

[Amy Falcone](#) replied Sun, 10 Nov 2019 at 10:47PM
to: "PDC Support" <pdcc@pdcc.wa.gov>

Good Evening,

I am writing in response to case 59572. I had recently been made aware that a citizen had made inquiry to the City of Kirkland about this, and I sent an inquiry to the PDC on October 22; a copy of my inquiry is attached for your reference.

The complaint alleges that there was a violation of RCW 42.17A.555 by use of facilities of an agency for campaign purposes.

I note that the very same statute lists certain exceptions to the prohibition, specifically item (3) which states that the prohibition does not apply to “activities which are part of the normal and regular conduct of the office or agency.” In this situation, as noted by City Manager Kurt Triplett in his response to the citizen on October 20, 2019 (which was included in the complainant’s attachments), “although not frequent, authorized civilian ride-alongs with Police and Fire units do happen periodically to create connections and understanding between community leaders and our first responders.”

By way of background, I was a candidate running for Kirkland City Council, Position 6. I am also a Kirkland Human Services Commissioner, and in this role I advise the City and the City Council on matters related to human services.

One such matter is the growing behavioral health need in our community, including the increasing number of 911 calls related to behavioral health. Some of the recent work of the Human Services Commission (HSC) related to first responders and behavioral health include successfully advocating for additional funding for a social worker/behavioral health professional to work alongside the Kirkland Police Department (KPD) and assist on 911 calls as needed and relevant, and hosting a panel of first responders at a public meeting to discuss these issues and learn more about what our police officers and fire fighters experience in the community. To further educate myself on these issues, and prior to becoming a City Council candidate, I had previously requested a police ride-along.

In September I met with some representatives of the KPD. After that meeting, in speaking with the officers about my previous request, I was invited to have a ride-along to see these issues firsthand. A few weeks later I participated in a police ride-along, and a few days after that my campaign posted on our social media (our free Facebook page) about the ride-along. The ride-along occurred on Sunday, October 13, and my campaign posted about the ride-along on Friday, October 18th, 2019. We did not pay for posting or for boosts of this or any other Facebook postings. Please note that as soon as I was made aware of the concern, to err on the side of caution, my campaign immediately removed the content in question from social media.

I care very much about complying with all PDC and campaign laws, as I hope is evidenced in my timely financial reporting and my previous self-report of this resident's concern. It has been

my understanding that I am allowed to share, using campaign communications, activities that I normally participate in and that are not specifically campaign-related activities, even if they are related to the city government, as long as I do not indicate any city endorsement of my campaign. In my various volunteer roles in the community, such as Kirkland Human Services Commissioner, Finn Hill Neighborhood Alliance Board Member, Neighborhood Safety Panel Member, School Resource Officer Task Force Member, and even local PTA Board member, I often interact with the City and want to share my active volunteerism via campaign communications, as it demonstrates my dedication to the community and my hard work in making it a better place to live. As such, there have been other instances where I have shared on social media about my volunteer activities that are related to the City, such as photos at our school PTA's walk-to-school week with a fire truck, or a post about the discussion at a Human Services Commission meeting.

My campaign is careful to not imply any city endorsement of my campaign. This police ride-along was one such activity that I participated in as an active community volunteer, specifically working on issues related to 911 calls that deal with behavioral health. I did not, as the complaint alleges, participate in this ride-along for political gain, nor was the phrase "grateful for KPD" an inference of police or city endorsement of my campaign. That phrase was posted at its face value, i.e. I am grateful for the work that the KPD does for our City and the bravery of its officers, and the text of my post states exactly that and nothing more. My post was intended to share with my social media followers that I care about these issues and continue to actively advocate for improved behavioral health support in our community, and to show my appreciation for our first responders.

Thank you for taking the time to review this matter. It is my belief that not only was the ride-along part of my ongoing community service and not a campaign activity, it also falls within the exception enumerated by the applicable statute. Please let me know if you have any additional questions.

Respectfully Submitted,

Amy Falcone

Falcone_email_to_PDC_102219.pdf
835.91 KB

Resident complaint concerning my campaign for Kirkland City Council

From: Amy Falcone (amyef81@yahoo.com)
To: pdc@pdc.wa.gov
Bcc: amy@amyfalcone.org; katie@amyfalcone.org; kmpascal@comcast.net; bea.nahon@nahoncpa.com
Date: Tuesday, October 22, 2019, 02:13 PM PDT

Dear PDC,

I am currently a candidate running for Kirkland City Council, Position 6. I was recently informed that a resident of Kirkland filed a complaint with the City of Kirkland, citing a potential PDC violation by my campaign. I am writing to inform you of this and to seek clarification. My understanding of the complaint is that the resident had alleged that my campaign violated RCW 42.17A.555 by posting on my campaign social media pages about a Kirkland Police Department (KPD) ride-along that I recently participated in. I do not know whether the complaint cited specifically this law or the PDC statutes and rules; I was only informed of the general content of the complaint.

I'd like to provide some background for context. I am a Kirkland Human Services Commissioner, and in this role I advise the City and City Council on matters related to human services. One such matter is the growing behavioral health need in our community, including the increasing number of 911 calls related to behavioral health. The Human Services Commission (HSC) has successfully advocated for additional funding for a social worker/behavioral health professional to work alongside the KPD and assist on 911 calls as needed and relevant. The HSC also recently hosted a panel of first responders at a public meeting to discuss these issues and learn more about what our police officers and fire fighters experience in the community. I've previously requested a police ride-along, prior to becoming a City Council candidate, which had not yet been scheduled. Last month I met with some representatives of the KPD to learn more, and at the end of that meeting I was offered a ride-along to see these issues firsthand. A few weeks later I participated in a police ride-along, and a few days after that my campaign posted on social media about the ride-along. The ride-along occurred on Sunday, October 13, and my campaign posted about the ride-along on social media on Friday, October 18th, 2019. A copy of the photo and the related text from Facebook is below for your reference. Please note that as soon as I was made aware of the complaint, to err on the side of caution, I immediately removed the content in question from social media.

I care very much about complying with all PDC laws, as I hope is evidenced in my timely financial reporting and this self-report of a resident concern. It has been my understanding that I am allowed to share, using campaign communications, activities that I normally participate in and that are not specifically campaign-related activities, even if they are related to the city government, as long as I do not include any image of the city logo or indicate any city endorsement of my campaign. In my various volunteer roles in the community, such as Kirkland Human Services Commissioner, Finn Hill Neighborhood Alliance Board Member, Neighborhood Safety Panel Member, School Resource Officer Task Force Member, and even local PTA Board member, I often interact with the city and want to share my active volunteerism via campaign communications, as it demonstrates my dedication to the community and my hard work in making it a better place to live. As such, there have been other instances where I have shared on social media about my volunteer activities that are related to the city, such as photos at our school PTA's walk-to-school week with a fire truck, or a post about the discussion at a Human Services Commission meeting. My campaign is careful to not include the City of Kirkland logo in images and to not imply any city endorsement of my campaign. Given the recent complaint, I am looking for guidance on whether sharing this type of information is acceptable, and if not, what should I do now to comply?

Thank you for taking the time to review this matter and to provide clarification on how I can ensure that I am in compliance.

Sincerely,
Amy Falcone

Here is a screenshot of the social media post in question, taken immediately prior to deleting it, and since the bottom of the image was cutoff, below that is also the full image that was included on the post:



to keep us safe.

#kpd #kirklandpolicedepartment #publicsafety
#thankyoukpd





GRATEFUL

FOR



KPD!
AMY FALCONE
Kirkland City Council

Amy E. Falcone
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