



City of Seattle

Ethics and Elections Commission

August 1, 2019

BY E-MAIL ONLY

Re: Case No. 19-2-0621-1

Dear M*****:

We received your e-mailed complaint on June 21, 2019 and another from you on July 17, 2019. The subject line of your complaints reads "Kshama Sawant Campaign: Criminal Trespassing to Solicit Money." We explained to you that the Elections Code deals with campaign financing, and encouraged you to contact the Seattle Police to report trespassing because our office has no authority to police such conduct.

In an e-mail on July 18, you objected to the fact that I am not pursuing the alleged trespassing under the Seattle *Ethics* Code. Even if it is true that an elected official's campaign volunteers are trespassing, that does not raise Ethics Code issues for the official.

I am dismissing your complaint. If you would like to appeal this dismissal, you may do so under the Commission's Administrative Rule 4.¹

Very truly yours,

Wayne Barnett

cc: SEEC and Councilmember Kshama Sawant (*complainant's name and address redacted*)

¹ Rule 4 APPEALS

A. Upon the written request of a party aggrieved by the Executive Director's decision to dismiss a complaint, or to impose late-filing penalties under SMC 2.04.330, the action may be reviewed by the Commission.

B. An appeal of a dismissal shall be served at the Commission's office no later than 21 days after the date of mailing the decision of which review is sought.

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D. A request for review shall state the grounds therefor, and shall be no longer than twelve 8-1/2" x 11" double-spaced pages in length with margins of at least 1" on every side, and no more than 12 characters per inch.

E. When an appeal is filed, the Executive Director's decision shall not be final until the Commission has acted on the appeal.

F. The Commission shall act on the request at the next meeting at which it may be practicable by:

1. deciding whether to review the Executive Director's decision; and
2. if it decides to do so, either affirming, reversing, or amending the decision.

G. In reviewing the Executive Director's decision, the Commission shall base its review on whether the Executive Director had a rational basis for the decision, and shall only reverse or amend a decision to the extent that a rational basis is lacking.