

City  
To: Attorney's  
RECEIVED  
OCT 25 2024

CITY CLERK'S OFFICE

# CITY OF SPOKANE ETHICS COMMISSION

## ETHICS COMPLAINT FORM

A complaint must be in writing, submitted on this form, and it must describe the allegations with sufficient detail to enable both the Commission and the person who is the subject of the complaint to reasonably understand the nature of the complaint. The complaint must also be signed, dated, and filed with the City Clerk's Office, and it must include a statement indicating that, to the best of the person's knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true.

When you have completed this form, submit it to:

Office of the City Clerk  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3342  
clerks@spokanecity.org  
509.625.6350

**\*\*Please be advised that the completed complaint form is a public record pursuant to the Washington State Public Records Act, Chapter 42.56 RCW and will be filed with the City Clerk's Office, posted on the Ethics Commission's website and provided to the person who is the subject of the complaint as well as any other individual making request for a copy of the complaint. The Ethics Commission's review of the complaint will occur in a meeting open to the public. \*\***

Pursuant to the City of Spokane's Code of Ethics, I am filing a complaint regarding conduct which I believe constitutes a violation of the City's Code of Ethics.

**Name, position, and department of person(s) I believe to have violated the Code of Ethics:**

Name: RANDY MARLER, PRESIDENT, IAFF LOCAL 29

Position/Title: SPOKANE FIRE FIGHTER, PRESIDENT IAFF LOCAL 29

**Nature of Code of Ethics violation:**

What specific provision of SMC 1.04B.050 do you believe has been violated?

CHAPTER 01.04 B, K(5) SEE ATTACHED

RCW 42.17A.555 - SEE ATTACHED

Describe in as much detail as possible the alleged Code of Ethics violation conduct. Attach additional sheets of paper, if necessary. Please include all documentation you believe demonstrates a violation. Your description should include the date, location and frequency of the alleged violation.

RANDY MARLER USED CITY OF SPOKANE FACILITY (FIRE STATION 5) AND FIRE DEPARTMENT VEHICLE (FIRE TRUCK) IN CAMPAIGN MATERIAL AND MEDIA IN SUPPORT OF A POLITICAL CANDIDATE (SEE PHOTO ATTACHE) AND PARCEL MAP OF CITY OWNED PROPERTY

**Names and positions of the persons who may have witnessed the event:**

GENERAL PUBLIC AND RECIPIENTS OF MAILERS AND VIEWERS OF CANDIDATE FACEBOOK PAGE

**Evidence or documentation**

Please list any evidence or documentation that would support your allegation of a Code of Ethics violation. Indicate whether you can personally provide that information.

CITY PARCEL MAP SHOWING CITY OWNED PARCELS  
PHOTO OF MOLLY MARSHALL AND RANDY MARLER IN FRONT OF FIRE STATION 5 AND FIRE VEHICLE, COPIES OF APPLICABLE SMC AND RCW

**Complainant Declaration**

I declare under penalty of perjury of the laws of the State of Washington that to the best of my knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true and correct.

Al French  
Complainant's Signature

10/25/2024  
Date

Date and Place (e.g. City, State)

CITY OF SPOKANE

Name (please print): AL FRENCH

Address: 5714 S. LAURELCREST COURT, SPOKANE WA 99224

Phone Number(s): 509-994-4351

E-Mail Address: votefrench@aol.com

**Spokane Municipal Code: Chapter 01.04B**

**Section 01.04B.050**

**K. Fair and Equitable Treatment.**

- 1. No City officer or employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use position to secure special privileges or exceptions for himself/herself or for the benefit, gain or profits of any other persons.**
- 2. No City officer or employee shall employ or use the employment of any person under the City officer's or employee's official control or direction for the personal benefit, gain or profit of the City officer or employee or another beyond that which is available to every other person.**
- 3. No City officer or employee shall use City-owned vehicles, equipment, materials, money or property for personal or private convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business (not personal use), and for such purposes and under such conditions as can be reasonably expected to be approved by City policies.**
- 4. Except as authorized by law and in the course of his or her official duties, no City officer or employee shall use the power or authority of his or her office or position with the City in a manner intended to induce or coerce any other person to provide such City employee or any other person with any compensation, gift, or other thing of value directly or indirectly.**
- 5. City Officers and employees are encouraged to participate in the political process on their own time and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition, but shall not use or authorize the use of City facilities or resources for such purposes except as authorized by the provisions of RCW 42.17A.555.**

**RCW 42.17A.555 Use of public office or agency facilities in campaigns—Prohibition—Exceptions. (Effective until January 1, 2026. Recodified as RCW 29B.45.010.)** No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010. [2010 c 204 s 701; 2006 c 215 s 2; 1979 ex.s. c 265 s 2; 1975-'76 2nd ex.s. c 112 s 6; 1973 c 1 s 13 (Initiative Measure No. 276, approved November 7, 1972). Formerly RCW 42.17.130.]

