**”³⁰ challenge (pursuant to **RCW 29A.24.075,**
22 **35A.12.030 & 29A.68.011**) which is decided by a **judge – NOT** an
23 administrative voter registration challenge decided by the auditor. The
24 county auditor has no jurisdiction to decide “**eligibility**” challenges. See
25 **Exhibits #11(A), #11(B), #11(C)**. Please note the Lynnwood Times June
26 13, 2019, article which on both pages 2 &3, **expressly cites RCW**
27 **35A.12.030, Exhibit #11(D)**, as the legal basis of Rosamaria’s challenge.
- 28 • No one disputes Ms. Crosby’s right to be a registered voter in Lynnwood.
- 29 • Interestingly, the confusion about the type of Rosamaria’s “challenge” is
30 clearly revealed in Ms. **Weikal’s May 31**, 2019, letter:

31 “The submitted documentation does not support the allegation
32 that Ms. Altamirano-Crosby **currently resides in Mukilteo, WA.**”
33 Emphasis added. **Exhibit #10, Auditor**.

³⁰ RCW 35A.12.030.

1 But, hold it! Rosamaria proved with the **sale deed (3/11/19), Exhibit 3**,
2 that Ms. Crosby had sold her Mukilteo home and she no longer lived in
3 Mukilteo. Rosamaria already knew what apparently was new “news” to
4 the auditor. She **did not challenge** Ms. Crosby’s Mukilteo voter
5 registration. Rather, she intended to challenge that Ms. Crosby did **not**
6 **reside** in Lynnwood until mid-spring 2019 – about **6 months before** the
7 election for Council Pos. #5, because that would be a clear and direct
8 violation of the minimum one (1) year state law mandatory residency
9 requirement in **RCW 35A.12.030, supra. Exhibit #11(B)**. And therefore,
10 Ms. Crosby would **clearly not** be “eligible” to run for city council. The
11 auditor missed the whole point of Rosamaria’s challenge. The auditor’s
12 office was so confused it **never** addressed the one (1) year residency
13 “**eligibility**” challenge. It did not dismiss, nor even mention it, in its **May**
14 **31, 2019, letter.**

15 **Summary: Challenge “Confusion”**

16 The county auditor on **May 31, 2019 dismissed without prejudice** the
17 “**incomplete**” voter registration challenge. **Exhibit #10, Auditor**. The auditor’s
18 first task is to review the challenge form for completeness. **Exhibit #9A**. If it is
19 not complete that stops the process, i.e. no notification to parties, no setting a
20 hearing date, no web posting of documents, and most important – **no “final**
21 **determination”** on the challenge is made, nor is there given to the challenger
22 his/her appeal rights. The challenge could be perfected and refiled.

23 The auditor entirely missed the “**eligibility**” challenge, or chose not to address it.
24 In either case, Rosamaria and everyone else was left with maximum **confusion**.
25 Rosamaria was instructed that the registration challenge apparently could be
26 “**completed**” and **refiled**. The “**eligibility**” challenge was left in **limbo**, but was
27 apparently alive and well. Confusion is not “actual malice.”

28 **Part B(5): FACTS: The “Door Card” & Its Seven Points**

29 Now we’ll address the parts of the “door card” with its seven (7) supporting
30 points, using the numbered cross references. See **Exhibit #2**.

31 **Card #1: Title, “Please don’t vote for Julietta Crosby.”**

1 **True – Opinion.** This “door card” title identifies clearly and unequivocally the
2 theme, and the “**gist**” of the whole card’s message. Rosamaria has every
3 right to exercise her **First Amendment** free speech rights, and has a
4 constitutional privilege which protects her personal opinions, criticisms, and
5 urging public support for or against any candidate for public office. This is
6 what democratic elections are all about!

7 No remotely defamatory “per se” words or phrases are used in the “door card”
8 title.

9 **Single Publication Rule.** Washington courts long ago adopted the “single
10 publication rule” which here means that a single “door card” is considered to
11 be the one and only publication of its statement(s), regardless of the number
12 actually printed and distributed.³¹ Under Washington law, the truth of the “door
13 card” and its supporting seven (7) points are to be considered as a whole.³²

14 **Card #2:** “She [Crosby] only changed her [voter registration] address to
15 Lynnwood on May 16, 2019.”

16 **True.** Ms. Crosby changed her voter registration to Lynnwood on **May 16,**
17 **2019. Exhibit #4, Auditor.** Until then she failed to meet the first “**eligibility**”
18 requirement of **RCW 35A.12.030**, that is to be a Lynnwood registered voter.
19 **Exhibit #11(B).** The next day, **May 17, 2019,** (last day of candidate filings)
20 she filed for Council Pos. #5. With knowledge of the Mukilteo residence deed
21 of sale, filed and recorded on **March 11, 2019,** together with the **October 28,**
22 **2018, Herald newspaper 11 page expose’** of Ms. Crosby’s Mukilteo house
23 **(Exhibit #13),** a violation of the second “**eligibility**” requirement – residency
24 of less than 1 year in Lynnwood - seemed readily apparent, if not obvious.

25 **True.** “**Crosby is a carpetbagger.**” (See also **S#2- Part #1**)

26 ‘**Carpetbagger**’ is defined by Merriam-Webster’s online dictionary December
27 28, 2019 (since 1828) (www.merriam-webster.com/dictionary/carpetbagger)
28 as:

29 “**carpetbagger**” (noun)

³¹ Herron v. King broadcasting Co., 109 Wash. 2d 514, 746P. 2d 295 (1987). Restatement 2d of Torts, Sec. 577A(3) (1981).

³² Id.

1 “a political candidate who runs for office in a place where he
2 or she has lived only for a short time.” Emphasis added.

3 Ms. Crosby admitted that she had resided in Lynnwood only since **September**
4 **2018** – just **14 months** before 2019 council elections. She admits not
5 changing her voter registration to Lynnwood until **May 16, 2019** – just **6**
6 **months** before council elections. Both of those hard core factual admissions
7 by her most definitely puts Ms. Crosby squarely within the plain definition of a
8 “**carpetbagger,**” that is, as a political candidate running for a city office in
9 Lynnwood, a place where she has lived only for a short time.

10 **Card #3** (see also S #2 (2)): **“She filed a police report for the alleged theft of**
11 **seven flyers against a child.”**

12 **True.** Ms. Crosby was **NOT** present at the 7/31/19 cul-de-sac incident. Her
13 sworn statement says, in relevant part: “I left my friend MarSue [Marcella
14 Susan Calleros] after we had been placing campaign flyers on homes ...”
15 **Exhibit #14(A).** Not one of the three witness statements given to police
16 contained any observations or description of Rosamaria taking any action to
17 steal any of Ms. Crosby’s flyers. **Exhibit #14** (both typed excerpts &
18 handwritten statements). The only direct evidentiary statement about theft
19 was made by Marcella Sue “MarSue” Calleros, and it **only** described the
20 actual conduct of the 12 year-old volunteer **Exhibit #14(C).**

21 However, on that thinner than air allegation, while at the police station a
22 couple hours after the 7/31/19 incident, Ms. Crosby knew the **only** sworn
23 statement (by Ms. Calleros) alleged theft by the 12 year old boy. But, even
24 knowing that, Ms. Crosby wrote in her sworn statement:

25 MarSue . . . returned to her car and observed my political rival, Rosamaria
26 Graziani sending a young boy from her car to the doors of houses where my
27 flyers had been, removing those flyers, then moving on to the next house and
28 removing my flyer from there.

29 ...

30 “I wish to **pursue criminal charges** for the theft of my flyers.” (Emphasis
31 added.) **Exhibit #14(A).** Emphasis added.

32 Since Ms. Crosby wasn’t present at the incident, it’s all hearsay.
33 Nevertheless, she was **adamant** to “**pursue criminal charges**” against the
34 12 year-old.

1 **Card #4: “She was censured by the 32nd LD Democrats.”**

2 **True.** Minutes of the **September 11, 2019**, district meeting (**Exhibit #18**)
3 from the official 32nd LD Democrats website, state clearly and succinctly:

4 **“Endorsements.** [Para. #4] M/S [moved and seconded by] (Marylou
5 Eckart) to suspend the rules in order to consider a motion of censure
6 against Julieta Altamirano-Crosby, a candidate for Lynnwood City Council
7 Position 5. It was agreed to defer the motion until later in the meeting.”

8 . . .
9 **“Other Business.** [Para. #2] We then returned to Marylou’s deferred
10 motion of censure against Lynnwood candidate Julieta Altamirano-Crosby,
11 based upon Ms. Altamirano-Crosby’s having filed a police report accusing a
12 12-year-old boy of stealing her campaign flyers from Lynnwood doorsteps.
13 After brief discussion, the **motion carried.**” Emphasis added.

14 Marylou Eckart, who created and sponsored the censure resolution against
15 Ms. Crosby, did so on her own, and she did not speak with Rosamaria
16 regarding it. **Exhibit #7.** Also, during the meeting, Rosamaria **did not**
17 **participate in the membership discussion or debate concerning the censure**
18 **motion.** During the whole meeting her job was to type a running translation in
19 Spanish on the screen for members of the LD 32 audience.

20 Ted Hikel, acting Endorsement Committee Chair, during his report to the
21 membership, which dealt with “preference” support for the candidate opposing
22 Ms. Crosby, makes clear in his declaration that Rosamaria only typed the
23 running translation in Spanish for members, and she **did not participate at all**
24 **in any discussion or debate concerning the committee’s Lynnwood**
25 **“preference” recommendation.** **Exhibit #16.**

26 Van AuBuchon reports the same information, that Rosamaria only did
27 translation work and did **not** participate in discussion or debate. **Exhibit #6.**

28 **Card #5: “Her online PhD . . . ”**

29 **True.**

- 30 • **“Her On-line PhD.”** Earning a PhD requires 3, 4, 5, or more, years of
31 coursework, study, and many decisions with a faculty sponso(s)r, and also,
32 doing research work. Ms. Crosby’s story is that she **only spent 4 days in**
33 **Cuba** to defend her dissertation.” See Lynnwood Times article September

1 20-21, 2019. If Ms. Crosby was not on campus during several years for
2 coursework, study, and research, the only way her incredible “*story*” could
3 be true is if Ms. Crosby did her 3, 4, 5, or more, years of **coursework,**
4 **study,** and doing **research** (???), work with a faculty sponsor **online,** or
5 by **correspondence** with the university.

- 6 • “. . . **not recognized in the US.**” Very few foreign education credentials
7 and degrees are automatically recognized and given reciprocity in the
8 United States. It’s definitely a hassle to just get inter-state reciprocity for
9 teaching and other professional certifications and licenses. And especially
10 tough, for those allegedly academic credentials earned in communist
11 countries – more specifically earned at the University of Havana, Havana,
12 Cuba by Ms. Crosby. Rosamaria knows this from personal experience.
13 She holds a post graduate degree from Peru (a 30 year resident thereof),
14 but that degree is not recognized, nor given reciprocity, in the United
15 States for professional licensing or otherwise.

16 **Card #6: “She didn’t attend 2 of the 3 candidate debates.”**

17 **True.** The weekly Lynnwood Times newspaper did articles and had photos
18 about which Lynnwood Council candidates attended, or did not, various
19 candidate forums:

- 20 • Its July 24, 2019, edition states, “For Position 5, Julieta Altamirano-Crosby
21 was **not present...**” for the July 10, 2019, candidate forum at Community
22 Life Center. Emphasis added.
- 23 • Its October 17, 2019, edition states, “Altamirano-Crosby was **unable to**
24 **attend the forum**” at the Edmonds Community College Black Box Theater
25 on October 8th. Emphasis added.
- 26 • The reports above can be verified on the Lynnwood Times website at
27 <https://LynnwoodTimes.com>, or at the two websites listed on the “door
28 card.”

29 **Card #7: “She only voted once in the last 18 years.”**

30 **True.**

- 31 • The weekly Lynnwood Times, **July 9, 2019**, edition, analyzed and then
32 published actual voter participation histories of all Lynnwood primary

1 election candidates. See "City Council Candidates Voter Engagement
2 Scores" in **Exhibit #17**. The Lynnwood Times **only found one vote**
3 **(General 2016)** by Ms. Crosby. By far, the very, very worst voter
4 participation of all 12 primary candidates. **Exhibit #18**.

