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April 5, 2018

Mr. Fox Blackhorn
Public Disclosure Commission

Via email

Re: Complaint No. 33000

Dear Mr. Blackhorn:

This letter will address the allegations in the above-referenced complaint. If I do not fully respond to an issue or do not adequately address questions you may have, do not hesitate to ask for follow up from me. Given the nature of the allegations, you will also want to hear directly from the alleged aggrieved party, Jefferson County Chief Deputy Prosecuting Attorney, Julian (Julie) St. Marie. She may be reached at (360) 385-9180 or jstmarie@co.jefferson.wa.us. Please note that Ms. St. Marie is an active litigator and may be difficult to reach right away, but she will get back to you as soon as she can.

Ms. Drollinger is a felony paralegal in the Jefferson County Prosecutor's Office. I am up for re-election this year. As stated above, Ms. St. Marie is my Chief Deputy Prosecuting Attorney and my second in command. Beyond that I deny the allegations as I believe they are a result of misunderstandings or misperceptions. The allegations are also silent as to time and place for the most part. More importantly though, they do not address context.

Ms. Drollinger and Ms. St. Marie are good friends. I'm certain portions of conversations with Ms. St. Marie were shared with Ms. Drollinger as friends do. If they haven't shared work-life frustrations or the positive elements of life with one another I would be surprised. I know they hang out together after hours occasionally and have even vacationed with Ms. Drollinger's family in Mexico. I think Ms. Drollinger would be the first to admit she is extremely protective of Ms. St. Marie – but I also think she forgets that Ms. St. Marie is more than capable of fighting her own battles. Ms. Drollinger would also probably agree she tends to see things through very black and white lenses. That's a long way of saying I think Ms. Drollinger added things up, viewed them as absolutes, and came up with the wrong answer.

Ms. St. Marie and I are also good friends. We've known each other for about ten years. For two of those years we were a part of an extremely cohesive team of lawyers brought together under a court injunction to restore confidence in what the Seattle Times referred to as the worst public defense system in Washington State. To say it was an intense experience is an understatement.

Julie is a friend, a confidant, and I rely on her good judgment daily.

The most troubling allegation for me is the assertion that I pressured Ms. St. Marie to support me. I don't need to apply pressure to Ms. St. Marie to support me. The reality for all deputy prosecuting attorneys (DPAs) is that they are appointed officials and serve at the pleasure of the elected prosecuting attorney. I tell every deputy prosecuting attorney I hire that I can only protect them for as long as I am

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in office. This is not meant to pressure them into acting one way or the other but to advise them of the realities of being a DPA. It should go without saying but the higher the position, the greater the risk of being a casualty of an election. As my second in command, no one is more at risk for the loss of their job than Ms. St. Marie in the event I am not re-elected.

I am relatively certain Ms. St. Marie has heard me voice my thoughts that I should have cleaned house when I took office with respect to the DPAs I inherited. In retrospect I should have based on their lack of experience and/or unwillingness to embrace a new way of handling criminal prosecutions. I wanted to focus our limited resources on aggressively prosecuting violent and sex offenders while emphasizing rehabilitation and treatment through the therapeutic courts for those that suffered from mental illness or substance abuse issues.

One of those inexperienced (five years) DPAs is my current opponent. He in particular lacked empathy for the mentally ill and poor, and spoke disparagingly of them at times. Julie understands my policies and endorses them. That's not to say we always agree but from the view at 30,000 feet she understands what I'm trying to accomplish. My opponent wants a return to the old ways of doing business and Julie would almost certainly be the first casualty of me not being re-elected. Additionally, Julie has been an attorney in Washington State for about two decades. She and I practiced in a jurisdiction that witnessed a partial house cleaning of DPAs so she knows what can happen in a prosecutor's office following an election from first-hand experience. That's a long way of saying I don't need to pressure her, she's under enough self-imposed pressure as it is.

I specifically deny that I pressured Ms. St. Marie to support me in my bid for re-election, attend campaign functions, put a sign in her yard, or display a button. That said, I told Ms. St. Marie it might be useful for her to participate in local political meetings or join a service group if she was interested in a political career. My wife and I have discussed it with her at our home but I don't recall discussing it at work.

Additionally, and only assuming *arguendo* we had discussed a hypothetical campaign, attorneys in the office do not work standard hours. They work far in excess of 40 hours per week and tend to take breaks whenever they can be squeezed in. As such, any conversation of that nature would have taken place during a break. Additionally, it would stretch the limits of credulity to suggest that discussing a hypothetical campaign (to include running for my position one day), years in the future, with the ultimate position undecided, while on break, would somehow violate RCW 42.17A.555.

With respect to the button/purse issue, I did jokingly hand Ms. St. Marie a campaign button. I think this happened while Ms. St. Marie was headed home for lunch or after hours. I'm not sure where it happened. I highly doubt Ms. St. Marie felt I was pressuring her in any form however.

If Ms. St. Marie were fired she would most likely return to private practice where she was earning significantly more money than she does as a deputy prosecutor. I did say something in jest that if we both got sacked we could always open a practice together. We did practice law together for about two years – not as law partners but in parallel practices, as mentioned previously. Hopefully joking about imaginary contingency plans is not viewed as being violative of RCW 42.17A.555. There was certainly no hidden campaign agenda on my part. Again, only Ms. St. Marie can say whether she perceived this as an attempt to pressure her or push a campaign agenda in any manner.

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Finally, whether Ms. St. Marie has felt “cornered,” because she is an at-will employee, is a question only she can answer. I doubt it but you’ll need to ask her. Ms. St. Marie is a very tough individual. She’s also extremely bright. Based on some of the debates she and I have had I’m quite certain she would tell me if she thought I was out of bounds with respect to any of my campaign practices.

I hope this addresses the issues sufficiently. Should you need further information, do not hesitate to contact me.

Very truly yours,

Sent without signature to expedite

Michael E. Haas