

BEFORE THE BOARD OF ETHICS
FOR THE CITY OF TACOMA

In re: the Matter of the Complaint Against
Tacoma Mayor Victoria Woodards

FINDINGS, CONCLUSIONS AND
ORDER OF DISMISSAL OF
BOARD OF ETHICS COMPLAINT
NO. 2021-001

Board of Ethics Complaint No. 2021-001

I. JURISDICTION AND PROCEDURAL HISTORY

- 1.1. On March 1, 2021, the City Clerk’s Office received a complaint from “Mary Ann Clabaugh, Tacoma Citizen & fellow concerned citizens” which had been submitted by email to multiple City of Tacoma employees and elected officials on February 28, 2021 (attached hereto as “Exhibit A”).
- 1.2. The matter was processed as a complaint under the Code of Ethics, referred to the Board of Ethics as is required by the City’s Code of Ethics (Tacoma Municipal Code (“TMC”) 1.46.040 B), and was assigned Board of Ethics Complaint No. 2021-001.
- 1.3. Exhibit A was then provided to Deputy City Attorney Charles Lee and the Board of Ethics (“Board”) on March 1, 2021.

- 1.4. Per Tacoma Municipal Code (TMC) 1.46.025.E and 1.46.040, this Board has jurisdiction over this matter insofar as an alleged violation of the City of Tacoma Code of Ethics (TMC 1.46) for purposes of making findings of fact, conclusions of law, and recommending disposition as the subject of the Complaint (Tacoma Mayor Victoria Woodards) is a current “Covered Official” and “City Officer.”

II. FINDINGS OF FACT

- 2.1. The Board makes the following findings of facts:
 - 2.1.1. Complaint No. 2021-001 was submitted as a violation of the “City of Tacoma Code of Ethics” alleging a “Conflict of Interest.”
 - 2.1.2. In Complaint No. 2021-001, Mary Ann Clabaugh alleges on a prior Thursday evening that she was watching the news and heard Mayor Woodards state “I stand here representing the family of Manual Ellis...” The complaint argues that the Mayor’s statement and insistence that prosecution and termination of the Tacoma Police officers in question is mandatory an “extreme biased interest” which is a “direct conflict with her obligations to the citizens of Tacoma and her oath of office and oversteps her authority and that she should “recuse herself.”
 - 2.1.3. Complaint No. 2021-001 provided no corroborating evidence and no other information other than contact information for the complainant.

III. CONCLUSIONS OF LAW

- 3.1 TMC 1.46.030 provides for what would be prohibited conduct (what would be a violation of the City of Tacoma Code of Ethics). The Complaint did not specify which provision Ms. Clabaugh believed to be violated.
- 3.2 Complaint No. 2021-001 does not contain sufficient facts, which, if proven true, would constitute “prohibited conduct” as listed under TMC 1.46.030 and therefore a violation of TMC 1.46.

3.3 Therefore, Complaint No. 2021-001 is dismissed pursuant to TMC
1.46.045.F.2.a.i.

IV. ORDER

Based on the foregoing, Complaint No. 2021-001 is hereby DISMISSED.

DATED this 15th day of March, 2021

City of Tacoma Board of Ethics

By: 
Ohad Lowy, Chair

cc: Mayor and Council
City Attorney
Mary Ann Clabaugh

From: Mary Ann Clabaugh <mclabaugh58@gmail.com>

Sent: Sunday, February 28, 2021 2:53 PM

To: Woodards, Victoria <victoria.woodards@cityoftacoma.org>; Thoms, Robert <robert.thoms@cityoftacoma.org>; Blocker, Keith <Keith.Blocker@cityoftacoma.org>; Ushka, Catherine <cushka@cityoftacoma.org>; Beale, Chris <chris.beale@cityoftacoma.org>; Hunter, Lillian <lillian.hunter@cityoftacoma.org>; McCarthy, Conor <Conor.McCarthy@cityoftacoma.org>; Hines, John <John.Hines@cityoftacoma.org>; Walker, Kristina <Kristina.Walker@cityoftacoma.org>; Pauli, Elizabeth <elizabeth.pauli@cityoftacoma.org>; Homan, Jean (Legal) <JHOMAN@cityoftacoma.org>; Fosbre, Bill (Legal) <bill.fosbre@cityoftacoma.org>

Subject: Conflict of Interest

It was a shock and concern felt by many citizens (who contacted me after) and myself, who watched the news Thursday evening and saw and heard a clip of our Mayor publicly stating, "I stand here representing the family of Manuel Ellis...."

In speaking with city officials from other jurisdictions, it has been brought to my attention that in exclaiming so, our Mayor may have violated the Appearance of Fairness Doctrine of Washington State, and the City of Tacoma's Code of Ethics regarding Conflict of Interest. She has shown an extreme biased interest, which seems to be in direct conflict with her obligations to the citizens of Tacoma and her oath of office. To insist that prosecution and termination is mandatory in this particular incident involving Tacoma City employee's (police officers) she has completely overstepped the boundaries of her authority, especially when no decision has even been reached at this point.

There is a large group of us that are shaking our heads, the fact that our City Manager is also an attorney, is she not aware of the inappropriateness of our Mayor making these comments on a continual basis?

With all due respect, we believe that our Mayor needs to recuse herself from the position of Mayor at this time.

If our understanding of these two documents referenced above is incorrect, we would welcome clarification so that we better understand.

Than you,

Mary Ann Clabaugh
Tacoma Citizen
& fellow concerned citizens