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To: Mark Lindquist
Pierce County Prosecuting Attorney

[Mr. Lindquist, on 1-11-2010, I sent you an email](#) asking for your help to get a proper investigation into the alleged unlawful 368,642 falsified entries into the Assessor-Treasurer's office official taxpayer's property tax assessment records during the years 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008. In addition thereto, the alleged falsification of Assessor-Treasurer's office official reports to the Washington State Department of Revenue and Pierce County Budget & Finance Department for the years 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008. In your response email on 1- 26-2010, you state: "Thank you for your email. I am forwarding it to my Chief Civil Deputy, Doug Vanscoy, and my Chief Criminal Deputy, Mary Robnett. Mr. Vanscoy will respond as soon as practicable."

This letter is in response to [Mr. Vanscoy's said email response dated 1-27-2010](#) where therein, Mr. Vanscoy gives a meritless argument citing to the former Pierce County Prosecuting Attorney [Gerald A. Horne's memo dated 5-11-2009](#) as a reason to not help commence an investigation into the alleged criminal and civil violations of law that is supported with a prima facie showing having allegedly took place in the Assessor-Treasurer's office in the years 2001, 2002, 2003, 2004, 2005, 2006, 2007 and 2008. Mr. Vanscoy's argument regarding a 2005 Recall Petition hearing is nothing more than a RED HERRING, when all the facts are considered.

On its face, [Mr. Horne's 5-11-2009](#) memo clearly illustrates Mr. Horne's lack of knowledge of the Recall statute and the process set forth therein. Mr. Horne's said memo states..."After a full evidentiary hearing, Judge William Thomas McPhee on April 22, 2005 entered written findings against petitioners in all respects"... both of Mr. Horne's said conclusions are not correct. There was no evidentiary hearing before Judge William Thomas McPhee, nor did Judge McPhee make any written findings by the court. It is a fact, there are no issues of fact to be determined by the court in a Recall Petition hearing process, therefore no findings of fact are made by the court in a Recall Petition hearing. The Recall statute RCW 29A.56.140, specifically limits the court to determine only two things in the Recall Petition hearing process: "(1) Whether or not the acts stated in the charge satisfy the criteria for which a Recall Petition may be filed, and (2) the adequacy of the ballot synopsis.". RCW 29A.56.140, specifically mandates that "**the court shall not consider the truth of the charges**". Therefore, the Recall

Petition process does not allow for an evidentiary hearing, nor does it allow for evidentiary discovery such as taking depositions or requesting production of documents. It is a fact, that witnesses are not allowed in Recall Petition hearings. Considering all of the factors set forth above, it becomes very clear that the former Pierce County Prosecuting Attorney Gerald A. Horne's decision not to commence an investigation into the alleged criminal corruption of the Assessor-Treasurer's office taxpayers official records in each of the years 2001 through 2008, was a decision that was based on groundless conjecture regarding a 2005 Recall Petition hearing process, and was not a basis for a sound decision.

In [Mr. Vanscoy's letter dated 1-27-2010](#) he does not make any attempt to reconcile the alleged forgeries and falsifications of the official Pierce County taxpayer assessment records and Assessor-Treasurer's official reports that took place after the 2005 Recall Petition hearing, in 2005, in 2006, in 2007 and in 2008.

In Mr. Vanscoy's said letter it appears Mr. Vanscoy was trying to use a 2005 Recall Petition hearing to justify alleged unlawful violations of law, i.e. the alleged forgeries and falsifications of the official Pierce County taxpayer assessment records and the alleged forgeries and falsifications of the Assessor-Treasurer's official reports that took place four years after that 2005 Recall Petition hearing in 2005, 2006, 2007, and 2008. Mr. Vanscoy's premise is flawed and without merit and therefore, should be reconsidered.

Mr. Lindquist, an investigation is needed to determine the amount of harm done to Pierce County property taxpayers and to determine if the alleged violations of law occurred in the Assessor-Treasurer's office as alleged during the years 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008. There are many questions that need to be answered by such an investigation, the following are just a few of those questions that need answers: (1) Were there commercial and residential property owners that were treated differently whereby, one paid higher property taxes than the other because of the alleged falsification of Assessor-Treasurer's taxpayer official records? (2) Were all Pierce County property taxpayers treated equal when some had physical inspections done, while at the same time other taxpayers did not get physical inspections done, during each of the years 2001 through 2008?; (3) Could those said physical inspections or lack thereof, have an effect on the accuracy of property tax assessment in Pierce County now and for years to come?

RCW 84.40.0301 gives the assessments made by the Assessor-Treasurer's office the presumption of correctness we need this investigation into the alleged corruption of the Pierce County Assessor-Treasurer's office taxpayer assessment records during each of the years 2001 through 2008 to make sure that presumption of correctness is factually preserved.

[Mr. Vanscoy states in his response dated 1-27-2010](#) "in any event, my office like other prosecuting offices in this state relies upon local police agencies to conduct criminal investigations, and we make charging decisions based upon the detectives' investigation work."

