

Appeal: Ruling on Bruce Harrel's Use of City Employees for Benefit of His Private Club

Submitted 2 January 2026 by Paul Chapman

On 19 December 2025 Mr Marc Mayo issued a ruling dismissing my complaint from 6 November 2025 because he asserted a 2-year statute of limitations for ethics investigations and my complaint was submitted more than two-years after the alleged acts.

My complaint (full text of which is include below) is that Bruce Harrell allegedly required city staff to perform work for a private organization of which he is a member. Such a directive by an elected official would seem to be in direct violation of the [Seattle Ethics Law 4.16.020](#), which states "that public office not be used for personal gain".

Fundamentally, the dismissal of my complaint not a proper application of Seattle or Washington State law, nor of precedent of prior cases, nor of the facts of this case, but rather seeks to *create new case law* out of a misreading of Washington law. A misinterpretation of the law cannot be, by definition, "rational."

I am appealing this ruling on the following basis:

1. The dismissal is grounded in a presumed 2-year statue of limitations. However, prior SEEC cases demonstrate that ethics complaints are not summarily dismissed for being submitted more than two years after the alleged violations. This is thus not a rational basis to dismiss my case based a statute of limitations that is contrary to SEEC behavior in prior cases.
 - In a case submitted in 2021 for allegations that [Bruce Harrell violated ethics laws when he involved himself in an investigation of wage theft at the Royal Esquire Club](#), acts that occurred between 2016 and 2018, Director Wayne Barnett proceeded with an investigation rather than dismissing the complaint as past the statute of limitations.
 - My argument is further supported by the statement made by Director Wayne Barnett that ([per reporting](#)) the acts in question "could not be investigated, because so far, no complaints have been filed in relation to them." If the SEEC rules or policy applied a

two-year statute of limitations, Director Barnett's statement would have instead rationally been that the statute of limitations had expired rather than no complaint has been filed.

2. Notwithstanding the fact that a 2-year statute of limitations has not been applied previously, Mr Mayo **did not correctly apply the actual statute of limitations, and thus the dismissal has no rational basis.** My allegation in this case is precisely that Mayor Bruce Harrell engaged in "misappropriation or a failure to properly account for public funds intrusted to his or her custody" by asking or requiring his staff (who are paid by City of Seattle public funds) to work on behalf of and for the benefit of a private institution. The commencement of the statute of limitations, if any, per [RCW 4.16: LIMITATION OF ACTIONS](#) would per RCW be three years, not two years. However, more importantly per [RCW 4.16.080: Actions limited to three years](#) the commencement of the 3-year action period **begins with the discovery of the act rather than the date of the act.**

- City residents and taxpayers are the aggrieved party in this case, and the public was not made aware of this alleged misappropriation until [4 November 2025 with the publication of the news by KUOW](#). RCW 4.16.080 stipulates that (emphasis added)

"(6) An action against an officer charged with misappropriation or a failure to properly account for public funds intrusted to his or her custody; an action upon a statute for penalty or forfeiture, where an action is given to the party aggrieved, or to such party and the state, except when the statute imposing it prescribed a different limitation: PROVIDED, HOWEVER, **The cause of action for such misappropriation, penalty, or forfeiture, whether for acts heretofore or hereafter done, and regardless of lapse of time or existing statutes of limitations, or the bar thereof, even though complete, shall not be deemed to accrue or to have accrued until discovery by the aggrieved party of the act or acts from which such liability has arisen or shall arise, and such liability, whether for acts heretofore or hereafter done, and regardless of lapse of time or existing statute of limitation, or the bar thereof, even though complete, shall exist and be enforceable for three years after discovery by aggrieved party of the act or acts from which such liability has arisen or shall arise.**"

- In the case law cited by Mr Mayo (Irwin Law Firm, Inc. v. Ferry Cnty., No. 38234-6-III, 2023 WL 1158538, at *3 (Wash. Ct. App., January 31, 2023) (unpublished)), the aggrieved party was aware of the actions at the heart of the case **at the time the acts**

were committed. It is thus not a rational to use this case as guidance in a case in which the aggrieved party was not made aware of the alleged violations until years after the fact.

