



# Seattle Police Department Policy Manual



## 5.060 – Employee Political Activity

Effective Date: 07/13/2004

### POLICY

Seattle Police Department Employees have the same political freedoms as all other citizens. But because of their City jobs, State and City laws may restrict some political activity. Employees shall be familiar with the City's Code of Ethics ([SMC 4.16](#)) and Elections Code ([SMC 2.04](#)).

### I. Permitted Campaign Activity

A. State law, [RCW 41.06.250](#), provides that employees have the right to:

1. Vote,
2. Express opinions on all political subjects and candidates,
3. Hold any political party office,
4. Participate in the management of a partisan, political campaign,
5. Participate fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and
6. Participate fully in campaigns for nonpartisan offices.

### II. Prohibited Campaign Activity

A. The exercise of those rights, however, are subject to the provisions of State law ([RCW 42.17A.555](#)), and the Seattle Municipal Code, [SMC 2.04.300](#), which prohibit the use of City facilities for political purposes. The Seattle Code of Ethics ([SMC 4.16.070\(2\)\(a\)\(b\)](#)) prohibits the use of a City position for private benefit, and the use of City funds and facilities for other than a City purpose. [SMC 2.04.300](#) and [SMC 4.16.070\(2\)\(a\)\(b\)](#) prohibit City officers and employees from:

1. Engaging in campaign work (volunteer or paid) during City paid time, except vacation time,
2. Using office space, telephones, stationary, etc., at any time, to assist a candidate or to support or oppose a ballot measure; and

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- a. For example, signs, bumper stickers, photos, invitations to fund raisers, position papers, etc., may not be displayed on City bulletin boards, walls of City work areas, or City vehicles
  - b. City officers and employees may not solicit campaign funds (verbally or with literature) or petition for signatures on City property, at any time.
- 3. Using their City position to endorse or oppose a candidate or ballot issue.
  - a. For example, a City employee may give an endorsement speech to a local service club, as long as the employee clearly states that this is the employee's personal position and not a City position.
    - (1) The exception to this rule, however, is that an elected official may be listed, with their office title, on campaign literature or in the voter's pamphlet as an endorser or a member of an advisory committee.
    - (2) Likewise, the City Council may take official actions (motions, resolutions, or ordinances) that endorse or oppose candidates or ballot issues.

## III. Ballot Issues

A. The law only applies to ballot issues, not issues of interest. An issue of interest does not become a ballot issue, under law, until some paperwork is in progress to perfect certification.

- 1. State ballot issues
  - a. Certification is begun when a proposed ballot title is submitted to the Secretary of State.
- 2. County-wide ballot issues
  - a. Certification is begun when a ballot is submitted to the County Auditor.
  - b. See [RCW 29A.20.161](#).
- 3. City ballot issues
  - a. The first step for certifying a City ballot issue is either:
    - (1) Collection of signatures for a citizen-initiated initiative, referendum, or Charter amendment, or

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(2) Passage of a Council resolution for a levy election or Council initiated Charter amendment.

(a) See Seattle City Charter [Article IV](#), and [Article XX](#) (1992).

b. Management may restrict the use of City time and facilities to disseminate information about an issue of interest, but the law prohibits such activity when it involves a ballot issue, as discussed below.

## IV. City Facilities

A. City facilities include supplies, equipment, property, and City paid time, except vacation and holiday time.

## V. Prohibited Uses

A. The Elections Code prohibits City employees and appointed and elected officials (except as provided in the exceptions below) from using City facilities to campaign for or against a ballot issue.

1. Even a City agency that was established to promote or oppose the subject of a ballot issue may not use City funds to promote or oppose a ballot issue (including soliciting money or signatures for the ballot issue), unless there is expressed authority in the agency's enabling ordinance to use City funds to promote or oppose ballot issues.

## VI. Permitted Activities

A. Ballot Issue Campaigns - Use of Personal Time and Facilities

1. City employees, appointed and elected officials may use their own personal time and private facilities (not the City's) to conduct activity in support of or in opposition to a ballot issue. When a City employee expresses an opinion about a ballot issue, however, the employee may not use City position as part of the argument for or against the issue.

a. For example, when giving a speech about a ballot issued, employees must make it clear that the opinions expressed are their own and not those of the City.

B. Providing Information on Request

1. An employee or official may use City facilities to provide information, on request, about the subject of a ballot issue if the normal and regular conduct of the agency is to provide such information and if the information is presented without comment.

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## C. Unbiased Information in the Course of City Business

1. City facilities may be used to discuss a ballot issue in a newsletter or other printed or broadcast matter if:
  - a. That is the normal and regular conduct of the department, and
  - b. The discussion includes both the proponent's and opponent's views of the issue.

## D. Departments Authorized to Promote Issues

1. City officers and employees of departments that are authorized to promote an issue may not use City facilities to do so once the issue is a ballot issue, unless the department's enabling ordinance expressly authorizes the use of City resources to promote or oppose ballot issues.

## E. Equal Access to Public Facilities

1. City facilities that are available to the public for use may be used by proponents or opponents of ballot issues, provided that both have equal access to the use of those facilities.

## F. Normal and Regular Conduct of Elected Officials / Statements

1. City elected officials may use City facilities to make statements in support of or in opposition to ballot issues as long as such statements are made in either:
  - a. An open press conference, or
  - b. In response to a specific request.

## G. Normal and Regular Conduct of Elected Legislator's Motions / Resolutions

1. City Council members may adopt resolutions or motions in support of or in opposition to a ballot issue. Other City officers, elected or appointed officials may not adopt such resolutions.

## **VII. Additional Resources**

- A. The City of Seattle Ethics and Elections Commission is available for assistance if you have questions or concerns concerning permitted or prohibited employee political activity.