

C3	Vacancies in Office	Serad	Article 4, Sections 4.7.1, 4.7.4
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This one seeks to provide grounds for removal from office clearly directed at the sheriff. Adds accusations of misdemeanors to charges that would qualify for removal and provides for the Executive to appoint a replacement.

Sponsor of Proposal

Commissioner Troy Serad, District 5, Position 2.

Brief Summary of Proposal:

The proposal amends the Charter’s Vacancies section to clearly define when an elected County official is suspended or removed from office following serious criminal charges, and to specify how the powers and duties of the office are exercised during a suspension. It establishes new statute-based triggers for suspension, preserves continuity of County government, and clarifies acting authority.

Proposed Amendment:

Article 4 Elections, Section 4.70 Vacancies, Subsections 1 & 4. New text is underlined.

- (1) An elective office shall become vacant when one of the following occurs:
- (a) death;
 - (b) total permanent incapacity as determined by a panel of three physicians;
 - (c) resignation;
 - (d) recall of the officer;
 - (e) a Councilmember's absence from three consecutive regular meetings of the Council, without being excused by the Council;
 - (f) absence from the County for 30 days without being excused by the Council; ~~or~~
 - (g) failure to maintain residence within the district from which elected; or
 - (h) conviction of a felony, or a gross misdemeanor under Title 9A

RCW or Title 42 RCW involving official misconduct, misuse of public resources, or falsification or concealment of public records.

(1) An elective official shall be suspended with pay upon an information or indictment for a felony being filed against the official, or the filing of a criminal charge for a gross misdemeanor under Title 9A RCW or Title 42 RCW involving official misconduct, misuse of public resources, or falsification or concealment of public records, such suspension continued until conviction, acquittal or dismissal of such charges, and shall be removed from office upon being convicted thereof.

If the suspended official is:

- a) the Executive, the Council shall designate an acting Executive to exercise the powers of the office, except for the power to veto any acts of the Council.
- b) of the Executive Branch and not the Executive, all powers and responsibilities shall be transferred to the Executive, who may designate an appointee to exercise such powers.

Rationale for Amendment:

The Charter currently provides for suspension of an elected official for a felony charge, but does not address how the office functions during the suspension, creating uncertainty at the very moment when rules are most needed. This amendment intends to remedy the issue by providing clear procedures that protect the public welfare while preserving the rights and status of duly elected officials. It avoids defaulting to permanent appointments to address accountability concerns, strengthens the safeguards for ethical governance, and promotes public confidence by ensuring the uninterrupted and transparent operations of County government.

**** The proposal was amended down quite a bit. It originally contained lengthy exhibits attached that subjected the Sheriff specifically to removal by accusations; “Upon a finding of the Council by resolution that credible evidence shows an elected Executive officer other than the Executive is under investigation for a felony, a gross misdemeanor”. Even though that language was removed, the remaining language of a filing of misdemeanor would transfer all power of the Sheriff to the Executive. The author’s intent was made clear at the start. It is targeted at the Sheriff.*

Summary Points

- Expands removal authority beyond the constitutional presumption of innocence.
- Introduces accusations of misdemeanors as grounds for stripping power from the Sheriff and assigning it to the Executive.
- The RCW’s cited include both acts of commission and omission leaving a broad range of charges that could be filed under nefarious intent.
- Converts and elected office to appointment without language to reconcile as an elected office. Would this propose to keep the position appointed going forward?
- Transfers all power to the Executive.
- Lowers the threshold from conviction to accusation.
- Creates opportunities for partisan abuse and weaponization.
- Undermines voter sovereignty by bypassing electoral accountability.
- Substitutes political maneuvering for due process.
- The current Charter already balances suspension and conviction appropriately.
- Stability in governance requires clear, objective standards - not subjective triggers.
- Could completely destabilize governance if charges were lined up to be deployed consecutively over time.
- Opens the door to malicious prosecution as no consequences are included.