[The Assessor-Treasurer's office emailed the Pierce County Sheriff on 10-15-2009](#) (copy of said email attached) asking the Sheriff to investigate the alleged violations of law in the Assessor-Treasurer's office during each of the years 2001 through 2008. [In a response letter dated 10-26-2009](#) (copy attached), the Pierce County Sheriff states: "I have been advised by the office of the Prosecuting Attorney that in May of this year that they have declined to use any further **investigative resources** on this matter and that that the matter is closed."

[On 10-15-2009 the Assessor-Treasurer's office emailed the Chief of Police for the City of Tacoma](#) a request to investigate the alleged violations of law in the Assessor-Treasurer's office during each of the years 2001 through 2008 (copy of said email attached). In a [response letter dated 10-27-2009](#) (copy attached), the Tacoma Police Chief states: "Furthermore, in May 2009, the Pierce County prosecutor declined to take any action on these allegations after not only reviewing the matter, but providing your office with legal advice regarding these issues. The prosecutor considers this matter closed. Given this history, it does not appear to be the best use of the scarce resources of the Tacoma Police Department to investigate these allegations, especially given that the prosecuting authority has closed this matter."

Mr. Lindquist, the taxpayers of Pierce County, our employers, deserve more consideration from you and your office. [Mr. Vanscoy states in his letter dated 1-27-2010](#) your office "relies upon local police agencies to conduct criminal investigations, and we make charging decisions based upon the detectives' investigative work". However, in this matter your office is telling those local police agencies that the matter of the alleged falsification of Pierce County property taxpayers official records during each of the years 2001 through 2008 is closed based on a 2005 Recall Petition hearing, is absurd.

Mr. Lindquist, it is time to be forthright, with me and your employers, the Pierce County property taxpayers, who need your help to get a proper investigation of the alleged falsifications / corruption of the Assessor-Treasurer's taxpayers official assessment records, that allegedly took place in the years 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008.

[Mr. Vanscoy states in his letter dated 1-27-2010](#): "When the issues involve former and present county elected officials, I would have the option of requesting that another prosecutor's office review a police investigation". In this case, it appears your office has been stopping a police investigation by telling the Pierce County Sheriff and the City of Tacoma Police Chief, that the matter regarding the alleged falsification of the Assessor-Treasurer official taxpayer's records is a closed matter. It is time to be honest with the Assessor-Treasurer's office, are you going to do anything to help get an investigation into the alleged violations of law in the Assessor-Treasurer's office during each of the years 2001 through 2008?

[Mr. Vanscoy, in his letter dated 1-27-2010](#) quotes Mr. Horne as saying: "I frankly do not believe that the use of further investigative resources is warranted". I ask Mr. Vanscoy, is JUSTICE, and the RULE of LAW worth spending those investigative resources on? I believe they are.

WE WORK FOR YOU, THE TAXPAYER.

Mr. Lindquist, I want you to know that I am aware of [The News Tribune article dated 1-22-2010](#) (copy attached) where therein, the article states: "Washam last week asked Prosecuting Attorney Mark Lindquist to investigate the claim that assessment records were falsified. Lindquist told The News Tribune he would not investigate, citing the high burden of proof in criminal cases. "We've got real business to do in this office," Lindquist said. "I don't have time to get pulled into what appears to be politics." Mr. Lindquist would you please tell me and the Pierce County property taxpayers what "real business" is and how helping to get an investigation of the alleged 368,642 false entries into the Assessor-Treasurer's office official taxpayers records has anything to do with "politics"? Mr. Lindquist, I ask you, is it the "high burden of proof in criminal cases" as you are quoted saying in said article or is it as [Mr. Vanscoy states in his 1-27-2010 response](#) regarding his absurd premise that the 2005 Recall petition hearing had some kind of validity in the Assessor-Treasurer's investigation request? Mr. Lindquist, which one of those two arguments keeps your office from helping to commence an investigation that would protect the taxpayer's constitutional rights to equal and fair taxation?

Mr. Lindquist, it's time for you to be upfront with me, are you going to help or not? I would like that answer to come from you, not Mr. Vanscoy.

Once again, in the name of the Pierce County property taxpayers, I ask for your help to get a proper investigation into the alleged 368,642 forgeries, of Assessor-Treasurer's official taxpayer's assessment records for the years 2001, 2002, 2003, 2004, 2005, 2006, 2007 and 2008 and thereby, determine if the alleged violations of law occurred as alleged.

Mr. Lindquist, please join with me in standing for the Pierce County property taxpayers' State Constitutional right to fair and equal taxation, you can do this by helping to get a proper investigation of the alleged violations of law set forth above.

DATED: 02-04-2010

Respectfully,
IN GOD I TRUST,

Dale Washam

Attachments:

10-15-2009 Letter to Chief of Police in the City of Tacoma
Response Letter dated 10-27-2009 from Chief of Police
10-15-2009 Letter to Pierce County Sheriff
Response Letter dated 10-26-2009 from Pierce County Sheriff
Without their evidentiary attachments.
The News Tribune article dated 1-22-2010

Cc: Governor Gregoire
State Auditor
State Attorney General
Department of Revenue Director
Pierce County Executive
Pierce County Council Chairman and Council Members

WE WORK FOR YOU, THE TAXPAYER.