- 5 • **County auditor records show only 1 vote (General 2016)** during the
6 several year period of voter history records. **Exhibit #19, Auditor**.
- 7 • Ms. Graziani purchased the right to use a professional, reliable and
8 accurate, voter participation history database known as "Vote Builder."
9 This professional database is used nationally in thousands of elections,
10 and it has compiled actual voting participation histories from 2018 back to
11 2000 for individual voters, including Ms. Crosby, and showing she only
12 voted one (1) time prior to 2019.

13 **Card #8: "As a Mayor endorsed candidate, Crosby will not bring change to**
14 **our city. We need more compassionate leadership to help our**
15 **most vulnerable residents."**

- 16 • **True – Opinion.** This is a standard rhetorical political "**opinion and**
17 **view**"³³ based upon four (4) years of observations and interaction with the
18 Mayor while Rosamaria was appointed to the city Diversity Commission.
19 It's Rosamaria's personal opinion and view about the Mayor and Ms.
20 Crosby. There are **no false ideas**, and as such, they are **not**
21 **actionable**.³⁴ No part of this statement is actionable by any stretch of the
22 imagination.

23 **Summary: "Door-Card" Analysis**

24 Ms. Crevier's complaint said "**numerous falsehoods**" were on the door-card
25 **(Sentence #9)**. The analysis above has destroyed that fake allegation, which
26 had no supportive or admissible, factual or documentary, evidence (supposedly
27 required by PDC requirements). The door-card as a whole is very, very, **solidly**
28 **true** on all its supporting points.

29 No supportive or admissible, factual or documentary, evidence was offered to
30 even begin to raise "actual malice." The Crevier complaint must be dismissed.

³³ Corbally v. Kennewick School District, 94 Wn.App. 736, 973 P.2d 1074 (Div. 3 1999)

³⁴ Schmalenberg v. Tacoma News, Inc., 87 Wn.App. 579, 591, 943 P. 2d 350 (1997)

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Part B(6): Response: Complaint Allegations - Sentences #1 - #9

Now we'll address complaint sentences #1 - #9, using the numbered complaint references. See **Exhibit #1**. These sentences do overlap allegations already addressed on the "door card."

S #1: Image of "door card" flyer.

- This sentence merely references the "door card" photo image attached to the complaint. No response appears necessary.

S #2: Paid for by "Rosamaria4Lynnwood."

- The PDC notice does not mention any statutory violation for use of this statement. Therefore, no response appears necessary.

S #3: "Pattern of harassment."

The PDC does not have subject matter jurisdiction over claims of "harassment." Courts do. Therefore, no response appears necessary or appropriate, nor is one made.

However, it is helpful to begin at the beginning. The allegation references "*began immediately after*" the candidate filings. This allegation is false. Three private communications between Rosamaria and Ms. Crosby were very cordial and appropriate. See all three (3) emails in **Exhibit #5**.

Ms. Crosby never did respond to the May 28th email. If she had timely responded, it's likely this whole case would have never gotten to this level.

S #4: "Numerous Contacts by Phone, Email & USPS Letters."

- **Emails:** As shown in **Exhibit #5** above, Ms. Crosby expressly invited Rosamaria to communicate with her via email. That invitation to a method of communication and contact was never changed or retracted.
- **USPS (Post office mail).** State law (**RCW 29A.08.810, Exhibit #24**) mandates that one of the duties of all challengers of voter registrations is that they must send certified USPS letters notifying, here Ms. Crosby, of the existence of the challenge. **Exhibit #9**. Rosamaria was directed by the auditor to do so. See both certified mail receipts in **Exhibit #20**.

S #5: Rosamaria said she "hates" Ms. Crosby.

- 1 • This is clearly a mere “**opinion or view**”³⁵ and is not actionable as
2 defamation. There are **no false ideas**, and they are **not actionable**.³⁶
- 3 • Defamation “**malice**” is **not** an emotional or physical state, or the level of
4 “hostility” of a defendant against another person. It is not tangible, and
5 therefore, cannot be “**palpable**” - which is defined as “*capable of being*
6 *touched or felt*.”³⁷

7 **S #6: “Police-state tactics”**

8 To respond to Sentence #6 is very complex and requires first a large amount of
9 historical context and factual background.

10 **Local Context.** The July 31, 2019, incident about the missing 7 campaign flyers
11 continued unresolved during the Lynnwood Council August vacation period. At
12 the regular business meeting, September 9, 2019 after the summer break, the
13 city scheduled a recognition resolution for the local Latinx community. Rosamaria
14 is very active with the Latinx community in South Snohomish County regarding a
15 wide range of educational, cultural, spiritual, and political, topics. She is the
16 President of the Diversity Council of South Snohomish County, and President of
17 the Latino Academy. Rosamaria teaches English as a Second Language (ESL)
18 classes at the Latino Academy. Rosamaria immigrated to the United States in
19 1994. She became a citizen in 2001. For 25 years she has been an immigration
20 advocate. She has assisted many, many Cuban refugees/immigrants navigate
21 the system. She’s learned a lot from first-hand facts about Cuban Communism.

22 **Context of Comments**

23 The mayor and all councilmembers had long before **September 9th** chosen-up
24 political sides by endorsing either Rosamaria or Ms. Crosby. Several citizens
25 and Rosamaria spoke during “*Citizen Comments*.”

26 Generally, their comments asked the city to stop the city police investigation of
27 the 12 year-old volunteer about the alleged lost 7 campaign flyers. Rosamaria
28 who spoke last summarized the request in her last sentence:
29

³⁵ *Corbally v. Kennewick School District*, 94 Wn.App. 736, 973 P.2d 1074 (Div. 3 1999)

³⁶ *Schmalenberg v. Tacoma News, Inc.*, 87 Wm.App. 579, 591, 943 P. 2d 350 (1997)

³⁷ Online dictionary: <https://www.merriam-webster.com/dictionary/palpable>

1 "I just **ask the mayor and the council** to please talk to the
2 Lynnwood Police Department so they **drop the case**. Thank you
3 very much"³⁸ Emphasis added.

4 That was the "**gist**" of Rosamaria's and other citizen comments.

5 **Rosamaria's Context.**

6 Rosamaria's comments, included some strong opinions and views about how
7 *totalitarian, dictatorship, authoritarian, and police-state* systems, like Cuba, and
8 other non-democratic countries and elites, use police power to further their
9 political ends.

10 **Rosamaria's Peruvian Experience.**

- 11 • **Beginings:** Rosamaria was born and lived in Peru for 30 years. During that
12 time, the Peruvian government was a **militarily backed "police-state"**
13 dictatorship which had a decades-long running battle with both the Chinese
14 Maoist inspired Communist "**Shining Path**" revolutionaries. And, being a
15 neighboring county to Bolivia, all of Peruvian society was also severely
16 impacted by Che Guevara inspired Communist "**Cuban-style**" revolutionary
17 ideology, threats, and societal control methodologies.
- 18 • **Gunshot Wounds & Strong Feelings.** Her opinions and views on these
19 political topics are **strong, heart-felt, and ever-present** due to the **gunshot**
20 **wounds** she suffered as an **citizen by-stander** when the Peruvian military
21 engaged communist revolutionaries in a gunfight. It's a never-ending
22 reminder. She's earned the right to be intense and direct about "*communist*
23 *tactics*" in her community.
- 24 • **A Unique Perspective.** Rosamaria was extremely fortunate to attend
25 university. She earned a law degree, which put Rosamaria in an educated,
26 informed, and unique position, in Peruvian society. And also, in close
27 quarters association with some **very non-democratic** governing people and
28 philosophies.

29 **Cuba's Horrendous & Atrocious Anti-Human Rights Record.** On September
30 9, 2019, Rosamaria stated to her city's elected officials, her sincerely held
31 opinions, views, beliefs, and lived experiences, that Cuba's totalitarian system

³⁸ Transcript of Rosamaria Graziani remarks at September 9, 2019, Lynnwood Council meeting.

1 has a horrendous human rights record. But, most importantly, Rosamaria's
2 opinions, views, beliefs, and lived experiences are *totally consistent with*, and
3 well supported by facts in our country's annually updated *official* report and
4 position regarding Cuba's atrocious record of human rights.

5 The U.S. Official Annual "Cuba 2018 Human Rights Report"

6 Since 1977 (43 years ago) our United States Department of State (USDOS) has
7 issued annual human rights reports county-by-country. The USDOS, *Bureau of*
8 *Democracy, Human Rights and Labor*, in its 30 page *Cuba 2018 Human Rights*
9 *Report* (Cuba 2018 HRR, March 2019) said, in clear and no uncertain terms – on
10 page 1:

11 "Cuba is an **authoritarian** state... Cuba has a one-party system in
12 which the constitution recognizes the Communist Party is the only legal
13 party and the highest political entity of the state."³⁹ Emphasis added.

14 Cuba's Total Restriction & Control of Education

15 Ms. Crosby received a PhD from the University of Havana, Havana, Cuba.
16 That fact is prominently and publicly displayed in her commissioner
17 biographical information on the Washington State *Governors Hispanic*
18 *Commission* website. The Cuba 2018 HRR states clearly:

19 "[Cuba] **restricted** academic freedom and **controlled the curricula** at
20 **all . . . universities, emphasizing the importance of reinforcing**
21 **"revolutionary ideology" and "discipline."**⁴⁰ Emphasis added.

22 Cuba already had student "political thought" screening. It gave weight to a
23 student's understanding of communism. A fact sheet⁴¹ on Cuba's
24 education system warns:

25 "**Political Clearance:** Students must be cleared by the Committee for
26 the Defense of the Revolution before they are allowed to take the
27 university entrance examinations. Students *demonstrating good*
28 *political understanding in relation to their Communist beliefs* received a
29 letter of approval allowing them take college entrance exams.

³⁹ "*Cuba 2018 Human Rights Report*," United State Department of State, Bureau of Democracy, Human Rights and Labor, at 1.

⁴⁰ Id. at 16.

⁴¹ The *Academic Credentials Evaluation Institute, Inc.*, (ACEI) founded in 1994 and based in Los Angeles, CA, USA, is a *Charter and Endorsed Member of the Association of International Credential Evaluators*.

1 Student's with "poor" political standing may be "blacklisted" from
2 furthering their education."⁴² Emphasis added.

3 The Cuba 2018 HRR says Cuba is now giving "**greater weight**" to
4 "political thought" screening:

5 "During the year universities adopted new admissions criteria to give
6 greater weight to prospective students' ideological beliefs."⁴³

7 All Emphasis added.

8 **Education: Communism Exposure.** Absent something very extraordinary, or
9 by some very special procedure or power, it is more likely than not, substantially
10 true that Ms. Crosby would have been subjected to some form of "political
11 thought" screening about Communist beliefs, before being allowed admission to
12 the University of Havana, Havana, Cuba. She then spent upwards of 3, 4, 5, or
13 more, years of doctoral candidate⁴⁴ coursework, study, and research, immersed
14 in an educational system obsessed with "student ideological beliefs" concerning
15 the "importance of reinforcing 'revolutionary ideology' and 'discipline.'"

16 Common sense and reasonable deductive reasoning clearly points to Ms. Crosby
17 having been **exposed** to state directed communist Cuban revolutionary ideology
18 and attitudes. Coercive methods and mechanisms, if needed, are used to keep
19 university attendees adhering to the communist party line. For example:

- 20 • "On May 3, authorities **arrested**... A biology researcher at the University
21 of Havana and environmental activist, after visiting his farm to question
22 him about his building permits. On May 8 [just 5 days later], the judge
23 convicted [him] of **disrespect** and sentenced him to the maximum penalty
24 of one year in prison for verbally insulting forestry officials." Amnesty
25 International declared him a "prisoner of conscience," alleging he was
26 **jailed** "only for peacefully exercising his right to freedom of expression."⁴⁵
- 27 • **State Security** agents threatened to holdback [an art student's] graduation
28 due to her husband's activities."⁴⁶

⁴² ACEI Education Facts sheet at 2.

