

Bond Case Briefs

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MUNICIPAL GOVERNANCE - WASHINGTON

Matter of Recall of Sawant

Supreme Court of Washington - April 1, 2021 - P.3d - 2021 WL 1217195

Voters filed petition to recall city council member, alleging that member delegated city employment decisions to political organization outside city government, that member used city resources to promote ballot initiative and failed to comply with public-disclosure requirements, that member disregarded state orders related to COVID-19 and endangered safety of city workers and other individuals by admitting hundreds of people into city hall while it was closed to public, and that member led protest march to mayor's private residence, the location of which member knew was protected under state confidentiality laws.

The Superior Court found charges factually and legally sufficient for recall. Member appealed

The Supreme Court held that:

- Allegation that member delegated city employment decisions to political organization, on its face, was factually sufficient to support recall petition;
- Allegation that member delegated city employment decisions to political organization was legally insufficient to support recall petition;
- Allegations that member used city resources to promote ballot initiative and failed to comply with public-disclosure requirements were factually sufficient to support recall petition;
- Allegations that member used city resources to promote ballot initiative and failed to comply with public-disclosure requirements were legally sufficient to support recall petition;
- Allegations that member disregarded state orders related to COVID-19 and endangered safety of city workers and other individuals by admitting hundreds of protestors into city hall while it was closed to public were legally sufficient to support recall petition;
- Allegations that city council member led protest march to mayor's private residence, the location of which member knew was protected under state confidentiality laws, were factually sufficient to support recall petition; and
- Allegations that city council member violated her oath of office and city charter by leading protest march to mayor's private residence were legally sufficient to support recall petition.