Submit written testimony

By Email: katey.hobbs@piercecountywa.gov

By Web Form: <https://www.piercecountywa.gov/FormCenter/Charter-Review-41/Provide-Written-Public-Comment-893>

Public written testimony

Names in **RED** = CON

Names in **GREEN** = PRO

As of 3-17-26 = **4 CON** ~ **0 PRO**

2-9-26 Packet

From: john@thetruthpage.org

Sent: Monday, February 9, 2026 3:58 PM

To: 'katey.hobbs@piercecountywa.gov'

Subject: Amendment C-3

I object to Amendment C4 Sponsored by Commissioner Troy Serad

The stated rationale is to inject certainty in the case of criminal actions. This amendment would do just the opposite and expands the opportunities for chaos.

Current charter language stands upon the US constitutional precept of innocence until proven guilty. The presumption of innocence is implied when the current charter leaves the official still in paid status until proven guilty. The suspension takes place on the filing of a felony charge which is far more serious than the misdemeanors suggested in this amendment, but final action of removal is withheld until conviction.

This proposal both broadens the scope and lowers the bar for application of the remedies.

It massively broadens the scope by injecting the terms of being “under investigation” which would then deviate a long way from officially filed charges. The amendment also qualifies this under the term “credible evidence” (who decides what’s credible). Combine all this with the County Prosecutor also being an elected office, this revision could be highly partisan and subject to abuse.

It lowers the bar for action by injecting the RCW for misdemeanors referenced in the Amendment. This RCW lists Official Misconduct as both acts of commission and omission

and uses the broad term “unauthorized act” to define it. Again, opening up more possibilities for abuse.

Currently, the voters have the ultimate authority for issues beneath convictions of felony’s and that is where it should remain. All manner of misdemeanor charges can be filed under false pretenses. That does not give them validity. This amendment prescribes actions which would be totally disruptive to county governance and subject to abuse by partisan efforts creating chaos and uncertainty in county governance.

Filing this amendment reveals the hypocrisy and ulterior motives which our current charter safeguards against. Perhaps we should amend the section on charter review and subject all of the current commissioners to the same standards and see how that would go.

Sincerely,

John Leslie

***** Note Mr. Anderson commented on multiple proposed Amendments. The commentary for each will be associated to their specific Amendment *****

From: jonwayne@comcast.net <jonwayne@comcast.net>

Sent: Monday, February 9, 2026 11:20 AM

To: Mason Fletcher <mason.fletcher.volunteer@piercecountywa.gov>

Subject: Charter Review Proposed Amendments

Mr. Fletcher,

I am writing as a concerned Pierce County resident to strongly oppose the proposed amendments C-1 through C-5, as outlined in the February 9th packet (particularly the chart on page 93 and detailed proposals on pages 94–104). These changes appear designed to undermine the elected Sheriff’s independence, dilute voter authority, inject controversial state policies into our local Charter, and shift power away from democratic processes toward executive or unelected control.

1. **Amendment C-1 (Article III, Section 3.70 – Sheriff):** This amendment inserts language mirroring SB 5974, imposing new qualifications on the Sheriff. While professional standards for law enforcement are important, embedding state-level mandates into our County Charter risks overriding voter choice in electing our chief law enforcement officer. Sheriffs are constitutional officers accountable directly to the people through elections—not to state boards or unelected bodies. This change could enable removal or disqualification based on external criteria, eroding local democratic control. I oppose any effort to limit who voters can choose for this critical role.

2. **Amendment C-2 (Section 1.20 – Intergovernmental Relations):** This proposal seeks to embed principles from the Keep Washington Working Act into the Charter, which limits local cooperation with federal immigration enforcement and has been criticized for

prioritizing non-enforcement over public safety and federal law compliance. Our Charter should not be used to lock in one-sided immigration policies that could hinder law enforcement's ability to address serious crimes or coordinate with federal authorities when necessary. Pierce County residents deserve Charter language that supports impartial, safety-focused governance— not ideological restrictions on intergovernmental cooperation.