⁴³ Id. at 16.

⁴⁴ Rosamaria is familiar with the extensive PhD education process. She has previously qualified to enter the University of Texas, PhD program.

⁴⁵ "Cuba 2018 Human Rights Report," United State Department of State, Bureau of Democracy, Human Rights and Labor, at 10.

⁴⁶ "Cuba 2018 Human Rights Report," United State Department of State, Bureau of Democracy, Human Rights and Labor, at 12.

- 1 • “Several **university professors, researchers, and students**, reported they
2 were **forced from** their positions, **demoted**, or **expelled** for expressing
3 ideas or opinions outside of [Cuban] accepted norms.”

4 All emphasis added.

5 **Cuba: The Nature of “Authoritarian” & “Totalitarian” Political Systems &**
6 **Use of Police-State Methods and Tactics.**

7 First, let’s set a common frame of reference and definitions for the inter-related
8 concepts of “*totalitarian*,” “*authoritarian*,” “*dictatorship*,” and “*police-state*.”

9 Merriam-Webster defines⁴⁷ “totalitarian:”

10 **Totalitarian:** (1) “Of or relating to **centralized control** by an autocratic
11 leader or hierarchy: **AUTHORITARIAN, DICTATORIAL**; (2) “Of or relating to
12 a political regime based on subordination of the individual to the state and
13 strict control of all aspects of the life and productive capacity of the nation
14 especially by coercive measures (such as censorship and terrorism)

15 All CAPS in original text. Other emphasis added.

16 A synonym of “totalitarian” is “authoritarian” defined by Merriam–Webster⁴⁸ as:

17 **Authoritarian:** (1)“Of, relating to, or favoring blind **submission to**
18 **authority**; 2. a **concentration of power** in a leader or an elite not
19 constitutionally responsible to the people.”

20 A most common means and method of enforcing “authoritarian” or “totalitarian”
21 regimes is to use the tactics and mechanisms of a “**police-state**” defined⁴⁹ as:

22 **Police-State:** “A **political unit** characterized by repressive governmental
23 control of political, economic, and social life usually by an arbitrary
24 exercise of power by police and especially secret police in place of
25 regular operation of administrative and judicial organs of the government
26 according to publicly known legal procedures.

27 **Rosamaria says Cuba is a “police-state.”**

28 **True.**

29 **Police-State: Control & Arbitrary Power**

⁴⁷ <https://www.merriam-webster.com/dictionary>

⁴⁸ Id.

⁴⁹ Id.

1 The USDOS "*Cuba 2018 Human Rights Report*" illustrates Cuban-style
2 "police-state" methods, tactics, and gives examples.

3 "*Arbitrary Exercise of Power by Police*:"⁵⁰

- 4 • "[A]rbitrary arrests and short term detentions continued to be a
5 common government method for controlling independent public
6 expression and political activity."
- 7 • "Police used laws against public disorder, contempt, **lack of respect**,
8 aggression, and failure to pay minimal or **arbitrary** fines as ways to
9 detain, threaten, and arrest civil society activists."
- 10 • "**Arbitrary** stops and searches were most **common** in urban areas and
11 at government-controlled checkpoints..."

12 All emphasis added.

13 "*Secret Police*:"⁵¹ Ministry of Interior: Undercover Police, State Security
14 Forces, National Revolutionary Police, a Secret
15 Informant System, and Neighborhood Committees.

- 16 • "**Specialized units** of the ministry's state security branch are responsible
17 for *monitoring*, *infiltrating*, and *suppressing* independent political activity.
- 18 • "*Security force members* also committed **abuses of civil rights and**
19 **human rights with impunity.**"
- 20 • "*Undercover police* and Ministry of Interior agents were often present
21 and directed activities to disrupt efforts at *peaceful assembly*."
- 22 • "[Cuba] orchestrated "**acts of repudiation**" directed against independent
23 civil society groups and individuals ... [and] [w]ere organized to prevent
24 meetings or to intimidate participants publicly."
- 25 • "The Ministry of Interior employed a system of *informants* and
26 *neighborhood committees*, known as '**Committees for the Defense of**
27 **the Revolution**' to monitor government opponents and report . . ." ⁵²

28 All emphasis added.

29 Cuba easily fits within the categories of a totalitarian, authoritarian, dictatorial,
30 and police-state political system. For more examples read on.

⁵⁰ "*Cuba 2018 Human Rights Report*," United State Department of State, Bureau of Democracy, Human Rights and Labor, at 4.

⁵¹ Id. at 5-6.

⁵² Id. at 11.

1 **Rosamaria said Cuba “. . . Jails Dissenting Journalists”**

- 2 • **True.**
- 3 • “[Cuba] does **not** recognize *independent journalism*, and independent
- 4 journalists sometimes faced government harassment, including *detention*
- 5 *and physical abuse*.”⁵³
- 6 • “Community members and *journalists* for the *Cuban Institute for Freedom*
- 7 *of Expression and of the Press* reported increased *repression*...”⁵⁴
- 8 • Cuban law “provides for freedom of expression, including for the press,
- 9 ***only insofar as it ‘conforms to the aims of Socialist Society.’*** Laws
- 10 banning *criticism of government leaders and distribution of*
- 11 *antigovernment propaganda* carry penalties ranging from 3 months to 15
- 12 years in prison.”⁵⁵
- 13 • “The government had ***little tolerance*** for *public criticism of government*
- 14 *officials or programs*, and ***limited public debate*** of issues considered
- 15 politically sensitive.”⁵⁶

16 **Rosamaria said Cuba “. . . Controls the Press” and, has a “Media**

17 **Monopoly”**

- 18 • **True. True.**
- 19 • “[Cuba] *directly owned all print and broadcast media outlets* and all
- 20 widely available sources of information. . . . The *government also*
- 21 *controlled nearly all publications and printing presses*. The party
- 22 **ensured** public screenings and performances.”⁵⁷
- 23 • **Censorship Or Content Restrictions**: “[Cuban] law **prohibits**
- 24 distribution of **printed materials** considered “**counterrevolutionary**” or
- 25 **critical** of the government.”⁵⁸
- 26 • **Libel/Slander Laws**: “[Cuba] used **defamation** of character laws to
- 27 **arrest or detain** individuals **critical** of the country’s **leadership**.”
- 28 All emphasis added.

⁵³ Id. at 13.

⁵⁴ Id. at 13.

⁵⁵ Id. at 11-12

⁵⁶ Id. at 12.

⁵⁷ Id. at 12-13

⁵⁸ Id. at 13.

1 Rosamaria said a Totalitarian System Like Cuba “. . . Infamously
2 Tramples on Political Freedoms & Human Rights.”

3 True.

4 Anti-Human Rights: Cuba has Real “Thought” Police & Uses Them

- 5 • “[Cuban] law allows the maximum *four-year preventive detention* of
6 individuals **not charged** with an **actual crime**, with a subjective
7 determination of “**pre-criminal dangerousness**,” defined as the
8 “**special proclivity of a person to commit crimes**, demonstrated by
9 conduct in manifest contradiction of socialist norms.” Mostly used as a
10 tool to control “antisocial” behaviors . . . [but] *authorities also used such*
11 **detention to silence peaceful political opponents.**⁵⁹
- 12 • “The lack of governmental transparency, along with systemic *violations*
13 *of due process rights*,... [allowed] [Cuban] authorities to **prosecute and**
14 **sentence peaceful human rights activists** for criminal violations or
15 “**pre-criminal dangerousness**,” The government used the
16 designation of “**counterrevolutionary**” for inmates deemed to be
17 **political opposition**...⁶⁰

18 All emphasis added.

19 Anti-Human Rights: Cuba Denies Free Assembly and Association

- 20 • “The government **restricted freedoms of peaceful assembly and**
21 **Association.**”⁶¹
- 22 • “Although [Cuban law] grants *a limited right of assembly*... the right is
23 *subject to* the requirement that it may **not** be “*exercised against the*
24 **existence and objectives of the socialist state**.” The law requires
25 citizens to request permission for organized meetings of 3 or more
26 persons,” or face jail/prison time and a fine.”⁶²
- 27 • “The government did **not grant permission** to independent
28 demonstrators or approved public meetings by *human rights groups or*
29 *others critical of any government activity.*”⁶³

59 Id at 5.

60 Id. at 9.

61 Id. at 17.

62 Id. at 17.

63 Id. at 17.

- 1 • “[Cuba] also *continued to organize* “acts of repudiation” in the form of
2 ***mobs*** organized to ***assault and disburse*** those who ***assembled***
3 ***peacefully.***⁶⁴
- 4 • “The government *routinely denied citizens freedom of association* and
5 did **not recognize independent associations**. The Constitution
6 *proscribes* any political organization **not officially recognized.**⁶⁵
- 7 • “Human rights activists... [r]eported on the government’s practice to
8 send **mass text messages** *warning neighbors to avoid association*
9 *with dissidents,*” i.e. calling an independent **artist** a *‘disgrace for the*
10 *neighborhood’* and *‘warned he would bring police action to the*
11 *community.*⁶⁶

12 All emphasis added.

13 **S #7: The “Malice” is palpable.**

- 14 • Again, defamation “malice” is not an emotional or physical state, or the
15 level of “hostility” of a defendant against another person. It is not
16 tangible, and therefore, cannot be “palpable” - which is defined as
17 *“capable of being touched or felt.”*⁶⁷ No further response is needed.

18 **S #8: Ms. Crosby is “competing against another non-incumbent.”**

- 19 • This sentence merely states an obvious General Election fact. Rosamaria lost
20 in the primary and was not a 2019 General Election candidate. No response
21 appears necessary.

22 **S #9: “Numerous falsehoods” on the “Door Card.”**

- 23 • Each of Rosamaria’s eight (8) points on the “door card” were systematically
24 addressed in pages 15-20 above, and proved to be “literally true” or
25 “substantially true” as required of a defamation defendant under the
26 constitutional doctrine of *New York Times, supra*, and its progeny , and under
27 Washington court cases following *New York Times* for the **last 56 years!**
- 28 • The only numerous falsehoods here are the baseless allegations
29 contained within Ms. Crevier’s unfounded and frivolous complaint,

64 Id. at 17.

65 Id. at 17.

66 Id. at 13.

67 Online dictionary: <https://www.merriam-webster.com/dictionary/palpable>

1 **Part B(7) Summary: Motion to Dismiss**

- 2 • **Door-card.** The “door-card” analysis has been previously summarized.
3 • **Complaint Sentences.** The nine (9) sentences of the complaint
4 breakdown as follows: (a) 4 do not require responses; (b) 1 brings up
5 “harassment” which is not within PDC jurisdiction; (c) 1 is mere opinion
6 without any facts to show otherwise; (d) 1 has six (6) proven true parts;
7 and finally, (e) 1 refers to “door-card” allegations analyzed in **Part B(5)**.

8 These analyses make clear that the Crevier complaint is unfounded, frivolous,
9 unsupported, and partially not within PDC jurisdiction. It must be immediately
10 dismissed.

11 **Summary: Let Not the Perfect Be the Enemy of the Good**

12 It is amazing that the founders of our country and drafters of the U.S. Constitution
13 had such great insight into the human condition, especially its frailties. But, they
14 created, supported, and convinced, the entire country of their unbounded vision
15 and belief in the heights they believed an educated and rational citizenry could
16 rise to, under that new world-shaking Constitution. At the same time they were
17 realistic and brutally honest about the practical dangers and challenges of true
18 self-government.

19 In our democracy, elections at local, state and federal levels, take place with a
20 profound national commitment in the principle of First Amendment free speech.
21 In New York Times v. Sullivan, involving a ten (10) paragraph, full page
22 advertisement (including two (2) paragraphs with significant errors), about local
23 police and state government actions, against African-Americans seeking to have,
24 and to exercise, their constitutional rights. Our Supreme Court forcefully
25 articulated that principle:

26 “Thus, we consider this case against the background of a profound national
27 commitment to the **principle** that **debate** on public issues should be
28 **uninhibited, robust, and wide-open**, and that it may well include **vehement,**
29 **caustic,** and sometimes **unpleasantly sharp** attacks on government and
30 public officials. See Terminiello v. Chicago, 337 U.S. 1, 4; De Jonge v.
31 Oregon, 299 U.S. 353, 365.”⁶⁸ Emphasis added.

