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2 **SUPERIOR COURT OF WASHINGTON, COUNTY OF KING**

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4 **Petitioner:**

5 **ERNEST H. LOU**

6 **And Respondent:**

7 **KSHAMA SAWANT**

No. **SEA**

**STATEMENT OF CHARGES  
SUPPORTING THE RECALL ELECTION  
OF CITY OF SEATTLE CITY  
COUNCILMEMBER KSHAMA SAWANT**

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9 As a legal voter in the State of Washington, King County and the City of Seattle in City  
10 Council District 3, I demand the recall and discharge of City of Seattle Councilmember,  
11 Kshama Sawant:  
12

13  
14 Council Member Kshama Sawant

15 2920 East Cherry Street

16 Seattle, WA, 98122

17  
18 Phone: (952) 270-7676

19  
20 As City of Seattle Councilmember has committed the following acts of malfeasance  
21 and misfeasance in office, in violation of the oath of office including the requirements to  
22 uphold the federal and state constitution, based on the following charges.  
23

24 Statement of Facts supporting the recall election of City of Seattle Councilmember  
25 Kshama Sawant. Councilmember Sawant has used her position in violation of the law or  
26 has recklessly undermined the safety of others, all for political theatre. Her actions include  
27 violations of Seattle Ethics and Elections Commission. Her actions also had undermined  
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1 the public's confidence in our institutions. Councilmember Sawant has also not met her  
2 responsibilities of serving the Seattle citizens of her district, District 3, by providing them  
3 with adequate law enforcement resources to ensure they can live in peace. In fact, her  
4 actions have negatively impacted the value of businesses and residences in her district,  
5 District 3.  
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8 **A. Relinquishing Authority of Her Office and Disregarding City of Seattle**  
9 **Employment and Hiring Rules (December 2017)**

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11 In Councilmember Sawant's case, the media has uncovered documents suggesting that she  
12 may have effectively delegated decisions regarding the hiring and termination of City of  
13 Seattle employees to an outside political organization. According to documents, the  
14 National Executive Committee and the Seattle Executive Committee of the Socialist  
15 Alternative Party had authority over staffing decisions for her City of Seattle Council Office.  
16 At least one employee was allegedly fired as a result of a decision of the Executive  
17 Committee of this political organization, and that employee protested that the firing was  
18 the result of retaliation. Councilmember Sawant willfully and intentionally violated her  
19 duties under Seattle Charter Art. IV, Title 4, Sections 2 and 4 and the Seattle Municipal Code  
20 Ch. 4.16 (Code of Ethics),  
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24 **B. Misuse of City of Seattle Council Office Resources to Promote a Ballot Initiative**  
25 **or Other Electioneering (Jan-February 2020)**  
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1 Councilmember Sawant has used her official office equipment to promote and raise money  
2 for a ballot initiative (or other electioneering), and for failing to comply with public  
3 disclosure of all funds raised and spent in those activities including a website registered to  
4 her husband and promoted by Councilmember Sawant. The Seattle Election and Ethics  
5 Commission (SEEC) and possibly the Public Disclosure Commission (PDC) continue to  
6 investigate these violations. This is important for public confidence and because it could  
7 also impact the Council's work on proposed related revenue ordinances pending before the  
8 Council, as one is explicitly tied to the proposed ballot initiative. The City of Seattle citizens  
9 have the right to know that public resources of the Council are not being used in violation  
10 of campaign and ethics laws. Councilmember Sawant willfully and intentionally violated  
11 her duties under law including RCW 42.17A.55 and RCW 42.17A.635, which prohibit the  
12 use of public office or agency facilities in campaigns for the promotion of or opposition to  
13 any ballot proposition; SMC 2.04.300, which bars the use of City facilities to promote or  
14 oppose candidates and ballot measures; and SMC 4.16.070.B.2, which bars the use of City  
15 resources for other than City purpose.  
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20 **C. Misuse of Councilmember Sawant's Official Position in Admitting Hundreds of**  
21 **Individuals Illegally into City Hall Afterhours (June 9, 2020)**

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23 Using her official position as a City of Seattle Councilmember, Ms. Sawant gave access to  
24 City facilities to admit hundreds of individuals at night into City Hall on or about the night  
25 of June 9, 2020, when it was closed to the public because of COVID-19 and failing to follow  
26 the City's COVID-19 precautions for the visitors. Her actions put the safety of individuals  
27 and City workers at risk, and it led to janitorial staff making complaints about the incident  
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1 because of safety concerns. Councilmember Sawant's actions constitute malfeasance, and a  
2 violation of her duties under Seattle Charter. She flouted the Order of the Washington  
3 Secretary of Health (20-03) and Washington State Governor Jay Inslee's Proclamation (20-  
4 05, as amended and extended), proclaiming a statewide State of Emergency due to the  
5 coronavirus disease 2019 (COVID-19), and in doing so she endangered the peace and safety  
6 of the community.  
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9 **D. Using Her Official Position as City of Seattle Councilmember and Possibly Staff**  
10 **to Encourage Attendees at a Rally She Led on June 28, 2020 to Illegally**  
11 **"Occupy" City Property, the Seattle Police Departments' East Precinct.**  
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13  
14 Using Her Official Position as City of Seattle Councilmember and possibly staff to encourage  
15 attendees at a rally she Led on June 28, 2020 to illegally "Occupy" City Property, the Seattle  
16 Police Departments' East Precinct, at the time the City had been trying to de-escalate the  
17 situation and asked individuals to depart because of violence in the area. Days earlier,  
18 members of the Black community had asked that this facility be restored as an active police  
19 facility, particularly in light of the fact it was created at the request of the Black community  
20 by actions of former Councilmember Sam Smith to serve the Central District. We have had  
21 a series of devastating gun violence incidents around this location, where a 19 year old was  
22 shot and killed earlier in June and most recently, in the early morning hours of June 29,  
23 2020, a 16 year old teenage was shot and killed and a 14 year old was seriously injured and  
24 was in serious condition at Harborview. Councilmember Sawant actions constitute  
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1 malfeasance, a violation of her duties under Seattle Charter Art. IV, Sec 2 and 4 and her oath  
2 of office when she endangered the peace and safety of the community.