3. **Amendment C-3 (Article 4, Section 4.7 – Grounds for Removal):** This amendment adds specific grounds for removal from office, seemingly targeted at the Sheriff, while allowing the County Executive to appoint a replacement. Creating tailored removal mechanisms for an elected official circumvents established processes like recall elections or judicial removal. It concentrates too much power in the Executive branch and threatens the separation of powers. Voters, not the Executive, should hold elected officials accountable.

4. **Amendment C-4 (Article 4, Section 4.7 – Vacancies):** By imposing strict timelines and processes for filling vacancies in partisan offices, this change strips political parties of their traditional role in appointments when seats are vacated mid-term. This could disenfranchise voters who elected officials under a party banner and opens the door to manipulation if minor procedural errors occur. Maintaining party input ensures continuity and respects the partisan nature of these offices as chosen by voters.

5. **Amendment C-5 (Article 4, Section 4.7 – Vacancies/Executive Control):** This proposal grants the Executive direct control over the Sheriff upon any accusation—without due process or voter input. This is an alarming power grab that could paralyze the Sheriff's office based on unproven claims, undermining law enforcement stability and independence. Accusations alone should never trigger executive takeover of an elected constitutional office.

These amendments weaken the elected Sheriff's authority, reduce voter influence, import divisive state policies, and shift power to the Executive branch. The Charter should protect democratic accountability, local control, and the separation of powers— not erode them. I urge the Commission to reject C-1 through C-5 in their entirety and preserve the current structure that ensures the Sheriff remains directly accountable to Pierce County voters.

Thank you for considering public input.

Sincerely,
Jonathan Anderson
9005 19th Ave E Tacoma, WA 98445
Pierce County Resident

From: nancy anderson <peachyn@live.com>
Sent: Monday, February 9, 2026 9:34 AM
Subject: 6 proposed amendments to the charter

Since we cannot attend tonight's meeting, we would like to go on record as against all 6 proposed amendments —they are definitely taking our county in the wrong direction and are not properly dealing with the issues of most import. Please reconsider passing any of these.
Robert and Nancy Anderson, District 3

***** Note Lisa commented on multiple proposed Amendments. The commentary for each will be associated to their specific Amendment *****

From: Lisa Sauve <lisa98446@gmail.com>

Sent: Tuesday, February 17, 2026 7:37 AM

To: Katey Hobbs <katey.hobbs@piercecountywa.gov>

Subject: 6 Amendments up for review at this weeks meeting

Dear Katey,

I would like my position to be registered as noted below on the 6 amendments up for review at this week's Charter Review meeting.

Amendment C-1

I oppose this amendment for the following reasons: Voters determine fitness for office - not partisan amendments. Also, singling out the Sheriff undermines equal treatment under the law.

Amendment C-2

I oppose this amendment for the following reasons: The Charter is a framework for governance, not a platform for ideological statements. Intergovernmental coordination must respect federalism and constitutional hierarchy.

Amendment C-3

I oppose this amendment for the following reasons: This amendment expands removal authority beyond the constitutional presumption of innocence and it undermines voter sovereignty by bypassing electoral accountability.

Amendment C-4

I oppose this amendment for the following reasons: This amendment weakens party authority in offices explicitly chosen through partisan elections. It also disregards the will of voters who selected a candidate aligned with a party.

Amendment C-5

I oppose this amendment for the following reasons: This amendment undermines separation of powers within county government and it subverts the will of voters who elected the Sheriff.

Amendment C-6

I oppose this amendment for the following reasons: This amendment the Charter derives

authority from the electorate - citizens and legal voters and foundational documents must use exact legal language.

Thank you for recording my opposition to these Amendments. Please leave our elected Sheriff alone. He is doing his job and he is doing it well!

Sincerely,
Lisa Sauve