32 Please note: Other court adjectives for free speech debate on public issues also
33 included: “**unfettered,**” and “**vigorous advocacy,**”⁶⁹

34 Even courts and judges are subject to criticism. This is true even though the
35 utterance contains “**half-truths**” and “**misinformation.**” Pennekamp v. Florida,
36 328 U.S. 331, 342, 343, n. 5, 345.

⁶⁸ New York Times v. Sullivan, 376 U.S. 254, 271, 84 S. Ct. 710 (1964).

⁶⁹ Id. at 269.

1 **While the Constitution Seeks to Build “A More Perfect Union,” We Citizens**
2 **are Not Perfect**

3 The practical reality of public debate and error prone human citizens follow:

- 4 • The U.S. Constitution’s Primary Designer Said Some Error(s) in Free
5 Speech Will Happen: James Madison said:

6 “Some degree of abuse is inseparable from the proper use of everything,
7 and in no instance is this more true than and that of the press.” 4 Elliot’s
8 Debates on the Federal Constitution (1876), page 571.⁷⁰

- 9 • Mental States & Processes: Errors of Fact are Inevitable. Our Supreme
10 Court reminds us that:

11 “Political conduct and views which some respectable people approve, and
12 others condemn, are constantly imputed ... **Errors of fact**, particularly in
13 regard to a [person’s] mental states and processes, are **inevitable**...”⁷¹

- 14 • Erroneous Statement(s) in Inevitable. Public debate includes erroneous
15 statements, but it must make space for such eventualities and be protected.

16 “That erroneous statement is inevitable in free debate, and that it must be
17 protected if the freedoms of expression are to have the “**breathing space**”
18 that they “need ... to survive,” NAACP v. Button, 371 U.S. 415, 433.”⁷²

- 19 • The Probability of Excess/Abuse in Free Speech. Even the probability of
20 excesses and abuses in public debate has value as essential to
21 enlightenment and right conduct of citizens.

22 “To persuade others sometimes a person “resorts to exaggeration, to
23 vilification of [people] . . . in Church or State, and even to false statement.
24 But the people of this nation have **ordained**, in the light of history, that,
25 despite the probability of excesses and abuses, these liberties are, in the
26 long view, **essential** to enlightened opinion and right conduct on the part
27 of the citizens of a democracy.”⁷³

28 All emphasis added.

29 Rosamaria’s engagement in public debate was always intended to be within the best
30 traditions of American politics. While some moments might be argued, it was always
31 done without any degree of “actual malice.”

⁷⁰ Id. at 271.

⁷¹ Id. at 271, quoting Judge Edgerton in Sweeney v. Patterson.

⁷² Id. at 271.

⁷³ Id. at 271, quoting Cantwell v. Connecticut, 310 U.S. 296 at 310.

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Respectfully Submitted.

Dated this 28th day of January, 2020.



Donald J. Gough, WSBA No. 8905
Attorney for Rosamaria Graziani
4324 192nd St. S.W.
Lynnwood, Washington 98036
(425) 931-8506
Email: TheDG3@aol.com

Complaint Description

Jeannemcrevier (Wed, 30 Oct 2019 at 1:26 PM)

1. The attached scanned image shows a flyer found on doors in Lynnwood, and photos showing the discovery of the flyer. Paid for by campaign funds from "Rosamaria4Lynnwood", the flyer makes the following defamatory and false claims --

- 2. 1) Dr. Crosby "...is a carpet bagger. She only changed her address to Lynnwood on May 16, 2019."
- 3. 2) "filed a police report...against a child."
- 4. 3) "Her online PhD is not recognized in the US"
- 5. 4) "She only voted once in the last 18 years"

3. This follows a pattern of harassment that began immediately after Dr. Crosby filed as a
4. candidate. Numerous contacts by phone, email, and USPS letters all charged Dr. Crosby with false
5. allegations of deception and lying. We have a firsthand account of Rosamaria Graziani stating in a
6. classroom of students that she "hates" Dr. Crosby. And in a Lynnwood City Council meeting,
7. Rosamaria accused Dr. Crosby of employing "police-state tactics" because Dr. Crosby had earned
her doctoral degree at the University of Havana, Cuba, where one must accept and agree to
communist principles in order to receive an education. The malice with which Rosamaria has
pursued this campaign of harassment is palpable.

What impact does the alleged violation(s) have on the public?

8. Julieta Altamirano Crosby is competing against another non-incumbent for an open seat on the Lynnwood City
9. Council. Ms. Graziani's numerous falsehoods on the attached scanned flyer deprive Dr. Crosby of public
confidence, undermines the integrity of the electoral process, and misleads and confuses voters.

List of attached evidence or contact information where evidence may be found.

- 1) Scanned image of a flyer found on doors in Lynnwood, and
- 2) Photos taken when the flyer was found

List of potential witnesses with contact information to reach them.

Jeanne Crevier, jeannemcrevier@gmail.com, 816-726-5993
Dr. Julieta Altamirano Crosby, julieta.crosby@yahoo.com, 206-850-2329

Complaint Certification:

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.

**Please don't vote
for Julieta Crosby**

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- Crosby is a carpet bagger. She only changed her address to Lynnwood on May 16, 2019
- She filed a police report for the alleged theft of 7 flyers **against a child**
- She was censured by the 32nd LD Democrats
- <https://lynnwoodtimes.com/2019/09/20/lynnwood-city-council-race-heats-up/>
 - Her online PhD is not recognized in the US
 - She didn't attend 2 of the 3 candidate debates
 - She only voted once in the last 18 years
- <https://lynnwoodtimes.com/2019/07/09/city-council-candidates-voter-engagement-scores/>
 - As a Mayor endorsed candidate, Crosby will not bring change to our City. We need more compassionate leadership to help our most vulnerable residents.

**GEORGE, VAN &
SHIRLEY
ARE ENDORSED BY
LOCAL LD DEMOCRATS**



When recorded return to:
Leila E Solaiman and Kent M Holt
1009 Campbell Avenue
Mukilteo, WA 98275

Thank you for your payment.
E117131 \$11,219.00
BRUCE E. 03/11/2019

Filed for record at the request of:



CHICAGO TITLE
COMPANY OF WASHINGTON

4100 194th St. SW, #230
Lynnwood, WA 98036

Escrow No.: 500076748

INSURED BY
CHICAGO TITLE
5000 194th St

STATUTORY WARRANTY DEED

THE GRANTOR(S) Julieta A Crosby and Patrick W Crosby, a married couple

for and in consideration of Ten And No/100 Dollars (\$10.00) , and other valuable consideration in hand paid, conveys, and warrants to Leila E Solaiman, an unmarried person and Kent M Holt, an unmarried person

the following described real estate, situated in the County of Snohomish, State of Washington:

LOT 2, CITY OF MUKILTEO SHORT PLAT NO. SPL SP2005-06 RECORDED UNDER AUDITOR'S FILE NO. 200706275051 AND AFFIDAVIT OF CORRECTION RECORDED UNDER AUDITOR'S FILE NO. 200707240765, BEING A PORTION OF THE SOUTH 90 FEET OF LOTS 18 THROUGH 25, INCLUSIVE, BLOCK 56, PLAT OF MUKILTEO, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGES 33 AND 34, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF VACATED 11TH STREET WHICH WOULD ATTACH BY OPERATION OF LAW.

SITUATE IN THE CITY OF MUKILTEO, COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

Abbreviated Legal: (Required if full legal not inserted above.)

Tax Parcel Number(s): 005275-056-021-00

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

RCUD TRM

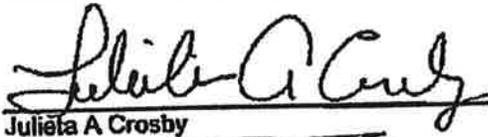
MAY 29 '19 AM 11:59

Snohomish County Auditor

201903110087

STATUTORY WARRANTY DEED
(continued)

Dated: February 14, 2019



Julieta A Crosby



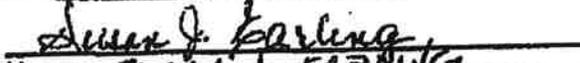
Patrick W Crosby

State of WASHINGTON

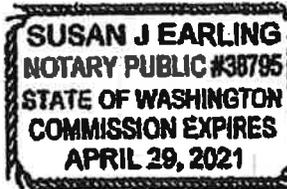
County of SNOHOMISH

I certify that I know or have satisfactory evidence that Julieta A Crosby is the person who appeared before me, and said persons acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: FEBRUARY 27, 2019



Name: SUSAN J. EARLING
Notary Public in and for the State of WA
Residing at: EDMONDS
My appointment expires: 4.29.21

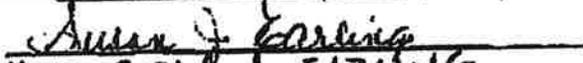


State of WASHINGTON

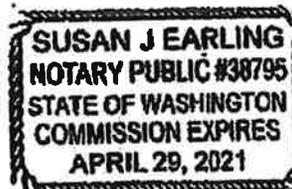
County of SNOHOMISH

I certify that I know or have satisfactory evidence that Patrick W Crosby is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: FEBRUARY 27, 2019



Name: SUSAN J. EARLING
Notary Public in and for the State of WA
Residing at: EDMONDS
My appointment expires: 4.29.21



JULIETA ALTAMIRANO CROSBY 857259

Voter Details | Properties | Flags/Misc | Notices

County Info | State Info (SV)

Voter ID: 857259

Status: ACTIVE

Reason: 99 - IN OFFICE CORRECTION

Sig: 1423891

DMV Lic: RG Driver's SSN: 24 Social Security

Residence

House#: 6406 Dir:

Street: 208TH Type: ST

Post Dir: SW Apt:

City: LYNWOOD Zip: 98036

Precinct: 11001 Manual

Name | Pncr Name [Y] | Alternate Name

Name

First: JULIETA

Middle:

Last: ALTAMIRANO CROSBY

Suffix: Birth Date: 06/19/1971

St Rsn: VOTER UPDATE

Mailing

Care of:

Street/Ex:

Mail City:

Mail ST: MZip:

Country:

Print Ok Cancel



A worthy opponent

Rosamaria Graziani <rosamaria4lynnwood@gmail.com>

May 20, 2019,
9:18 AM

to crosby4council

Good morning Julieta,

I saw that we are running for the same seat.
I would love to talk to you on the phone.
I left you a message.

Best regards,

R.

Translated by



Julieta Altamirano
Crosby <crosby4council@gmail.com>
to me



Tue, May 28, 4:19 PM

<p>Hola, Rosamaria, ¿cómo estás?</p> <p>Escuché tu mensaje y no he podido llamarte. Te ofrezco una disculpa. He estado tan ocupada como tú.</p> <p>Te parece si me escribes para saber lo que necesitas? Para poder comunicarnos la mejor via para mí es por medio de correo electrónico.</p> <p>Muchas gracias y que tengas un excelente día.</p> <p>Sinceramente,</p> <p>Julieta</p>	<p>Hi Rosamaria, how are you?</p> <p>I heard your message but haven't been able to call you. Please excuse me. I have been very busy, just like you.</p> <p>Can you write to me so I know what you need? In order to communicate, the best way for me is by email.</p> <p>Many thanks and have a wonderful day.</p> <p>Sincerely,</p> <p>Julieta</p>
--	--

Translated by



Rosamaria
Graziani <rosamaria4lynnwood@gmail.com>
to Julieta



Tue, May 28, 10:49 PM

<p>Hola Julieta,</p> <p>Solo queria avisarte que tienes que aclarar el tema de tu domicilio.</p> <p>Según el Herald, vivías en Mill Creek en noviembre del 2018.</p> <p>Y para poder ser candidata, tienes que vivir en la Ciudad de Lynnwood por lo menos un año.</p> <p>Seguramente sabes que una dirección comercial no sirve.</p> <p>Cordialmente,</p> <p>Rosamaria</p>	<p>Hi Julieta,</p> <p>I just wanted to tell you that you need to clarify the issue of your residence.</p> <p>According to The Herald, you lived in Mill Creek in November 2018.</p> <p>And in order to be a candidate, you must live in the City of Lynnwood for at least a year.</p> <p>I am sure you know that a business address does not work.</p> <p>Cordially,</p> <p>Rosamaria</p>
--	--

keynotes, inc.

translations and editorial services
spanish . english



EXHIBIT

5D

CERTIFICATE OF ACCURACY

I, Susana Cummings, a resident of Hillsborough County in the state of New Hampshire, certify under penalty of perjury that I am fluent in Spanish and English, that I am competent to translate from Spanish to English, that I have translated the attached Spanish language documents into English, and that the English translations with my signature are complete and accurate.

