

ISLAND COUNTY PROSECUTING ATTORNEY
GREGORY M. BANKS

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FOR IMMEDIATE RELEASE:

**June 13, 2012 – ISLAND COUNTY PROSECUTOR DECLINES TO FILE CHARGES
AGAINST SNOHOMISH COUNTY EXECUTIVE AARON REARDON**

After review of the comprehensive investigation conducted by the Washington State Patrol, I have concluded that there is insufficient evidence to justify filing criminal charges against Snohomish County Executive Aaron Reardon. The crux of the criminal allegations was that Mr. Reardon used county resources to fund personal travel for his mistress, and thereby unlawfully obtained benefits for her and him.

I thank the Washington State Patrol and its detectives for their willingness to undertake this sensitive investigation, and put together an exhaustive record of the events in question. We reviewed the officer reports, the transcripts of numerous recorded interviews, and the relevant financial paperwork. Mr. Reardon elected not to provide a statement to the police, as is his right.

I considered the crimes of (1) misappropriation and falsification of accounts by a public officer, (2) theft – the unlawful or deceptive taking of county property with intent to deprive the county of such property, and (3) official misconduct. In each case, the evidence that would have been available to us at trial was insufficient to justify bringing formal criminal charges. Washington statutes establish the evidentiary standard for filing a criminal case. Our law says that charges should be filed if “the admissible evidence is of such convincing force as to make it probable that” a jury would be convinced of guilt beyond a reasonable doubt, considering “the most plausible defenses that could be raised.” Here, the evidence did not rise to that level.

Even the complaining witness had doubts about who was paying for Mr. Reardon’s travel, whether Mr. Reardon paid for meals and lodging using a county or personal credit card. She did not know whether Mr. Reardon reimbursed the county for personal expenses that were put on a county credit card. Snohomish County policies explicitly account for circumstances where a personal charge is wrongly billed to the county by allowing officials to reimburse the county in a timely manner. Mr. Reardon’s extensive national and international travel was often paid for by organizations other than Snohomish County, such as non-governmental and political organizations. The county’s documentation of Mr. Reardon’s travel reimbursement for official county travel did not substantiate Ms. Dutton’s suspicions about misuse of county funds.

Other trips that were investigated occurred so far in the past that the statute of limitations bars prosecution of non-felony crimes. Their age made it difficult to find credible witnesses with memories of the events in question, even if wrongdoing had occurred.

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Furthermore, the Washington State Auditor was asked to review the expense reimbursement practices of the Executive's office during its annual audit. The Auditor concluded that there were adequate controls to assure the public that their money was being spent only on official business.

Our review did not include examining Mr. Reardon's activities within the Executive's Office for violations of Washington's campaign finance and public disclosure laws. Such violations, under the statutes in existence at the relevant times, would not have been criminal offenses. I trust that any complaints concerning Mr. Reardon's alleged use of county facilities for campaign purposes will be examined by the Public Disclosure Commission, or other appropriate authorities.

Our decision not to prosecute Mr. Reardon is simply that – a decision not to bring a criminal case. Nothing more concerning Mr. Reardon's official or unofficial conduct should be read into my conclusion that I had insufficient evidence to charge him with a crime. I did not consider any other aspects of his conduct in making my decision.

Questions about the charging decision may be directed to me, though I have very limited availability this week. Questions about the investigation and requests for copies of the police reports should be directed to the Washington State Patrol's Public Information Office.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. M. Banks', written over a horizontal line.

GREGORY M. BANKS

ISLAND COUNTY PROSECUTING ATTORNEY