

April 13, 2016 - via email

This email is a formal notice to the Douglas County Prosecutor of the gross misdemeanor violations of all three Douglas County Commissioners under RCW 36.32.210

This notice is sent as required under RCW 36.32.210 (1)(b)(3).

This notice is not intended to supplant, replace, or conflict with any previous notices sent to your attention on this matter, and may be duplicative. As the statute is written, notice from taxpayers who wish to initiate action are not required, nor must the party providing notice be the taxpayer or one of the taxpayers who initiate action (RCW 36.32.210 (1) (b) (5))

The specific violation identified is the failure of the Douglas County Commissioners to file Capital Asset Oath of Inventory Reports for 2011, 2012, 2013, 2014, and 2015. The law clearly states that these reports signed and approved by all three commissioners must be submitted to the Douglas County Auditor on March 1st of each year (RCW 36.32.210 (1)) and failure to file these reports by that date of each year is a gross misdemeanor (RCW 36.32.210 (1) (b) (3)).

This notice does not preclude or exempt additional violations under this statute for specific violations of these provisions as well. A capital asset forensic fraud investigation should probably be initiated to verify the accuracy of the historic random reports to verify compliance. However, regardless of how many additional violations under this statute may be uncovered in that process, the original violations are clear :

"(a) A full and complete inventory of all capitalized assets shall be kept in accordance with standards established by the state auditor. This inventory shall be segregated to show the following subheads:

- (i) The assets, including equipment, on hand, together with a statement of the date when acquired, the amount paid therefor, the estimated life thereof and a sufficient description to fully identify such property;
 - (ii) All equipment of every kind or nature sold or disposed of in any manner during such preceding twelve months period, together with the name of the purchaser, the amount paid therefor, whether or not the same was sold at public or private sale, the reason for such disposal and a sufficient description to fully identify the same; and
 - (iii) All the equipment purchased during the period, together with the date of purchase, the amount paid therefor, whether or not the same was bought under competitive bidding, the price paid therefor and the probable life thereof, the reason for making the purchase and a sufficient description to fully identify such property; and
- (b) The person to whom such money or any part thereof was paid and why so paid and the date of such payment"

Please confirm if you intend to follow the law as specified in RCW 36.32.210 (1) (b) (4) and initiate appropriate actions to remove the commissioners who violated this law from office.

As you are aware, RCW 36.32.210 (1) (b) (5) provides the legal justification for taxpayers in Douglas County to do so with or without your office's assistance.

Feel free to contact me if you have any further questions on this or any related matter.

Best regards,

Glen Morgan
We the Governed
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