

Bond Case Briefs

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Matter of Recall of White

Supreme Court of Washington - October 29, 2020 - P.3d - 2020 WL 6332723

Petition was filed for recall of city councilmember based on actions that he took which allegedly undermined public response to corona virus pandemic.

The Superior Court dismissed the petition, and appeal was taken.

The Supreme Court held that:

- Charge in recall petition, that member of city council had used his position as elected official to wrongfully encourage citizens to disobey stay-at-home orders issued during corona virus pandemic, was factually and legally insufficient;
- Charge in recall petition, that councilmember had encouraging the public to disobey emergency orders issued during corona virus pandemic, such as by not wearing face mask, was both factually and legally insufficient; and
- Charge in recall petition, that member of city council had refused to attend council meetings in protest of stay-at-home orders and mask mandates issued during corona virus pandemic, was both factually and legally insufficient.