

**Michael Haas, J.D.**

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June 14, 2018

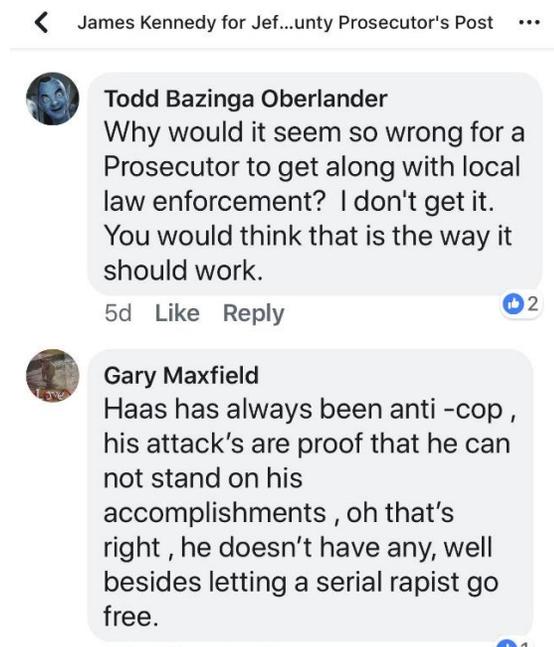
Mr. Micaiah Titus Ragins  
Compliance Coordinator  
Public Disclosure Commission  
Via: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Re: PDC Case Number 36570

Dear Mr. Ragins:

This will respond to Mr. Gary Maxfield's PDC Complaint, No. 36570.

As you can see from the following (factually inaccurate) post to my opponent's Facebook page, Mr. Maxfield is not a fan of mine and his complaint is clearly politically motivated:



With respect to the substance of the complaint, and regardless of politics, I do not believe there was a violation of RCW 42.17A.555. If there was however, it was *de minimis* and

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unintentional. To the extent the picture in question was used in error, it has since been replaced.

RCW 42.17A.555 provides in pertinent part:

No elective official ... nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office.

The photo in question was taken long before I decided to run for re-election. Thus the “use” of the public facility at the time had nothing to do with a campaign. I posted it on my personal Facebook page simply because I liked the photo in November 2017.

Later when I committed to running for re-election I restored my campaign Facebook page. Unfortunately, I am less than fluent when it comes to using Facebook. I assume but am not certain, that the photo in question simply transferred to the linked campaign Facebook page. Fortunately, my wife was able to substitute the new photograph that hopefully will not offend Mr. Maxfield.

If using a photograph taken for non-campaign purposes in the courthouse violates RCW 42.17A.555 then I’m guilty. However, it seems there should be a rule of reasonableness.

For example, the following photo is from my opponent’s campaign website:



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My opponent is a young Clallam County deputy prosecutor – “appointed to or employed by any public office or agency.” The photograph was taken on the first floor of the Jefferson County Courthouse specifically for campaign purposes and is a clearer violation of RCW 42.17A.555.

It would be silly of me however, to file a PDC complaint against my opponent for something that is at best, a trivial violation of RCW 42.17A.555. It is in that vain that I hope you will determine that no violation occurred because the photo of me was not taken for campaign purposes. If you do determine a violation occurred, please be assured the offending photograph has been taken down from my campaign Facebook page.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

*/sent without signature to expedite/*  
Michael Haas