Dated in Hollis, New Hampshire this 11th day of December, 2019

Susana Cummings
President

service@keynotesinc.com
www.keynotesinc.com

157 n. pepperell road, hollis, nh 03049
603.465.3718 office 603.218.9047 cell

**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

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IN RE:			Complaint No. 59566
ROSAMARIA GRAZIANI, Respondent			DECLARATION OF
			VAN AUBUCHON

I, Van AuBuchon, do hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct to the best of my knowledge, recollection, and belief:

1. I have personal knowledge concerning the facts, documents and circumstances stated herein, and I believe I am competent to testify herein.
2. I hereby incorporate by reference each Exhibit referenced below, or which is attached hereto, as though fully set forth herein.
3. I reside at 5701 – 176th St S.W., Unit #2, Lynnwood, WA 98036. My place of business is also located there. I've been a resident of Lynnwood for 36 years.
4. My business is, "NT System" and I have 30 years experience in all aspects of computer networking, system design, maintenance, and repair.
5. I was elected to the Lynnwood City Council in 2011. I served 4 years.
6. I make this declaration in support of Ms. Rosamaria Graziani's response in the above caption proceeding.
7. I have been a candidate multiple times for Lynnwood elective office. I am very familiar with the processes and requirements for candidates to be eligible to file, get on the ballot, and campaign for office.
8. When Julieta Altamirano-Crosby (Crosby) filed for election to a council position I had never heard of her, or whether she even lived in Lynnwood. I immediately checked my voter database "Vote Builder," which I purchased access to, in order to get some background information. It showed that Ms. Crosby had changed her voter registration to Lynnwood on May 16, 2019. The next day (5/17) she filed a Declaration of Candidacy to be elected to Council Position 5.

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9. Some time ago, I became aware of the residency requirement to be a candidate. And, being an elected councilmember I'm quite familiar with looking up topics in state law (RCWs). I searched state law and found the one (1) year residency requirement for all candidates in our city. RCW 35A.12.030.
10. I met with Rosamaria within a few days of when 2019 candidate filing closed and I had found this information. Several activists and I discussed that this requirement would apply to Ms. Crosby's candidacy. I told Rosamaria she needed to alert the county auditor about this problem. I later learned she actually did go to the auditor's office and reported this.
11. I am familiar with, and have used, the professional voter history participation database called "Vote Builder." It compiles voter participation histories and is used to check the candidates' actual voting participation in the past.

Respectfully submitted, and dated January 3, 2020. Signed at Lynnwood, Snohomish County, Washington.



Van AuBuchon



BEFORE THE PUBLIC DISCLOSURE COMMISSION OF THE STATE OF WASHINGTON

IN RE: ROSAMARIA GRAZIANI, Respondent
Complaint No. 59566
DECLARATION OF MARYLOU ECKART

I, Marylou Eckart, do hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct to the best of my knowledge, recollection, and belief:

- 1. I have personal knowledge concerning the facts, documents and circumstances stated herein, and I believe I am competent to testify herein.
2. I hereby incorporate by reference each Exhibit referenced below, or which is attached hereto (if any), as though fully set forth herein.
3. I have been a resident of the City of Lynnwood for 28 years. My address is 6228 - 183rd Pl. S.W., Lynnwood, WA 98037.
4. My employment has also been in Lynnwood. I have been very active in all aspects of local, county and state level, campaigns and elections with both new candidates and incumbents in our city. Also, I have been active in our legislative district political organization.
5. I make this declaration in support of Ms. Rosamaria Graziani's response to the Public Disclosure Commission complaint filed by Ms. Crevier of Mountlake Terrace.
6. In mid-May 2019, Rosamaria Graziani filed her Declaration of Candidacy to be elected to a city council seat. A few days later Julieta Altamirano-Crosby (Ms. Crosby) filed her declaration for the same council seat. I had never heard of Ms. Crosby being active in our community before this. In general discussion with other community activists, Ms. Crosby was not known to any of us, nor did we know if she lived in the city.
7. One (1) Year Residency Requirement for Candidates. During my 28 years of actively working on campaigns and urging people to be local candidates, it was general knowledge to all involved that there was a one (1) year residency requirement in order to be elected. In a few days after the Crosby candidate filing, I discussed this requirement with Rosamaria, who has been a long time city resident, and informed her that this election requirement would also apply to Ms. Crosby. I strongly urged her to bring this requirement up to the county auditor who handles elections in our county.

1 8. **Legislative District 32 Censure Resolution.** I am a member of the 32nd
2 Legislative District organization and I've been very active and held office in
3 that organization in recent years. During the September 11, 2019, monthly
4 meeting, the matter of supporting the other candidate in the November
5 General Election for Lynnwood City Council Position #5 came up. In the
6 brief debate/discussion, it came up about Ms. Crosby's filing a police report
7 on July 31, 2019, and demanding "*to pursue criminal charges for the theft*
8 *of my flyers*" against a 12-year-old campaign volunteer seen by one
9 Crosby campaign volunteer and filed a report that same day. Ms. Crosby
10 was not even present when the incident occurred and saw nothing. I have
11 read the July 31, 2019, witness statements submitted.

12 9. I prepared, sponsored, and moved adoption of the censure resolution
13 regarding Ms. Crosby. At no time during the preparation or meeting
14 debate/discussion on the censure did I speak with Rosamaria Graziani.
15 Nor, did she speak during the debate/discussion about my censure motion.
16 Please see the official LD32 minutes on the district website which are
17 hereby incorporated by reference.

18 10. I wish to acknowledge and reaffirm my statements published in the
19 Lynnwood Times weekly newspaper on September 20, 2019:

20 "Marylou Eckart said she made the motion to censure
21 Altamirano-Crosby because 'Eckart is disappointed in the
22 political tactics of the Julieta campaign that has put at risk
23 vulnerable families in our district. The repercussions of a
24 frivolous police report put in danger children and families who
25 have legitimate concerns of intervention by I.C.E. The next step
26 for many of these children are cages and this is not acceptable."

27 Respectfully submitted, and dated January 3, 2020. Signed at Lynnwood,
28 Snohomish County, Washington.

29
30 
31 Marylou Eckart
32

Voter Registration Challenge Form

who are you?

Graziani Rosamaria

last name first middle
 3727 192nd St SW Lynnwood 98036
 address city / ZIP
 425-750-8175 rosamaria4lynnwood@gmail.com
 phone email

who are you challenging?

Altamirano-Crosby Julieta

last name first middle
 6406 208th St SW Lynnwood 98036
 address (as registered to vote) city / ZIP

basis of challenge provide evidence to support your challenge

The challenged voter:

- is not a U.S. Citizen
- will not be at least 18 years old by the next election
- was convicted of a felony and has not yet had his or her rights restored
- has been judicially declared ineligible to vote due to mental incompetency
- does not reside at the address listed on his or her voter registration. Provide voter's actual residential address if known.

address - Mukilteo
 city / ZIP

oath

I, Rosamaria Graziani, declare under penalty of perjury under the laws of the State of Washington that I:

- am a registered voter in the State of Washington;
- have personal knowledge and belief that the person named above is not qualified to vote for the reason or reasons indicated in this affidavit;
- have exercised due diligence to personally verify the evidence that accompanies this affidavit;
- believe that the challenged voter is not qualified to vote or does not live at the address listed on his or her voter registration.

sign here

date here

5/29/19

RCUD TRM

MAY 29 '19 AM 11:58

Snohomish County Auditor

How to Challenge a Voter Registration

general information

A voter registration is presumptive evidence of a person's right to vote. A challenge may be dismissed if proper evidence isn't supplied. A challenge may only be filed for the reasons listed on this form. Any other reason is not considered to be legitimate grounds for a challenge.

The challenge process is established in RCW 29A.08.810 through RCW 29A.08.850.

EXHIBIT

9A

filing a challenge

Registered voters and county prosecuting attorneys may file a voter registration challenge. A challenge must be based on the challenger's personal knowledge.

Submit a completed challenge form, and supporting documentation, to the county elections department where the challenged voter is registered. Determination of the challenge is based entirely on evidence provided.

address based challenges

If you don't know the voter's actual residential address, provide evidence that you've taken **ALL** steps below to verify his or her residential address is incorrect.

- Send a letter with 'return service requested' to all known addresses for the voter;
- Search local telephone directories to determine whether the voter maintains a telephone listing at any address in the county;
- Search the county auditor **property records** to determine whether the voter owns property in the county;
- Search the statewide voter registration database to determine if the voter is registered at any other address in the state; and
- Visit the voter's listed residential address. As proof that the voter doesn't live there submit a signed affidavit from anyone who owns, manages, resides, or is employed at the address stating that, to his or her personal knowledge, the voter does not reside at the address.

A voter can maintain residency if he or she is absent due to government service, school, in prison, or because he or she is registered at a non-traditional address such as a shelter, park, motor home or marina.

deadlines

In order to affect the validity of a ballot, challenges must be filed at least 45 days before an election.

If the challenged voter registered or moved less than 60 days before an election, a challenge must be filed at least 10 days before the election or 10 days after the voter registered, whichever is later.

challenge process

Upon receipt of a challenge form, the county elections department will:

- review the form for completeness and factual basis;
- notify the challenged voter and interested parties of the challenge;
- post the challenge documents on the county elections department's website; and
- set a hearing time and date.

A voter registration challenge hearing is an administrative hearing, not a court proceeding, and is open to the public. The county elections official or County Canvassing Board will preside over the hearing. Final determination of the challenge may be appealed in Superior Court.

RCW 29A.08.810**Basis for challenging a voter's registration—Who may bring a challenge—
Challenger duties.**

(1) Registration of a person as a voter is presumptive evidence of his or her right to vote. A challenge to the person's right to vote must be based on personal knowledge of one of the following:

(a) The challenged voter has been convicted of a felony and the voter's civil rights have not been restored;

(b) The challenged voter has been judicially declared ineligible to vote due to mental incompetency;

(c) The challenged voter does not live at the residential address provided, in which case the challenger must either:

(i) Provide the challenged voter's actual residence on the challenge form; or

(ii) Submit evidence that he or she exercised due diligence to verify that the challenged voter does not reside at the address provided and to attempt to contact the challenged voter to learn the challenged voter's actual residence, including that the challenger personally:

(A) Sent a letter with return service requested to the challenged voter's residential address provided, and to the challenged voter's mailing address, if provided;

(B) Visited the residential address provided and contacted persons at the address to determine whether the voter resides at the address and, if not, obtained and submitted with the challenge form a signed affidavit subject to the penalties of perjury from a person who owns or manages property, resides, or is employed at the address provided, that to his or her personal knowledge the challenged voter does not reside at the address as provided on the voter registration;

(C) Searched local telephone directories, including online directories, to determine whether the voter maintains a telephone listing at any address in the county;

(D) Searched county auditor property records to determine whether the challenged voter owns any property in the county; and

(E) Searched the statewide voter registration database to determine if the voter is registered at any other address in the state;

(d) The challenged voter will not be eighteen years of age by the next election; or

(e) The challenged voter is not a citizen of the United States.

(2) A person's right to vote may be challenged by another registered voter or the county prosecuting attorney.

(3) The challenger must file a signed affidavit subject to the penalties of perjury swearing that, to his or her personal knowledge and belief, having exercised due diligence to personally verify the evidence presented, the challenged voter either is not qualified to vote or does not reside at the address given on his or her voter registration record based on one of the reasons allowed in subsection (1) of this section. The challenger must provide the factual basis for the challenge, including any information required by subsection (1)(c) of this section, in the signed affidavit. The challenge may not be based on unsupported allegations or allegations by anonymous third parties. All documents pertaining to the challenge are public records.

