

Mike Cooke-PDC Response

Thank you for sharing Mr. Holmes' complaint with me.

Mr. Holmes resigned from the Clark County Sheriff's Office (CCSO) in 2016.

Mr. Holmes' complaint comes nearly four years after the Atkins for Sheriff campaign began and more than two years after it ended. Over this period of time, I have not received any complaints alleging use of public resources for campaign purposes. Over this period of time, there existed many opportunities and channels for which he could have raised his concerns: directly with me, of which I would have welcomed, meeting with his supervisor, meeting with my supervisor and speaking with the sheriff. Additionally, he could have filed a complaint with the PDC. If anonymity were desired, he could have made an anonymous complaint. This complaint, coming nearly four years after the campaign began and two years after it ceased, deprives me of a timely response based upon fresh memories of conversations, events, etc. It also eliminates my ability to place conversations or events into context and makes any conclusions extremely subjective. I also want to point out that Mr. Holmes left my work unit in July of 2014, so from July of 2014 to the general election in November, Mr. Holmes was not working in my unit.

I participated in Chuck Atkins' campaign for Clark County Sheriff as a private citizen beginning in June 2013. The campaign manager was Scott Wilcox, a private citizen employed by an insurance firm in Vancouver WA. All planning meetings and campaign events were coordinated by Mr. Wilcox and occurred at his office or other private locations after his work hours and mine. Additionally, I was off-duty when attending campaign meetings and campaign events, and several times was unable to attend meetings and events because I was working. I've always tried to be cognizant of the importance of a clear separation between my duties to the CCSO and the campaign. In fact, I carried a personal cell phone in addition to a work phone so I could keep my personal life separate from my work life.

When the campaign started, I was designated as the communications manager. During the planning stages of the campaign there were very little external communications taking place so I was able to do all of my work in the evenings, on days off, and on the weekends, while at home. Shortly after the campaign became more public and active, I began to receive phone calls on my personal cell phone from the media. Because I was not able to return these inquiries during normal media hours, I realized that I could not effectively serve in the position of communications manager. I spoke to Mr. Wilcox about this, and on April 14th, 2014, I emailed him my resignation as the communications manager.

I tried, to the best of my ability, to follow campaign rules as I understood them and sought advice whenever I had any questions. In addition to my voluntary resignation as the communications manager, I contacted the PDC on two occasions for said advice, to ensure that

my part in the campaign was in compliance in regards to wording on our campaign signs and graphics.

After resigning my role as communications manager, I volunteered with the campaign by doing graphic design and print ad work. I performed all of these volunteer tasks from home using my personal Apple computer and my personal graphic design software. During the campaign, I spent many hours at home designing print ads, signs, fliers, and other collateral materials. None of this work occurred at work, and could not have, since it required my home computer. My wife, and others, can attest to the fact that my evenings and weekends were spent consumed with work for the campaign thereby separating my work from campaign volunteering.

Mr. Holmes' complaint includes photos of campaign materials. These appear to be pictures that were posted on the campaign's Facebook page. I recall personally taking some of the photos. The sticker on the car window happens to be the rear of my personal car. I also recognize the photo of the coffee mug on the grass in front of a cactus. The campaign manager, Mr. Wilcox, took this photo while on business in Arizona. The other pictures appear to be from various campaign events taken by an assortment of people. None of these are photos of campaign materials in my workplace.

All campaign materials were stored at the private residences of campaign volunteers. Though I stored some materials in my home garage, I believe the bulk of the materials were stored at the Atkins residence. Campaign materials were not stored in my office. The unit often had a daily newspaper and had a television so when a campaign ad (from any of the campaigns) was published or television commercial ran it would have been visible in the office. Other than publically published print and television advertising, all campaign materials were stored at the residences of campaign volunteers or the candidate.

I remember Chuck Atkins needing most of the coffee mugs stored at his home because he was doing a series of coffee chats at various locations where the mugs would be distributed. Over the course of the campaign, I kept only a small supply of coffee mugs at my home. I do not recall to whom I gave away the few coffee mugs I had or any other campaign materials for it was years ago, and again, it was not my primary role in the campaign. CCSO employees widely supported Chuck Atkins for sheriff and heavily attended most campaign events. These events are where the vast majority of the campaign's materials were distributed and it's certainly possible I gave someone with whom I worked a coffee mug. The only purchase of coffee mugs by the campaign was in early November of 2013 so, again, I am disadvantaged for recall as this complaint comes roughly four years after the campaign began.

I was not involved with the campaign's finances or donations and have no memory of taking a campaign donation. It is possible I did at a campaign event, but again, it was a long time ago and I was not involved in processing donations. The campaign normally had a donation table set up at its events but I did not work on that part of the campaign. I do recall setting up the online donation app on the campaign Facebook page however that was done from home.

