

C5	Vacancies in Office	Serad	Article 4 Section 4.7
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Seeks to give the executive direct control over the sheriff if any accusations are brought against him. Includes accusations by agencies or commissions clearly aligning with SB 5974

Sponsor of Proposal

Commissioner Troy Serad, District 5, Position 2.

Brief Summary of Proposal:

This proposal adds a new subsection to the Vacancies section authorizing limited, temporary oversight of Executive officers who are not the Executive when credible evidence indicates they are under investigation for serious misconduct or for matters that could result in loss of required certifications to hold office. Upon a Council finding by resolution, the Executive may require concurrence for non-routine decisions while the investigation is pending. It does not remove the official from office or create a vacancy.

Proposed Amendment:

*Article 4 Elections, Section 4.7 Vacancies, new Subsection 5. **Please see Exhibit A.***

(5) 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 involving dishonesty, abuse of public office, misuse of public resources, or is under investigation by an agency or commission that could result in the loss of a required certification, the Executive may require the official to obtain concurrence from the Executive or a designee for any decision beyond routine administrative actions.

“Credible evidence” may include executed search warrants, issued subpoenas, or public statements by a relevant authority confirming an investigation. The concurrence requirement may remain in effect until the investigation concludes, charges are filed, or the matter is otherwise resolved.

Rationale for Amendment:

The Charter currently addresses vacancies and suspensions only after formal charges are filed, leaving a gap when serious investigations are underway but have not yet reached that threshold. This amendment provides a narrowly tailored, temporary safeguard that protects the public interest and Executive Branch

operations while preserving the presumption of innocence and the elected status of the official. It is appropriate for the Executive to exercise this oversight authority in a “Home Rule” Charter-form county, where the Executive may hold centralized administrative control. This is unlike a Commission-form county, where there is no Executive and where authority is more diffuse by statute. Locating this provision within Vacancies is appropriate because it governs pre-vacancy conditions, specifically the temporary limitation of authority that may precede a suspension or removal. It establishes a graduated, proportionate response short of declaring a vacancy.

Summary Points

- There is a presumption of guilt
- The Executive is exempted from the same scrutiny.
- Consolidates excessive power in the Executive branch.
- Undermines separation of powers within county government.
- Allows vague accusations to trigger executive dominance.
- “Under investigation” is not a conclusion of guilt and is subject to abuse.
- Erodes the independence of a separately elected constitutional officer.
- Subverts the will of voters who elected the Sheriff.
- Structural safeguards exist precisely to prevent this type of overreach.
- Opens the door to malicious prosecution with no consequences.
- “under investigation by an agency or commission” is clearly in anticipation of SB 5974 and would still apply without it.

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>

Submitted public testimony

Names in **RED** = CON

Names in GREEN = PRO

As of 3-20-26 = 5 CON - 0 PRO

2-18-26 Packet

From: john@thetruthpage.org

Sent: Monday, February 9, 2026 4:13 PM

To: Katey Hobbs

Subject: Amendment C-5

I object to Amendment C-5 sponsored by Commissioner Troy Serad

This amendment is a naked partisan assault on the office of sheriff and does not comport with existing law in any case.

Although there are efforts afoot to subject the office of sheriff, and that office alone, to subjective qualifications to run for or maintain office, those conditions do not exist in current law. The amendment would propose to draw this flaw into charter language.

Aside from this clear incongruency, the amendment seeks to give the executive authority which was never intended and would probably not survive scrutiny under the state constitution.

The Amendment seeks to subvert the will of the people in their elected choice by subjecting the sheriff to vague and unproven accusations. Terms such as "under investigation by an agency or commission" as grounds for granting the executive full authority over the sheriff's office is ridiculous.

If these type of proposals were brought by the general public, it would be understandable, but coming from a commissioner, it is very concerning and raises concerns about impartiality and their ability to provide an unbiased review of our County Charter.

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: Laurie Layne

Sent: Monday, February 9, 2026 10:21 AM

Subject: C-5

This one concerns me the most and I oppose it as well. It gives the County executive power to remove an elected sheriff due to accusations of misconduct. My greatest fear is that this ends up becoming punitive in nature against them without proof of this accusation. It becomes too easy to challenge a sitting Sheriff, not all agree with. That seems a poor excuse to give this power to the Executive and not allow it to remain with us the residents here who should have a voice in this process. Thank you.

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