(4) Challenges based on a felony conviction under RCW 29A.08.520 must be heard according to RCW 29A.08.520 and rules adopted by the secretary of state.

[2011 c 10 § 20; 2006 c 320 § 4; 2003 c 111 § 253. Prior: 2001 c 41 § 9; 1987 c 288 § 1; 1983 1st ex.s. c 30 § 2. Formerly RCW 29.10.125.]

NOTES:

Notice to registered poll voters—Elections by mail—2011 c 10: See note following RCW 29A.04.008.

Right to vote

loss of: State Constitution Art. 6 § 3, RCW 11.88.010, 11.88.090.

restoration of: RCW 9.92.066, 9.94A.637, 9.94A.885, 9.95.260, chapter 9.96 RCW.



Snohomish County Elections
A Division of the Auditor's Office

Carolyn Waikel
County Auditor

Garth Fell
Elections Manager



Rosamaria Graziani
3727 192nd St SW
Lynnwood, WA 98036

May 31, 2019

Dear Ms. Graziani,

On May 29, 2019, the Snohomish County Auditor received a Voter Registration Challenge ("Challenge"), filed pursuant to RCW 29A.08.810. The challenge alleges that Julieta Altamirano-Crosby does not reside at 6406 208th St SW, Lynnwood, WA 98036, the address listed on her voter registration record, and instead resides in Mukilteo, WA.

In a voter registration challenge based on residency, the individual bringing the challenge must provide the voter's actual residence, or submit evidence that the challenger exercised due diligence to verify that the challenged voter does not reside at the address provided.

The Challenge includes the following documents: (1) a statutory warranty deed recorded 3/11/2019 wherein Julieta A. Crosby and Patrick W. Crosby are listed as the grantors of certain real property (parcel number 00527505602100), (2) a statutory warranty deed recorded 2/15/2017 wherein Julieta A. Crosby and Patrick W. Crosby were conveyed certain real property (parcel number 00527505602100); and (3) an article from the Daily Herald dated October 28, 2018. At 4:59PM on May 29, 2019, the Auditor's Office received two additional emails from you. The first email attached a picture of a certified mail receipt mailed on May 29, 2019, to 6406 208th St SW, Lynnwood, WA 98036. The second email attached two pictures of a residence with a fence.

In this instance the Challenge is incomplete. In particular, RCW 29A.08.810 (1)(c)(A) requires a certification that the challenger sent a letter with return service requested to the challenged voter's residential address. While it appears that a certified letter was mailed to 6406 208th St SW, Lynnwood, WA 98036, it was not sent until after the Challenge was filed. Sending a certified letter after a challenge is filed does not comply with the letter or purpose of RCW 29A.08.810(1)(c)(A). The Challenge also fails to provide evidence that the searches required by RCW 29A.08.810(1)(c)(C), (D) or (E) were performed.

Furthermore, the Challenge fails support its factual allegation. The Challenge alleges that Ms. Altamirano-Crosby resides in Mukilteo, WA. The documentation submitted however, shows that Ms. Altamirano-Crosby sold real

property located in Mukilteo in March 2019. Thus, the submitted documentation does not support the allegation that Ms. Altamirano-Crosby currently resides in Mukilteo, WA.

Since the Challenge is incomplete and does not support its factual allegations, it is dismissed as authorized by RCW 29A.08.840.

If you have any questions, please feel to contact Snohomish County Elections Manager Garth Fell at 425-388-3625 or garth.fell@snoco.org.

Sincerely,



Carolyn Weikel
Snohomish County Auditor

From: Fell, Garth
Sent: Friday, May 31, 2019 2:21 PM
To: rosamaria4lynnwood@gmail.com
Subject: Voter Registration Challenge of Julieta Altamirano-Crosby
Attachments: VRChallengeDismissal_AltamiranoCrosby_05312019.pdf

Ms. Graziani,

Please find attached a letter from Auditor Carolyn Weikel regarding your voter registration challenge of Julieta Altamirano-Crosby. Please feel free to call me if you have any questions.

Sincerely,

Garth Fell
Elections Manager

Snohomish County Auditor's Office ☞☞
3000 Rockefeller Avenue, M/S 505
Everett, WA 98201-4046
425-388-3625 | garth.fell@snoco.org | www.snoco.org

Notice: All emails and attachments sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).



RCW 29A.24.075

Qualifications for filing, appearance on ballot.

(1) A person filing a declaration of candidacy for an office shall, at the time of filing, be a registered voter and possess the qualifications specified by law for persons who may be elected to the office.

(2) Excluding the office of precinct committee officer or a temporary elected position such as a charter review board member or freeholder, no person may file for more than one office.

(3) The name of a candidate for an office shall not appear on a ballot for that office unless, except for judge of the superior court and as provided in RCW 3.50.057, the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in the geographic area represented by the office. For the purposes of this section, each geographic area in which registered voters may cast ballots for an office is represented by that office. If a person elected to an office must be nominated from a district or similar division of the geographic area represented by the office, the name of a candidate for the office shall not appear on a primary ballot for that office unless the candidate is, at the time the candidate's declaration of candidacy is filed, properly registered to vote in that district or division. The officer with whom declarations of candidacy must be filed under this title shall review each such declaration filed regarding compliance with this subsection.

(4) The requirements of voter registration and residence within the geographic area of a district do not apply to candidates for congressional office. Qualifications for the United States congress are specified in the United States Constitution.

[2013 c 11 § 25; 2004 c 271 § 153. Formerly RCW 29A.20.021.]



RCW 35A.12.030

Eligibility to hold elective office.

No person shall be eligible to hold elective office under the mayor-council plan unless the person is a registered voter of the city at the time of filing his or her declaration of candidacy and has been a resident of the city for a period of at least one year next preceding his or her election. Residence and voting within the limits of any territory which has been included in, annexed to, or consolidated with such city is construed to have been residence within the city. A mayor or councilmember shall hold within the city government no other public office or employment except as permitted under the provisions of chapter 42.23 RCW.

[2009 c 549 § 3006; 1979 ex.s. c 18 § 20; 1967 ex.s. c 119 § 35A.12.030.]

NOTES:

Severability—1979 ex.s. c 18: See note following RCW 35A.01.070.

RCW 29A.68.011**Prevention and correction of ballot frauds and errors.**

Any justice of the supreme court, judge of the court of appeals, or judge of the superior court in the proper county shall, by order, require any person charged with error, wrongful act, or neglect to forthwith correct the error, desist from the wrongful act, or perform the duty and to do as the court orders or to show cause forthwith why the error should not be corrected, the wrongful act desisted from, or the duty or order not performed, whenever it is made to appear to such justice or judge by affidavit of an elector that:

(1) An error or omission has occurred or is about to occur in printing the name of any candidate on official ballots; or

(2) An error other than as provided in subsections (1) and (3) of this section has been committed or is about to be committed in printing the ballots; or

(3) The name of any person has been or is about to be wrongfully placed upon the ballots.

An affidavit of an elector under this section when relating to a primary election must be filed with the appropriate court no later than two days following the closing of the filing period for such office and shall be heard and finally disposed of by the court not later than five days after the filing thereof. An affidavit of an elector under this section when relating to a general election must be filed with the appropriate court no later than three days following the official certification of the primary election returns, or official certification of candidates qualified to appear on the general election ballot, whichever is later, and shall be heard and finally disposed of by the court not later than five days after the filing thereof.

[2016 c 130 § 1; 2013 c 11 § 71; 2011 c 349 § 25; 2007 c 374 § 3; 2005 c 243 § 22; 2004 c 271 § 182.]

NOTES:

Effective date—2011 c 349: See note following RCW [29A.04.255](#).

Wednesday, December 4, 2019

Latest: Incoming Light Rail impact on local business



LYNNWOOD TIMES

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Latest News

City council candidate challenges opponent's eligibility; Auditor dismisses non-resident claims

June 13, 2019 publisher 9 Comments 2019 Election, Julieta Altamirano-Crosby, Rosamaria Graziani

by MARIO LOTMORE



Photos of Lynnwood City Council Position 5 candidates Julieta Altamirano-Crosby (left) and Rosamaria Graziani (right). Graziani alleges Crosby does not meet the state requirements for elective office.

On May 29, a voter registration challenge was filed with the [Snohomish County Auditor's](#) office by Lynnwood City Council candidate Rosamaria Graziani against Julieta Altamirano-Crosby, an opponent for the District 5 council seat. The challenge alleges that Crosby does not reside at the Lynnwood address listed on her voter registration record and instead resides in Mukilteo.

In a voter registration challenge based on residency, the individual bringing the challenge must provide proof of the voter's actual residence or submit evidence of due diligence to verify the candidate does not reside at the address he or she claims.

According to [RCW 29A.08.810](#) and documents provided by the [Snohomish County Auditor's](#) office, anyone wishing to challenge a voter's residency must complete all of the following steps: (1) Send a letter with 'return service requested' to all known addresses for the voter; (2) Search local telephone directories to determine whether the voter maintains a telephone listing at any address in the county; (3) Search the county auditor property records to determine whether the voter owns property in the county; (4) Search the statewide voter registration database to determine if the voter is registered at any other address in the state; and (5) Visit the voter's listed residential address. As proof that the voter

Archives

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[March 2019](#)

doesn't live there, the challenger must submit a signed affidavit from anyone who owns, manages, resides, or is employed at the address stating that, to his/her personal knowledge, the voter does not reside at the address.

According to an official document from the **Snohomish County Auditor's** office, the challenge was dismissed, on grounds that the challenge was incomplete and did not support factual allegations. Snohomish County Elections Manager Garth Fell agreed with the auditor's finding and stated that Graziani did not provide the supporting documents for her challenge.

When asked to provide a statement regarding the dismissal, Graziani stated, "The auditor dismissed my challenge because I lacked an affidavit from a neighbor saying that Crosby lived in Mukilteo. People don't like to sign affidavits."

Graziani stated that according to **RCW 35A.12.030**, a person must be a resident of the city for at least one year preceding his or her election to be eligible for elective office.

"According to county property records, Julieta Crosby owned a house in Mukilteo until March 2019. An October 28, 2018 Herald article shows Crosby at her home in Mukilteo, with no mention of a pending move. Crosby changed her voter registration to Lynnwood on May 16, 2019, one day before filing for Lynnwood Council. This indicates to me that she was not a Lynnwood resident as required for elective office in Lynnwood."

Crosby has provided the Lynnwood Times with a certificate of occupancy dated September 17, 2018, and Facebook postings dated as early as October 2018 showing Crosby and friends at her current home in Lynnwood.

According to the **Snohomish County Assessor's** office, Crosby's current Lynnwood residence was purchased in February, 2018, for \$375,000. Both Julieta Altamirano-Crosby and her husband Patrick Crosby are listed on the deed. Their Mukilteo home was

listed for sale in September, 2018, and sold in March, 2019, for \$630,000.

The Lynnwood Times reached out to the city of Lynnwood for clarification of Graziani's claim citing **RCW 35A.12.030**, which states that a person must be a resident of the city for at least one-year preceding the date of election to be eligible for elective office. Lynnwood Public Affairs Officer Julie Moore stated the city's interpretation of the RCW was "one year preceding his/her election, so in this case November [2018]."

When asked for a statement, Crosby replied, "I meet the residency and all other requirements to run for city council. The Snohomish County Auditor has already dismissed my opponent's unfounded claim."

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Step Up puts racial equity on the county's to-do list

📅 April 19, 2019 💬 0

Exhibit #13

**This is the website address for the
Everett Herald article about Ms. Crosby
which is 11 pages long:**

<https://www.heraldnet.com/life/her-mission-rescue-the-mexican-identity-before-it-disappears/>

Exhibit #14**Typed Excerpts: Witness Statements Sworn Under Penalty of Perjury
Re: July 31, 2019 Alleged Theft of 7 Campaign “Door Cards”**

(Please Note: Attached handwritten statements received by public records disclosure on November 27, 2019 at 3:15 p.m.)