I suspect the sheriff's campaign was a very common topic of conversation within the sheriff's office. The then current sheriff was retiring after 24 years and, for nearly all working there, he was the only sheriff for which we all had worked. Additionally, all of the candidates for sheriff were current or former CCSO employees. We all knew each other, and for many of us, those relationships spanned a decade or more. Mr. Holmes' complaint grossly inflates the significance of said conversations. Personally, I cannot attempt to describe or disprove conversations, which took place that long ago, but I feel confident group and individual conversations also included many other topics including other current events, hobbies, weekend plans, what folks did on vacations, current cases, upcoming court dates, who needed assistance with various work tasks, etc. I'm confident none of these conversations were construed as being in the context of "campaigning" and, certainly, did not involve the use of public resources for campaign purposes.

Mr. Holmes' mathematical calculations of alleged work time spent on the campaign is simply false. At the time, I was a salaried manager working a 4/10 schedule (4 days a week, 10 hours a day). As a salaried employee, I was not afforded overtime, nevertheless, I very often worked in excess of 10 hours a day. I was acutely involved with all task force activities, participating in drug buys, surveillance, search warrants, and evidence processing. I routinely stayed at work working side-by-side with my detectives well into the evenings without overtime pay and well in excess of a 10-hour day. All of this time was spent performing work activities, not working on the sheriff campaign. My evenings and weekends at home were consumed by the campaign precisely because of my long hours working at CCSO and my adhering to the separation of my salaried work for the CCSO from my campaign volunteering.

It has been over two years since I left the unit to serve in my role as undersheriff. At no time since the campaign began in June 2013 has anyone made a claim I used public resources for campaign purposes. After receiving a copy of Mr. Holmes' complaint I asked the current commander of the unit if any of my former employees ever voiced any concerns to him about my leadership of the unit or how I separated my work time from campaign activities. He said that no one, at any time, complained, commented, or even inferred to him any concerns about anything alleged in Mr. Holmes' complaint.

Mr. Holmes' statement about not working with the "feds" is demonstrably untrue and I think it's important to call attention to this as he seems to use this assertion to set up the false narrative that people were uncomfortable or afraid to make a complaint. The Washington state constitution and Washington state case law affords more privacy rights to our citizens than the federal legal system. For this reason it was my policy to work most all cases using Washington state search and seizure law while working joint cases with federal law enforcement. Everyone in the unit was fully aware and supportive of this approach to working cases as to do otherwise would limit our ability to prosecute cases in state court. The unit statistics for 2014 show that we worked six joint cases with federal law enforcement and other outside agencies. Also during that year the unit opened 79 drug investigations, dismantled 7 drug trafficking organizations,

served 19 search warrants, and made 33 arrests. We also seized over 20 pounds of methamphetamine, 8 pounds of heroin, 12 firearms used in drug trafficking, and over \$381,000 in drug proceeds. Although not directly related to whether or not public resources were used for the campaign, this information is inconsistent with and refutes the false narrative that I was using work time or public resources for the campaign.

I believe I have substantially, if not fully, complied with campaign rules. I have never had any reason to doubt my actions or conduct during the campaign. Mr. Holmes' complaint does not accurately portray this time of my life and the nearly four year delay in making this complaint severely prejudices my ability to respond. If the PDC were to find any fault or violation on my part, I assure you it was unintentional and without malice. I tried, to the best of my ability, to separate my work for the campaign from my work at CCSO and to not use public resources for the campaign.

Thank you for your consideration.

-----Original Message-----

From: Mike Cooke [mailto:mike@atkinsforsheriff.com]

Sent: Monday, April 14, 2014 4:13 PM

To: Chuck@atkinsforsheriff.com; swilcox@jdfulwiler.com

Subject: Campaign time vs. county time

Chuck and Scott,

Now that we're more active with campaign work I can see how difficult it is going to be to fit campaign time in around my work time. As you know I can't do campaign work while on the clock for the county. I've been tracking my time and taking vacation for any time that could conceivably be considered campaign time. For example if I meet Chuck for lunch I take that as vacation time even though I'm entitled to a lunch.

The problem I have now is that the media release template we made has me listed as the contact person. I really can't do that since the media will most likely be calling me during work hours. I talked to Emily Gillespie from the Columbian today and let her know that we'd probably be making some changes in the communications department so I can step aside from the role.

The other problem of course is that we're starting to schedule more meetings during the work day that will require me to take vacation time. Most of these I will probably not be able to attend unless they're after work hours or on my days off like the one today. For the important meetings I'll just take a full vacation day so there's not even the hint of using work time for the campaign.

So for now I'd like to have Scott listed as the contact person and let him field the calls. I can still do the Facebook work, design work on the promotional products, etc. since I'm doing all of that in the evening anyway.

Mike