

Question Presented

How does the Elections Code apply to the Seattle Public Library's participation in a coalition that sponsors debates, some of which may not include every candidate in a particular race?

Short Answer

While the Library plays a unique role in the life of the City, the Elections Code bars using City facilities to advantage or disadvantage candidates for public office. Because the Library is a public facility, it must halt work on a debate for a specific public office once it becomes known that a candidate or candidates will be excluded from that debate.

Discussion

The Library holds a unique place in City government. Its mission is not to make or execute laws, to deliver power or water to people's homes, or to protect the public. The Library's mission is to "bring people, information and ideas together to enrich lives and build community." Under "Community engagement," the Library's Mission Statement says that it will "Offer Library programs, services and collections that reflect community needs and interests, feature community voices and create meaningful experiences."

One meaningful experience the Library has long facilitated is connecting residents with the women and men vying to represent them in public office, both at City Hall, in Olympia, and in Washington, D.C.

To that end, the Library has asked four questions about whether it may play a role in the Washington State Debate Coalition, an organization comprised of several civic leaders, nonprofit organizations, colleges and universities, and media partners.

Question 1: Is the Library's mere participation as a Coalition member a violation of the Elections Code? For example, as a Coalition member, the Library's logo would appear on the Coalition website and other Coalition publications.

No, the Library's participation as a coalition member does not, standing alone, violate the Elections Code. Only after the coalition has decided to exclude one or more candidates from a particular debate must the Library halt its collaboration on that debate. It is possible, after all, that each candidate will be invited, meaning that the Library can participate without ever violating the Elections Code. Similarly, the work done planning for a debate, provided that it does not involve playing a role in deciding the criteria under which candidates will be invited to participate, or other efforts that would advantage or disadvantage a particular candidate or candidates, would not violate the Elections Code.

Once a decision is made to exclude some candidates the Library should no longer sanction use of its logo, but use of the logo prior to that decision is permissible.

Question 2: The Library has a regular role as a source of information related to a wide variety of community events that may be of interest to Seattle residents. For example, in the past year, the Library utilized social media to promote a forum for Washington legislators to discuss paid parental leave, a discussion of wealth inequality in Seattle involving a Seattle journalist and a Seattle activist, an Education Luncheon where Marcellus Turner spoke about the importance of literacy, and a Seattle job fair targeting 16-24 year olds in addition to several other literacy and artistic events. May the Library promote debates hosted by other Coalition members where all candidates are not invited?

No. If all candidates in a particular contest are not invited to a debate, then the Library may not promote that debate. To do so would be using public resources to the advantage of those candidates invited and to the disadvantage of those candidates excluded from the debate.

Question 3: May the Library host (without charge) and promote a political debate arranged by the Coalition if all candidates are not invited?

Question 4: May the Library provide Library space for the regularly charged fee and host a political debate arranged by the Coalition where all candidates are not invited, if the Library's involvement is no more than that provided to the typical renter of the same Library facility?

Questions 3 and 4 are closely related, and so are answered together. If all candidates are not invited, the Coalition must treat the Coalition like any other similarly situated organization. In other words, the Library must collect the same rent that it would collect from any other non-profit organization, and can only promote the event to the extent that it promotes other tenants' events.