Ms. Crosby’s July 31, 2019, sworn statement says, in relevant part:

“I left my friend MarSue [Marcella Susan Calleros] after we had been placing campaign flyers on homes ... MarSue continued placing flyers and returned to her car and observed my political rival, Rosamaria Graziani **sending a young boy** from her car to the doors of houses where my flyers had been, removing those flyers, then moving on to the next house and removing my flyer from there.

...
“I wish to **pursue criminal charges** for the theft of my flyers.” (Emphasis added.)

Ms. Marcella Susan Callero’s July 31, 2019, sworn statement says, in relevant part:

“... I turned the car facing the street to leave when I saw the young kid walking past by (sic) one of Rosamaria Graziani’s flyers. Rosamaria is Julieta’s political rival. ... So I stopped my car and I saw that following the kid was Rosamaria Graziani in the car, *she parked and approached me thinking I was a potential voter and started speaking in English to me. (I don’t believe we have ever meet (sic)), introducing herself, when at the same time she saw my t-shirt with Julieta’s name, I told her “thank you but I am with Julieta.” She started trying to convince me that Julieta was wrong for getting into the race and that how could she (Julieta) dear (sic) to compete against another Latina, I told her very calmly not to worry that Julieta is not worried, she said: “I am not worried either but Julieta should be,” and continued: “Well I am going to win anyway!” and I said: “that’s fine.”* She walked away and got into her car. While we were having this chat the young boy had been going around homes in that same cul-de-sac where I had just left my flyers at the door or give (sic) to two or 3 people that opened the door, so I **suspected** that the boy had been instructed to remove flyers I had just left from (sic) the doors. (Emphasis added.)

So I stayed right there and waited and sure enough right (sic) in the front house in front of my very eyes, I saw the boy remove my flyer or our flyer and place Rosamaria’s flyer. ... I took pictures after the boy had gotten into the car, and I saw them leave as she waved to me.”

Ms. Jeanne M. Crevier’s July 31, 2019, sworn statement says, in relevant part:

After Julieta Altamirano–Crosby and her friend MarSue Callero’s had left Julieta’s flyers for her campaign for city council on the doors of certain residences, MarSue observed Julieta’s rival candidate Rosamaria Graziani in her car with a minor–male about 10–12 years old – sending the minor to the doors same residences and taking Julieta’s flyers. ... The theft occurred in the area of 3806 188th St SW, Lynnwood WA 98037.



INCIDENT STATEMENT FORM

Case #: 19-27675



Name (Last, First, Middle)		Race	Eth	Sex	DOB	HGT	WGT	Hair	Eyes
Julieta Altamirano Crosby		W	Latina	F	6/19/71	5'8	158	B	B
Address				City	State	Zip Code			
6406 208th St SW				Lynnwood	WA	98036			
Home Phone	Work Phone	Email							
		julieta.crosby@yahoo.com							
Cell Phone	Other Phone	DL#	SS#						
2068502329									

The following is my voluntary statement regarding this police report:

I left my friend Marsue Calleros after we had been placing campaign flyers on homes in the area of 188th St. SW and 38th Ave W. Marsue continued placing flyers and returned to her car and ~~found~~ JAC observed ~~the~~ my political rival, ROSAMARIA GRAZIANI, sending a young boy from her car to the doors of homes where my flyers had been, removing those flyers, then moving on to the next house, and removing my flyer from there. We have experienced a history of harassment and intimidation from Ms. Graziani in the form of letters and emails - we have retained all that information.

I wish to pursue criminal charges for the theft of my flyers.

I have read each page of this statement. I certify (or declare) under penalty of perjury, under the laws of the State of Washington, the above statement is true and correct.

Signature: Julieta C. Crosby

Date: July 31 / 2019

Witness / Officer: [Signature] #2777

Location signed (City, State): Lynnwood WA

1 of 1

EXHIBIT
14B



INCIDENT STATEMENT FORM

Case #: 19-27675

Name (Last, First, Middle) CREVIER, Jeanne M.		Race W	Eth	Sex F	DOB 1/29/1958	HGT 5'5"	WGT 160#	Hair Greying	Eyes Br
Address 21201 58th Ave W # 2				City Mountlake Terrace	State WA	Zip Code 98043			
Home Phone 816 726-5993	Work Phone _____	Email jeannecrevier@gmail.com		DL# 1 - DOL DAPPS					
Cell Phone ↓	Other Phone _____	SSN _____							

The following is my voluntary statement regarding this police report:

AFTER Julieta Altamirano Crosby & her friend Mar Sue CALEROS had left Julieta's flyers for her campaign for city council, on the doors of certain residences, Mar Sue observed Julieta's rival candidate ROSAMARIA GRAZIANI in her car with a minor - male about 10-12 years old - sending the minor to the doors of the same residences and taking Julieta's flyers.

Mar Sue took pictures of Graziani's car - the theft occurred in the area of 3806 188th St SW, Lynnwood WA 98037. We believe that the flyers were taken from 18828, 18830, 18826, 18825, 18821, 18811, 18805 all on 38th Ave SW, Lynnwood 98037

I have read each page of this statement. I certify (or declare) under penalty of perjury, under the laws of the State of Washington, the above statement is true and correct.

Jeanne M. Crevier
Signature

7/31/19
Date

[Signature]
Witness / Officer

Lynnwood, WA
Location Signed (City, State)

____ of ____

EXHIBIT

14C

INCIDENT STATEMENT FORM

Case #: 1h27675



Name (Last, First, Middle) Calleras Marcella Susan W		Race W	Eth Latino	Sex F	DOB 11/20/65	HGT 5.7	WGT 165	Hair Dark	Eyes Green
Address 12527 50th DR SE			City Everett		State WA	Zip Code 98208			
Home Phone N/A	Work Phone	Email marcellasm@hotmail.com							
Cell Phone 425 501 7959	Other Phone	DL#	SS#						

The following is my voluntary statement regarding this police report:

I was placing Julieta Altamirano's political flyers on doors in the area of 100th St SW and 38th Ave W, After Julieta left, I continued to place flyers in the cul-de-sac, as soon as I was done, I went into my car that was parked in my brother's driveway, since he lives in that cul-de-sac, and I turned the car facing the street to leave, when I saw a young kid walking pass by with one of Rosamaria Graziano's flyers. Rosamaria is Julieta's political rival. So I stopped my car and I saw that following the kid was Rosamaria Graziano in the car, she parked and approached me thinking I was a potential voter, and started speaking in English to me. I don't believe we have ever met, introducing herself, when at the same time she saw my t-shirt with Julieta's name, I told her "thank you but I am with Julieta". She started trying to convince me that Julieta was wrong for getting into the race and that how could she (Julieta) dare to compete against another Latina, I told her very calmly not to worry, that Julieta is not worried, she said: "I am not worried either but Julieta should be", and continued: "Well I am going to win anyway!", and I said: "that's fine". She walked away and got

I have read each page of this statement. I certify (or declare) under penalty of perjury, under the laws of the State of Washington, the above statement is true and correct.

Signature: Marcella Calleras
 Witness / Officer: [Signature] #9777

Date: 7/31/19
 Location (City, State): Lynnwood WA

1 of 2

INCIDENT STATEMENT FORM

Case #: 19-27675



Name (Last, First, Middle) <u>Marcel Calleros</u>		Race	Eth	Sex	DOB	HGT	WGT	Hair	Eyes
Address <u>[Redacted]</u>					City	State		Zip Code	
Home Phone	Work Phone		Email						
Cell Phone	Other Phone		DL#	SS#					

The following is my voluntary statement regarding this police report:

into her car. While we were having this chat, the young boy had been going around the homes in that same cul de sac where I had just left my flyers at the door or give to two or 3 people that opened the door, so I suspected that the boy ^{was} had been instructed to remove the flyers I had just left from the doors.

So I stayed right there and waited and sure enough right in the front house in front of my very eyes, I saw the boy remove my flyer or our flyer and place Rosamaria's flyer. I was trying to get my camera but it got slow and I wasn't sure what to do so I wish I would video it but I took pictures after the boy had gotten into the car, and I saw them leave as she waved to me.

I believe I have 3 witnesses maybe 2, that can corroborate that I was there doorbelling and the boy came by right after I did.

I have read each page of this statement. I certify (or declare) under penalty of perjury, under the laws of the State of Washington, the above statement is true and correct.

Signature Marcela Calleros

Date 7/31/19

Witness / Officer [Signature] # 2777

Location Signed (City, State) [Signature] WA

2 of 2

32nd Legislative District Democratic Organization

Meeting, September 11, 2019

at the Richmond Masonic Center
753 N 185th St, Seattle, WA 98133

6:00 Dinner \$10 suggested donation

6:30 Open mic and social time

7:00 Call to order

- Chair Statement
- Remember
- Thank you

7:01 Pledge of Allegiance

7:02 Land Acknowledgment

7:03 Approve of previous meeting's minutes

7:05 Don't Clearcut Seattle

Resolution in Support of the Seattle Urban Forestry Commission's Draft Tree and Urban Forest Protection Ordinance

7:15 Terique Scott: Balance Our Tax Code

7:35 Amber King: Whole Washington

7:55 Break & Raffle

8:00 Campaign Updates

8:10 Endorsement considerations

- Shoreline Proposition 1
- General Obligation Bonds for Aquatic, Recreation and Community Center and Parks and Recreation Improvement
- Washington Referendum 88
- Vote on I-1000 Affirmative Action Measure



8:30 Good of the order

8:45 Adjourn

Minutes

32nd Legislative District Democratic Organization

Minutes of Regular Monthly Meeting, September 11, 2019,

at the Richmond Masonic Center

Following 10-15 minutes of "Open Mic" time at the end of a "social hour" including another fine dinner prepared by Rosamaria Graziani's volunteer crew, the meeting was called to order at about 7 pm by District Chair Alan Charnley. After opening with the Pledge of Allegiance, M/S/C to approve the minutes of our previous meeting – whereupon, in the absence of our regular Secretary, the undersigned was asked to fill in and prepare (these) minutes.

M/S to adopt a "Resolution in Support of the Seattle Urban Forestry Commission's Draft Tree and Urban Forest Protection Ordinance," drafted and explained by Steve Zemke of LD46. Following his explanation, it was voted to adopt the resolution, and various elected officials and candidates present were introduced thereafter.

Program: Speakers

Terique Scott, Outreach Director of "Balance Our (Washington) Tax Code," spoke on the improving prospects for a capital gains tax in Washington, possibly beginning next year. As proposed – and passed by the House – the tax would apply only to capital gains of \$100,000 or more in any given year, and thereby reach only about 14,000 Washingtonians, significantly fewer than are subjected to the federal capital gains tax. Despite its having passed the House, a few Democratic Senators prevented the measure from passing in the Senate. Mr. Scott was subjected to Q&A regarding his presentation.

Our own Amber King then spoke on behalf of "Whole Washington," a health care plan to be enacted at the state level – specifically, ours – while the federal government continues indecisive debate that fails to produce action. The cost to individuals can be determined through a calculator on Whole Washington's website. If this program is not enacted by our Legislature, it will be presented as an initiative, with *volunteer* signature-gatherers. Amber too was subjected to Q&A regarding her presentation.

Following a break, brief reports were presented by or on behalf of a series of our endorsed candidates (some of them incumbents), subject in each case to precise time limits:

Mike Nelson for Edmonds Mayor

Carin Chase for Edmonds School Board

Paul Thompson for Snoco Superior Court Judge, Position 14

Edirin Okoloko for Snoco Superior Court Judge, Position 7

Debora Juarez (by surrogate Arnie Nelson), for Seattle City Council, District 5

George Hurst for Lynnwood City Council, Position 6

Shirley Sutton for Lynnwood City Council, Position 7

Van Aubuchon for Lynnwood City Council, Position 4

Sara Betnel for Shoreline School Board, Position 5

Ted Hikel for a Snoco Regional Fire District Commissioner position

Sam Cho, for Port of Seattle, Position 2

Doris McConnell, for Shoreline City Council, Position 4

Endorsements

On behalf of our Endorsement Committee, M/S (Ted Hikel) to endorse Rebeca Muniz for **Seattle School Board, Position 3**. Following remarks on behalf of Ms. Muniz (and Q&A as warranted), it was voted to endorse her. Next, it was M/S to endorse Chandra Hampson for the same position. Ms. Hampson too was represented by a speaker on her behalf, and – following Q&A – it was voted to endorse her too.

