

**From:** Al Serrato <[aserrato@smcgov.org](mailto:aserrato@smcgov.org)> **Sent:** Wednesday, May 31, 2017 9:37 AM **To:** Al Serrato **Subject:** Investigation re: Pacifica City Councilmember Sue Digre

Dear Sir or Madam,

Last month, an anonymous complainant brought to my attention allegations of wrongdoing by Pacifica City Councilmember Sue Digre. Because you expressed interest or concern regarding those allegations, I am writing to inform you that the investigation has been concluded and that no criminal charges will be filed.

There were two principal areas of inquiry. The first related to the address Ms. Digre provided in connection with registering to vote and running for public office. Both her listed address and her actual place of residence were within the City of Pacifica. California law allows a person to have more than one "residence" but only one "domicile," which is considered a person's residence for voting purposes. My review of the evidence satisfies me that the home Ms. Digre owns on Edgemar Avenue, and which she set forth on the forms, was in fact her domicile during the period in question.

The other area related to a possible conflict of interest for failing to disclose that she was residing at the mobile home park that was, for a period of time, the subject of considerable public interest. Generally speaking, a public official must not participate in or attempt to influence a governmental decision in which she knows she has a financial interest. While Ms. Digre did participate in discussions relating to the topic of rent control, which could have indirectly affected her tenancy, she did not cross the line into decisions directly affecting the mobile home park or her tenancy there.

It bears noting in these types of review the limited role of the District Attorney. My conclusion here expresses no position on the merits of rent control or the underlying issues relating to the mobile home park, nor does it endorse Ms. Digre's decision to not publicly disclose her tenancy

at that park. Such issues are best left to the democratic process, or to other agencies such as the FPPC, which may impose civil or administrative sanctions. My role is to determine whether the conduct in question amounted to a criminal violation meriting prosecution. Where, as here, it does not, no further action by my office is warranted and the investigation is therefore closed.

Best regards,

Albert A. Serrato  
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