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4 **E. Using Her Official Position as City Councilmember to Lead a Protest March to**  
5 **Mayor Jenny Durkan’s Private Residence Whose Location is in the State**  
6 **Confidential Program (July 3<sup>rd</sup> 2020)**  
7

8 Using her official position as City Councilmember to Lead a Protest March to Mayor Jenny  
9 Durkan’s private residence whose location is confidential. Councilmember Sawant used  
10 her official position to lead a protest march to Mayor Durkan’s home, despite the fact that is  
11 was publicly known that Mayor Durkan was not there, and she and organizers knew that  
12 Mayor Durkan’s address was protected under the state confidentiality program because of  
13 threats against Mayor Durkan, due largely to her work as US Attorney for Western  
14 Washington under the administration of President Obama. All of us have joined hundreds  
15 and thousands of demonstrations across the City, but Councilmember Sawant and her  
16 followers chose to do so with reckless disregard of the safety of Mayor Durkan’s family and  
17 children. In addition, during or after Councilmember Sawant’s speech at that rally, her  
18 followers vandalized Mayor Durkan’s home by spray-painting obscenities on the fence  
19 around her residence. Councilmember Sawant willfully and intentionally violated her  
20 duties under RCW 9A.46, RCW 9A.76, and Seattle Charter Art. IV, Sec 2 and 4 and her oath  
21 of office. Councilmember Sawant’s actions are a violation of the Washington State Address  
22 Confidentiality Program (RCW 9A.46), as Sawant knew that Mayor Durkan’s home address  
23 is protected. Sawant’s actions are also a violation of RCW 9A.76.180, which prohibits  
24 intimidation and threats against a public employee such as the Mayor. The intimidation of  
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1 public employees has now spread to other homes of elected officials who don't follow  
2 Sawant's agenda, and has been condemned in editorial of the Seattle Times on July 31, 2020  
3 where Sawant reaffirmed her actions.  
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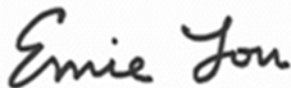
5 **F. Councilmember Sawant's Actions Created a Criminal Toxic Environment**  
6 **Around the Capitol Hill Occupation Protest (CHOP) Zone and Capitol Hill**  
7 **Endangering Residents and Businesses and Devaluing Our Businesses and**  
8 **Real Estate Values (June 2020)**  
9

10 Councilmember Sawant's continued actions by verbally and via writings, encouraging  
11 protestors to take over the Seattle Police Department's East Precinct helped to create the  
12 Capitol Hill Occupation Protest (CHOP) Zone. Since the Seattle Police were no longer  
13 stationed in the East Precinct, the response times for Police calls in the Capitol Hill  
14 neighborhood tripled as reported by the Seattle Police Department and 911 dispatch.  
15 Violent incidents started to occur in the CHOP Zone and surrounding Capitol Hill  
16 neighborhood. Around the CHOP Zone in June 2020, a 19-year old teenager was shot and  
17 killed. Then just two (2) weeks later another teenager was shot a killed in the area around  
18 the CHOP Zone. During June 2020, in addition to the two (2) murders, there were  
19 numerous violent incidents, fireworks and other criminal activities. Councilmember  
20 Sawant's actions assisted in the creation of this violent criminal toxic environment in the  
21 CHOP Zone and surrounding Capitol Hill neighborhood. Her actions directly had a negative  
22 impact to local businesses as many of their customers did not want to come to the  
23 neighborhood due to the violent incidents and the creation of the CHOP Zone. Residents in  
24 and around the CHOP Zone and surrounding Capitol Hill neighborhoods were denied their  
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1 rights to come and go as the pleased and were forced to follow a schedule of when they  
2 could come and go from their own residences. They ended up being hostages in their own  
3 homes. For those Seattle citizens who lived in the surrounding Capitol Hill neighborhoods,  
4 they had to endure almost nightly fireworks, gun shots and helicopters overhead. The  
5 Capitol Hill residences were living in a "war zone" and not a nice residential neighborhood  
6 in the City of Seattle. Councilmember Sawant's actions have financially devalued the  
7 businesses and homes in the CHOP Zone and surrounding Capitol Hill neighborhood.  
8 Councilmember Sawant's has failed in her responsibilities as Councilmember for City of  
9 Seattle's District 3 to provide residences and businesses with the necessary law  
10 enforcement resources to ensure our safety and our ability to live in peace.  
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14 **I swear and affirm under oath that I believe the charges to be true and have**  
15 **knowledge of the alleged facts upon which the state grounds for recall are based.**  
16

17 **Dated this day of August 18, 2020**

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19  
20 \_\_\_\_\_  
21 Ernest "Ernie" Lou

22 P.O. Box 23086  
23 Seattle, WA 98102  
24 recallsawant2020@gmail.com  
25 206.395.4563

26 I do not wish to disclose my actual address and will communicate it confidentially to the  
27 King County Elections via this email for verification of my voter registration record that I  
28 live in City Council District 3 in the City of Seattle. City Councilmember Sawant is known to  
lead protesters to private residences to harass them as she has done at Mayor Jenny  
Durkan's private residence whose address is state confidential due to her previous role as  
US Attorney for the Western Washington District.