Speakers next explained the nature and purpose of **Shoreline Proposition 1, Parks & Recreation Bonds**. Following Q&A, it was M/S/C to endorse the measure.

M/S (Carin) to support **Referendum 88**, a measure that will be on the statewide ballot in November and would, if approved by the voters, allow the Legislature-approved Initiative 1000 to go into effect (I-1000 being the measure meant to reinstate affirmative action, other than by quotas, racial or otherwise, as a tool toward racial justice). Following Q&A, it was voted to recommend an “approve” vote on Referendum 88.

M/S (MaryLou Eckart) to suspend the rules in order to consider a motion of censure against Julieta Altamirano-Crosby, a candidate for Lynnwood City Council Position 5. It was agreed to defer the motion until later in the meeting.

M/S/C to close our discussion of Endorsements.

Other Business

M/S/C to suspend the rules in order to consider “**A resolution to censure Shoreline City Council candidate David Chen and his employer Crista Ministries for their anti-LGBTQ+ actions and statements.**” In support of the resolution, various newspaper articles were cited. M/S to postpone consideration of the resolution but, after brief discussion, the motion for postponement failed and the resolution to censure Mr. Chen passed by an apparently overwhelming voice vote.

We then returned to MaryLou's deferred motion of censure against Lynnwood candidate Julieta Altamirano-Crosby, based on Ms. Altamirano-Crosby's having filed a police report accusing a 12-year-old boy of stealing her campaign fliers from Lynnwood doorsteps. After brief discussion, the motion carried.

M/S (Ted Hikel) to suspend the rules in order to consider another endorsement, but his motion failed to garner the 60% vote necessary to consider the matter at that time.

State Representative Mike Pellicciotti (LD30) spoke of his upcoming candidacy for State Treasurer, an office currently held by a Republican due to the 2016 primary-election fluke of too many qualified Democrats having so thoroughly split the vote, that only Republicans survived into the general election.

M/S/C to adjourn (at 9:28 pm).

Prepared and submitted by Dean Fournier, Emergency Secretary *pro tem*.

1 service to the LD32 organization through her tireless efforts of translating
2 "real-time," the proceedings of our monthly meeting into Spanish for the
3 many members and audience in attendance.

4 8. LD32 Censure Motion Against Julieta Altamirano-Crosby. I was
5 present for the entire LD32 September 11th meeting, and also when a
6 motion to censure Lynnwood Council candidate Julieta Altamirano-Crosby
7 came up. The censure resolution was prepared and sponsored for
8 consideration and action of the district membership by district member
9 Marylou Eckart of Lynnwood. I had read the July 31, 2019, police incident
10 report and all three (3) of the July 31, 2019, witness incident statements
11 submitted. I was generally informed about the topic.

12 9. The censure issue centered around Ms. Crosby's filing a police report on
13 July 31, 2019, and threatening to push prosecution for the theft of several
14 of her campaign flyers. That meant prosecuting a 12-year-old campaign
15 volunteer, since he was the only person observed by Ms. Calleros, a
16 Crosby campaign volunteer, to have gone to the doorsteps of the houses
17 while Ms. Calleros was watching. Ms. Calleros said in her sworn
18 statement that only the child was observed at the doorsteps of several
19 homes by her. Rosamaria was talking with Ms. Calleros during this time
20 period and was not observed by her at the doorsteps of any homes. Ms.
21 Calleros gave her witness statement that same day while at the police
22 station, together with Ms. Crosby and another Crosby campaign volunteer
23 Ms. Crevier both of whom were not present during the time Ms. Calleros
24 was observing the child.

25 10. Rosamaria did not participate in any debate/discussion of that censure
26 matter at any time during the September 11th meeting.

27 Respectfully submitted, and dated January 3, 2020. Signed at Lynnwood,
28 Snohomish County, Washington.

29 

30 _____
31 Ted Hikel
32



LYNNWOOD TIMES



Elections Latest

City Council Candidates voter engagement scores

July 9, 2019 Luke Putvin 1 Comment City Council, engagement scores

by LYNNWOOD TIMES STAFF

Candidates for Lynnwood City Council are counting on voters to turn in their ballots, but how active are those candidates when it comes to voting in elections?

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Archives

The **Lynnwood Times** reviewed public voter records for all 12 candidates vying for a city council seat in this year's primary election. The Lynnwood Times looked at the frequency candidates voted in the last eight elections starting with the 2016 primary election and ending with the 2018 general election. Below is a table showing the voting engagement score for each Lynnwood City Council candidate.

- [November 2019](#)
- [October 2019](#)
- [September 2019](#)
- [August 2019](#)
- [July 2019](#)
- [June 2019](#)
- [May 2019](#)
- [April 2019](#)
- [March 2019](#)

Position	Candidate	Score
4	Nazanin (Naz) Lashgari	100%
4	James (Jim) Smith	100%
4	James Rutherford	75%
4	Ashkan Amouzegar	63%
4	Diodato (Dio) Boucsiequez	57%
4	Van Aubuchon	100%
5	David Schirle	75%
5	Rosamaria Graziani	100%
5	Julieta Altamirano-Crosby	13%
7	Shannon Sessions	100%
7	Maggie Mae	50%
7	Shirley Sutton	100%

In the cases of Diodato (Dio) Boucsiequez, Nazanin (Naz) Lashgari and Maggie Mae, there were fewer voting records due to their more recent voter registrations of September 2016, January 2017 and October 2017 respectively. The scores were adjusted to reflect their more recent registration.

Perfect voting records include Position 4 candidates Naz Lashgari, Jim Smith and Van Aubuchon, Position 5 candidate

Other candidates with consistent voting records are Position 4 candidates James Rutherford, Ashkan Amouzegar, and Dio Boucsiequez, Position 5 candidate David Schirle and Position 7 candidate Maggie Mae.

The Lynnwood Times reached out to Julieta Altamirano-Crosby to share her thoughts on having a less consistent voting record than the other candidates.

Altamirano-Crosby said, "There are many ways to be civically engaged in addition to voting. Over a year ago I began working with the League of Women Voters to reach people in diverse communities aimed at increasing participation in the electoral process. As a relative novice to the American electoral system, I understand the difficulties of participating in the vote, and that is part of the reason why I'm running. I will continue to build bridges so that residents of Lynnwood are better connected with their local government and feel that their vote matters."

Typically, voter participation in a non-presidential off-year election in Snohomish County is roughly 23% for a primary election and 34% for a general election. For Lynnwood those stats are 23% and 32% respectively. According to the Snohomish County Auditor's Office, as of July 5, there are 20,441 active registered and 1,593 inactive voters in Lynnwood.

An inactive voter is a voter who may be eligible to vote but must update their voter registration with the county auditor's office. Residents have until July 29 to register or update their address online or by mail.

Ballots for this year's primary election are expected to arrive in mailboxes by July 20. The last day to mail or return your ballot is August 6. Ballots may be mailed to the Snohomish County Auditor's Office or placed into one of nineteen Ballot Drop Box

← Lynnwood Forward slate's campaign kicks off

Swim races kick off Fourth of July at Martha Lake →

👍 You May Also Like



Swim races kick off Fourth of July at Martha Lake

📅 July 10, 2019 💬 0



South County Fire welcomes new fire engine at Station 11

📅 September 3, 2019

💬 0



Fall Prevention: Stand up, wait and look, then walk

📅 October 3, 2019

💬 0

One thought on "City Council Candidates voter engagement scores"

👤 ROSAMARIA GRAZIANI

📅 July 21, 2019 at 9:09 pm

🔗 Permalink

"There are many ways to be civically engaged in addition to voting." But notice that Crosby did those things "not in addition to voting", but "INSTEAD of voting". So she contradicted herself.



Exhibit #18

Lynnwood Times – July 9, 2019, Edition

“City Council Candidates Voter Engagement Scores”

The Lynnwood Times as part of its campaign reporting compiled an analysis article to show how active each of the 12 primary election Lynnwood Council candidates were in their **own actual voting** participation history.

<u>Candidate</u>	<u>Score</u>
1. Rosamaria Graziani	100%
2. Nazanin (Naz) Lashgari	100%
3. Shirley Sutton	100%
4. Van Aubuchon	100%
5. Shannon Sessions	100%
6. James (Jim) Smith	100%
7. David Schirle	75%
8. James Rutherford	75%
9. Ashkan Amouzegar	63%
10. Diodato (Dio) Boucsiguez	57%
11. Maggie Mae	50%
12. Julieta Altamirano-Crosby	13% [only 1 vote]

Julieta Altamirano-Crosby’s actual voting participation history was the very worst of the group. Bottom of the barrel.

Rosamaria’s actual voting participation history was among the very best.

Voting history for Julieta Altamirano Crosby

Registrant ID 11050517
ALTAMIRANO CROSBY, JULIETA

Registrant Info Ballot Info Provisional **Voting History** Validations Attachments Activit

[+ Add new record](#)

Election Date	Election Type	Election Name
11/05/2019	General	2019 General
08/06/2019	Primary	2019 Primary
11/08/2016	General	General Election

EXHIBIT
20A

CERTIFIED MAIL
PLACE STICKERS AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
ACTION ON DELIVERY

SENDER:

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Julieta Altamirano Crosby
 6406 208th St SW
 Lynnwood WA 98036



A. Signature Agent
 Addressee
 B. Received by (Printed Name) Jeremy Connor
 C. Date of Delivery 05-30-19
 D. Is delivery address different from item 1? Yes
 No
 if YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

7018 1830 0000 0125 0808

PS Form 3811, July 2015 PSN 7530-02-000-9053

Return Receipt

USPS TRACKING#

9590 9402 4571 8278 8363 82

First-Class Mail
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 USPS
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United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.85

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16
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Julietta Crosby
1009 Campbell Ave
Mukilteo WA 98275



9590 9402 4571 8278 8273 28

2. Article Number (Transfer from service label)
7018 1830 0000 0125 4141

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

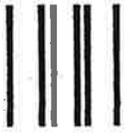
A. Signature [Signature] Agent
 Addressee

B. Received by (Printed Name) Jeremy Connor C. Date of Delivery 07-05-19

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
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R Gravian
3727 192nd St SW
Lynnwood WA 98036



BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN RE:

ROSAMARIA GRAZIANI, Respondent

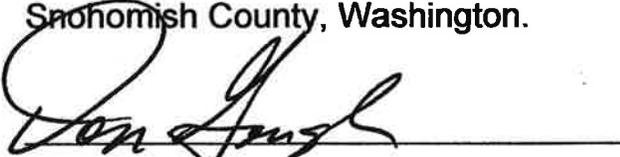
Complaint No. 59566

DECLARATION OF
ATTORNEY DON GOUGH RE:
SNOHOMISH COUNTY AUDITOR
DISCLOSURE DOCUMENTS.

I, Don Gough, attorney for Ms. Graziani, do hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct to the best of my knowledge, recollection, and belief:

1. I have personal knowledge concerning the facts, documents and circumstances stated herein. I believe I am competent to testify herein.
2. I hereby incorporate by reference each document or Exhibit referenced below, or which is attached hereto, as though fully set forth herein.
3. I reside at 4324 192nd St. S.W., Lynnwood, WA 989036. My place of business is located there. I've been a Lynnwood resident for 36 years.
4. I make this declaration in support of Ms. Rosamaria Graziani's response in the above caption proceeding.
5. On Thursday, January 23, 2019, I personally picked up from the Snohomish County Public Records Department, Renee Green, MPA, a computer disk of County Auditor records disclosed pursuant to our Public Records Request dated November, 19, 2019. I paid the county charges for the records. I departed the county property at 15:23:31 (1/23/2020).
6. The disk of all disclosed records will be maintained in my possession for use as necessary. Copies of those disclosed records have been made for various Exhibits included in Ms. Graziani's response to the complaint, and each has been identified accordingly.

Respectfully submitted, and dated January 24, 2020. Signed at Lynnwood, Snohomish County, Washington.



Don Gough, Attorney for Ms. Graziani