

October 5, 2017

Director Wayne Barnett
Seattle Ethics & Elections Commission
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Re: Appeal of the Seattle Ethics and Elections Commission's September 14 ruling on Democracy Voucher Program violations by Lorena González.

To the Seattle Ethics and Elections Commission:

What follows is my appeal of the Commission's findings on the complaint I filed against Seattle City Council candidate Lorena González on August 17, 2017. The basis of the complaint was that Ms. Gonzalez sought to participate in the Democracy Voucher Program based on her false claim that she took part in at least three public debates during the primary season (SMC 2.04.630b). The Commission received my complaint and a response from Ms. Gonzalez, and, after hearing oral testimony at a special hearing on September 14, chose to waive the primary campaign debate requirement on a one-time basis. I now hereby appeal that decision and request that the Commission hold a timely rehearing. In support of my appeal, I submit the following additional facts and arguments:

The Commission's decision was based largely on Ms. Gonzalez's oral testimony at the special hearing. In her response to questions from commissioners, she claimed that there were only four events that qualified under Commission rule 16.B as debates or forums, and that, of those four events, she was unable to attend three of them. But as she well knew, there were at least five other qualifying events that she had been invited to:

- On May 18, the 46th Legislative District Democratic Organization held a candidate forum for all City Council and Mayor candidates. All known candidates were invited regardless of party affiliation. Ms. Gonzalez was already a candidate at the time of that event and she was invited to it as well.
https://calendar.google.com/calendar/b/1/render?eid=NWdpZ3lxOWEyYmRpc25qb21lOGJoOXMybG8gY3JhcmNiMWJtdjc3djlzMjlpZXZibm1rbWdAZw&ctz=America/Los_Angeles&pli=1&t=AKUaPmai2B2lx-adrEWiE-1-t66lOoQr3omqafh4NvnZQlI5KpPQptZBHQa_q326Cm-QmUCf1Cpr6MfJQdYERAwInA6m-eJYA%3D%3D&sf=true&output=xml#eventpage_6
- On June 21, the Fremont Chamber of Commerce held a forum at Gas Works Park for all City Council and Mayor candidates. This was open to both the Chamber's members and nonmembers. Ms. Gonzalez was invited to that event.
<https://www.wallingfordcc.org/2017/06/08/candidate-forums/>

- On June 22, Growing Seattle hosted a “Candidate Forum on Transportation and Housing” at Impact Hub Seattle. Ms. Gonzalez was invited to that event. (<https://www.eventbrite.com/e/growing-seattle-a-candidate-forum-on-transportation-and-housing-tickets-35099049201#>)
- On July 10, Tippe & Drague Alehouse held a “Candidate Meet & Greet” to which all candidates were invited and at which they would have to answer a question from the host. (Email attached.)
- On July 18, the Eastlake Community Council held a candidate forum at the Pocock Rowing Foundation. Ms. Gonzalez was invited to this event. (Email attached.)

Ms. Gonzalez was invited to all these events and should therefore have added them to the list she presented to the Commission. That would have brought the total number of qualifying forums to which she was invited to nine, of which she failed to appear at eight. A comparison of the forums Ms. Gonzalez was invited to and the selection she presented to the Commission clearly shows that she not only avoided public forums but that she misled the Commission about her actions, not only through the misrepresentations she made on her self-report form, which was the original subject of the complaint, but also in her testimony to the Commission at her special hearing.

Ms. Murakami and I are not professional politicians, yet we both managed to make it to four qualifying forums before the primary. Ms. Gonzales is an experienced politician and the incumbent, yet she made it to just one forum. And then she lied about her actions to the Commission and to the public. This is not the record of someone who “makes all reasonable efforts to participate in debates and similar public events” as required under SMC 2.04.630(b) for the Commission to waive the requirement.

I understand that the Commission might feel it has dealt with this complaint and might wish to move on to other issues, but it is now clear that the Commission’s determination at the September 14 hearing was in error, based as it was on false and misleading testimony provided by Ms. González. Now that the Commission has the true and complete story, in the interest of fairness it is incumbent upon them to hold another hearing on this matter. I ask that the Commission revoke Ms. Gonzalez’ qualification for the Democracy Voucher Program retroactively, that they require her to return any public monies that have been disbursed, and that they fine her as appropriate. Thank you.

Respectfully submitted,

A handwritten signature in blue ink that reads "David Preston". The signature is fluid and cursive, with a long horizontal line extending to the right.

David Preston

(attachments)