

7 December 2023

Jeremy Culumber
City Attorney's Office
9611 SE 36th Street
Mercer Island, WA 98040

Dear Mr. Culumber,

Details of my ethics complaint regarding Jake Jacobson of the Mercer Island City Council are hereby submitted for your investigation.

This complaint documents a violation of the Mercer Island ethics code section 2.60.030 paragraph D which merits your attention. Specifically, Mr. Jacobson misused city resources by using his official city email account to further his political campaign.

On April 10th, 2023, Mr. Jacobson filed with the PDC to be a candidate for his seat in the November 2023 general election. After that filing, Mr. Jacobson used an email signature in his city email account "jake.jacobson@mercergov.org" to direct citizens to his www.jake4mi.com campaign website. Three example emails are included, but all composed emails had either signature block:

Jake Jacobson
MI City Council/7
206-280-5303 (Cell Preferred)
jake.jacobson@mercergov.org
www.jakeformi.com

Jake Jacobson
MI City Council/7
206-280-5303 (Cell Preferred)
206-275-7995 (City Voice Mail)
jake.jacobson@mercergov.org
www.jakeformi.com

Per the ethics code, "Except for infrequent use at little or no cost to the city, officials shall not use resources that are not available to the general public..." The fact that this wasn't a single-use mistake but installed as a permanent feature of his signature block negates the exception for infrequent use, and this was not available to all candidates or the general public. Confusingly, Mr. Jacobson substituted "for" instead of "4" in the URL but the intent was the same.

I am particularly troubled that Mr. Jacobson is an attorney and had an active role in drafting the very revised 2021 version of the code of ethics that I believe he has violated.

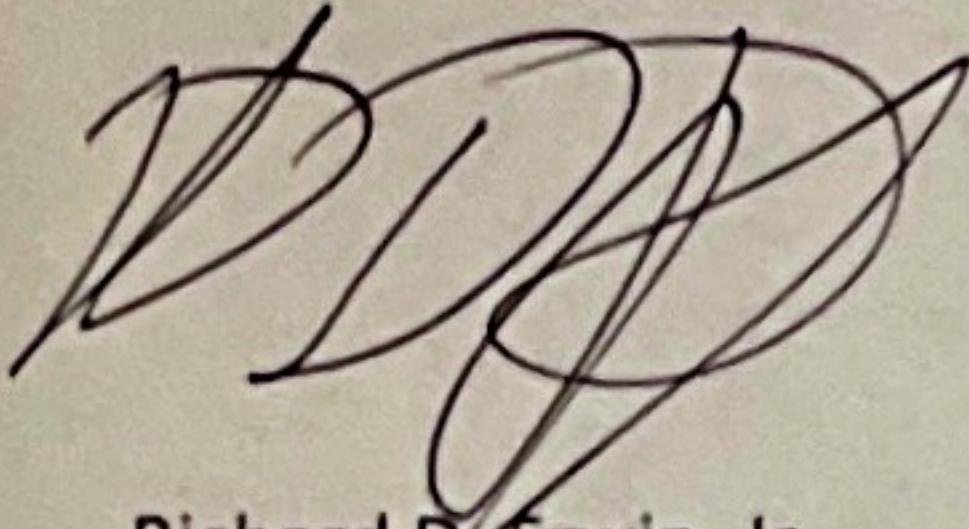
Further, if this complaint is found to be sufficient, I request that final adjudication shall be made by the Hearing Examiner and not by the City Council, since Mr. Jacobson is a sitting member of the council and neither a fair determination, nor a quorum, would be possible. Mr. Jacobson was endorsed by Councilmembers Anderl, Nice, Rosenbaum and Weiker who would all need to recuse themselves.

Finally, given the attention that has been given to ethics in the last several years, I am disappointed that Mayor Nice and City Manager Bonn failed to detect and correct this ongoing and open violation.

Thank you for your efforts in thoroughly investigating this serious charge.

I declare this under penalty of perjury under the law of Washington that the foregoing is true and correct.

Signed on the 7th day of December 2023
at Mercer Island, Washington

A handwritten signature in black ink, appearing to be 'RDE', written in a cursive style.

Richard D. Erwin, Jr.