**Finding—Intent—2006 c 215:** "(1) The legislature finds that the public benefits from an open and inclusive discussion of proposed ballot measures by local elected leaders, and that for twenty-five years these discussions have included the opportunity for elected boards, councils, and commissions of special purpose districts to vote in open public meetings in order to express their support of, or opposition to, ballot propositions affecting their jurisdictions.

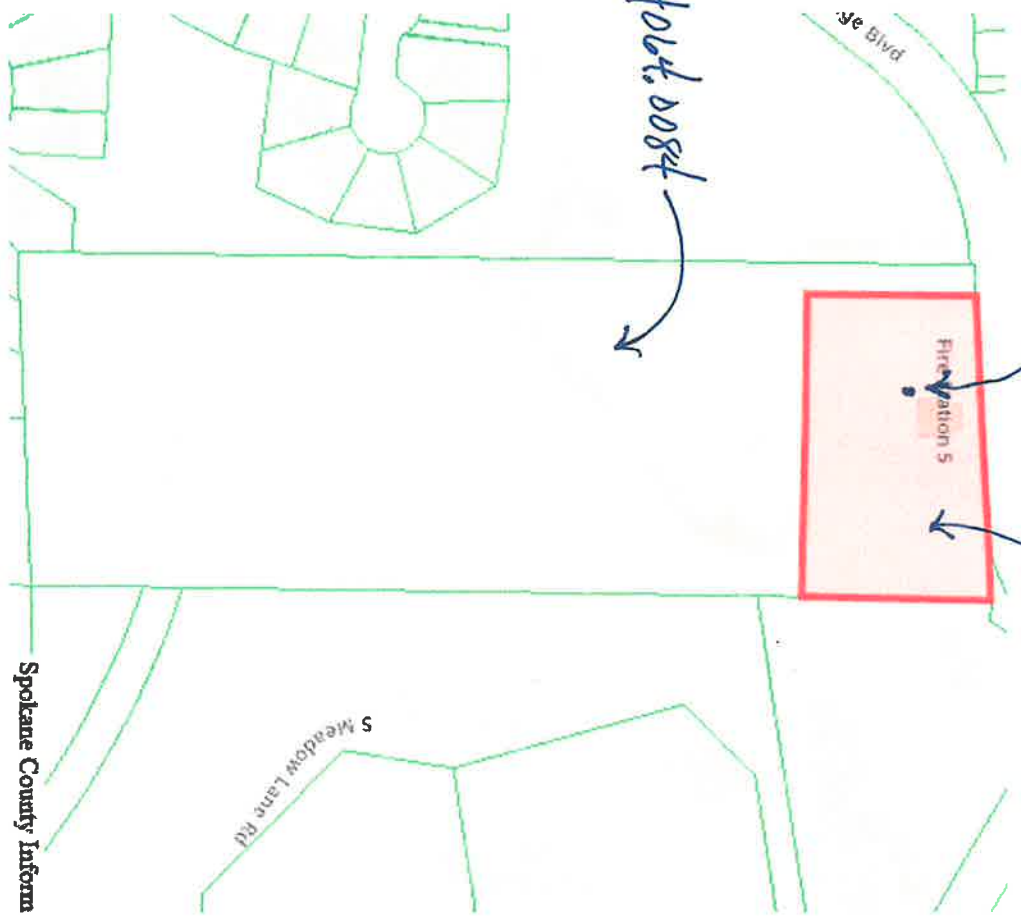
(2) The legislature intends to affirm and clarify the state's long-standing policy of promoting informed public discussion and understanding of ballot propositions by allowing elected boards, councils, and commissions of special purpose districts to adopt resolutions supporting or opposing ballot propositions." [2006 c 215 s 1.]

**Disposition of violations before January 1, 1995:** "Any violations occurring prior to January 1, 1995, of any of the following laws shall be disposed of as if chapter 154, Laws of 1994 were not enacted and

APPROXIMATE LOCATION OF PHOTO

PARCEL 34064.0084

PARCEL 34064.0083



Spokane County Inform



Molly Marshall  
Candidate for County Commissioner

Randy Walker  
President IAFF Local 29

0:03 / 0:29





