



City of Seattle
Edward B. Murray, Mayor

Date: May 18, 2015

To: Education and Governance Committee

From: Mike Fong, Deputy Director, OPI
David B. Mendoza, Policy Advisor, OPI

Subject: CB 118397 - Prohibition against use of public office facilities in campaigns

Since 1977 and the enactment of Ordinance 106653 “Fair Campaign Practices” Seattle's ethics and elections codes have often been cited as national models for upholding public trust and faith in the conduct of government employees and elected officials. In general over the last 38 years, the code has been able to provide clear direction to the Seattle Ethics and Elections Commission in ensuring that public resources are not used for campaign purposes by elected officials.

This relevant section of the code states, "No elected official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office..."

In light of recent events, Mayor Edward B. Murray and Councilmember Tom Rasmussen introduced legislation offering additional clarity and transparency, consistent with the language already in the code, around what is and is not appropriate use of City resources as it relates to political campaign activities. The bill would ensure that no elected official be allowed to use taxpayer funded staff and resources to coordinate and host an official public event while leveraging that event concurrently to conduct organized campaign activities to assist their election efforts. The amendment is not intended, nor should it be read, as expanding the scope of the election code. Rather, the language is drafted to provide additional clarity when interpreting existing law.

To that end, we have been working with Council Central staff, the City Attorney's Office, the Director of the Seattle Ethics and Elections Commission and the Office of Councilmember Rasmussen to refine our original proposal. The substitute amendment before you is narrowly tailored to meet the long-standing public interest of disallowing an elected official to utilize public resources for their private campaign purposes while at the same time providing adequate specificity for the provision to be enforceable. As the Central Staff memo summarizes, we believe we have crafted new language that meets this intent.