



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

January 22, 2020

Delivered electronically to Amy Falcone at “amyef81@yahoo.com”

Subject: Complaint filed by Bradley J. Williamson, PDC Case 59572

Dear Ms. Falcone:

Below is a copy of an electronic letter sent to Bradley Williamson concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Mr. Williamson, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s

Jennifer Hansen
Compliance Officer

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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January 22, 2020

Delivered electronically to Bradley J. Williamson at “brad.williamson@outlook.com”

Subject: Complaint regarding Amy Falcone, PDC Case 59572

Dear Mr. Williamson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 25, 2019. The complaint alleged that Amy Falcone, a candidate for Kirkland City Council, Position 6 in 2019, may have violated RCW 42.17A.555 for misuse of public facilities by using a City of Kirkland police department ride-along event to benefit her 2019 election campaign.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; PDC Interpretation 04-02; and the response provided by Amy Falcone, to determine whether the record supports a finding of one or more violations.

Based on staff’s review, we found the following:

- Amy Falcone (Falcone for Kirkland) filed a Candidate Registration (C-1 report) on February 28, 2019, declaring her candidacy for Kirkland City Council, Position 6 in 2019, and choosing the “Full Reporting” option.
- Ms. Falcone was elected to the Kirkland City Council and was sworn in on January 15, 2020.
- On October 13, 2019, Amy Falcone participated in a ride-along with a member of the Kirkland City police.
- RCW 42.17A.555 prohibits the use of public facilities to support or oppose candidates, including county equipment and staff time.
- The Commission adopted PDC Interpretation 04-02, *Guidelines for Local Government Agencies in Election Campaigns*, which provides information concerning the use of public facilities including activities that are permitted or prohibited, activities which are part of the “normal and regular conduct” of the county equipment, permissible activities of local elected officials, staff, and other general considerations.
- The complaint included a copy of an October 18, 2019 post from the Amy Falcone for Kirkland City Council Facebook page in which Ms. Falcone recounts her experience during the ride-along. In addition to her narrative, Ms. Falcone created a collage including one photo of two apparent but unidentified law enforcement members, one of her sitting in a Kirkland Police vehicle and one of a sign bearing the name “Kirkland Police Department” in large lettering taken at a distance. The photographs were arranged next to the words “grateful for KPD” and Ms. Falcone’s campaign logo.
- The complaint alleged that Ms. Falcone used her ride-along experience to benefit her 2019 election campaign for Kirkland City County Council and that by including her

campaign logo alongside the photos of the police department that she was implying her campaign had been endorsed by the Kirkland police.

- In her response, Ms. Falcone stated that civilian ride-alongs happen periodically and that she had requested the ride-along as a way to obtain firsthand experience of the growing behavioral health need and increased emergency calls related to behavioral health.
- Staff confirmed with the Kirkland police department that requests for ride-alongs with police department's office personnel can be made by any member of the public.
- In response to the allegation of an implied endorsement, Ms. Falcone stated that her photo collage was not intended to be an endorsement of her 2019 campaign by the Kirkland police department but rather meant to thank the law enforcement members for their service.
- Staff reviewed other posts from the Falcone for Kirkland Facebook page for general content and found that when endorsements were made of the 2019 campaign, personal quotes were used along with the name and title of the speaker, as well as photos of the individual making the endorsement.

The complaint included an additional allegation regarding a possible ethics violation. Apart from the portion of the ride-along event resulting in a possible violation of RCW 42.17A.555, staff found this allegation to be outside of the PDC's jurisdiction and did not address this part of the complaint.

Amy Falcone is a first-time candidate for public office in 2019. It appears that Ms. Falcone did not intend to imply that the Kirkland Police Department endorsed or otherwise supported her 2019 Kirkland City Council campaign by including her campaign logo in close proximity to photos bearing the name of the department. In addition, City of Kirkland staff requested that Ms. Falcone remove the October 18, 2019 Facebook post. The post was removed two days later on October 20, 2019.

Staff found no evidence to prove that Ms. Falcone used the ride-along event to support her campaign. Ms. Falcone responded promptly to the complaint and has not previously been found in violation of PDC laws or rules.

Based on these findings staff has determined that, in this instance, no evidence supports a finding of a violation that warrants further investigation.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s

Jennifer Hansen
Compliance Officer

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Amy Falcone