3. In the dismissal Mr Mayo makes a presumed counter-argument to the statute of limitations starting at discovery: “Regarding the application of the limitations period, I also considered whether evidence has been provided in the record that the information at issue upon which the complaint is based was concealed in some manner. I also considered whether the record includes evidence of bad faith by the subject of the complaint related to whether the information upon which the complaint is based was discoverable. The record does not include evidence of such concealment or bad faith.” This is not a rational basis for dismissal.
 - It attempts to create a new legal standard, contrary to RCW 4.16.080, that unless the act was concealed, the act is deemed to be discovered as of the date of the act, even if the aggrieved party was not aware of the act. However, as the public is not privy to all acts by elected officials, it is also not privy to any potential ethics violations arising from those acts. This **new standard** would thus require that the public continuously, and blindly, request public records to uncover novel violations of ethics laws before the statute of limitations expires. This new standard would also allow a city department to avoid accountability by slow-walking public records requests, [behavior we have already seen taken by the Seattle Police Department](#).
 - Thus the argument made by Mr Mayo is not a rational interpretation of Seattle Ethics laws or RCW 4.16.080.
4. Relatedly, as noted above, Director Barnett asserted that the SEEC cannot investigate potential ethics violations unless a complaint filed. This assertion is itself not rational and calls into question the professionalism of the SEEC’s investigations. The SEEC’s role, per [SMC 3.70.100](#), [3.70.160](#), and most critically [4.16.090](#), is not limited to formal complaints by the public. The role of the SEEC and the Director is to “administer the City’s Code of Ethics”, “To authorize investigations, hold hearings, and make findings on violations or alleged violations of any Commission-administered ordinances; to consider complaints, inquiries, and to **initiate its own proceedings**”, and “**In addition to the powers of the Commission and its Executive Director under SMC Sections 3.70.100 and 3.70.160 to initiate an investigation**, an investigation may also be initiated by filing a complaint.”

The role of the SEEC and Director is thus not predicated on the public making a formal complaint.

When the SEEC investigated the case of Bruce Harrell and wage theft at the Royal Esquire Club in 2021, the actions in my complaint **were or should have been discovered** by the Seattle Elections and Ethics Commission at that time. A public records request by a city employee for emails pertaining to *that* case uncovered in 2022 emails showing that [“Harrell directed his staff to perform administrative tasks for the club from 2016 to 2018”](#). These emails were sent during the period under investigation for Harrell’s interference in a wage theft investigation. **A crucial question is thus whether those emails were discovered and reviewed by Director Wayne Barnett at the time.**

- If the emails were discovered, and no further investigation was undertaken, Director Barnett failed to correctly apply Seattle Ethics law that the SEEC investigate what [he himself noted as a potential ethical violation](#).
 - If the emails made available via a public records request were *not* discovered, it calls into question the effectiveness of the SEEC’s investigations themselves. And more critically, it underscores my argument that Mr Mayo’s dismissal is not rational because it demonstrates that **the alleged acts were in fact not discovered** until the public—and Director Barnett—became aware in November 2025, and thus the statute of limitations has not expired.
5. Finally, the Seattle Ethics and Elections Commission has both an enforcement role and an advisory or rule-making role. ***Even if the statute of limitations is expired it is not rational to dismiss the case*** in this particular case, because Bruce Harrell, who committed the alleged acts, (A) was in public office nearly continually from the date of the action to the date of complaint, (B) was mayor at the time the complaint was lodged, and (C) could conceivably have been re-elected as mayor at the time the complaint was made.

When an ethics complaint is made against an incumbent mayor in a timely manner, the SEEC has a vital role to ensure the [“public have confidence in the integrity of its government.”](#) That is, regardless of whether penalties or prosecution are sought, the SEEC has a role to investigate and make a ruling on whether or not the activities in such cases are in violation of Seattle Ethics Laws so that current and future mayors have clear guidance on

what acts violate Seattle Ethics Laws. It is thus not a rational basis to dismiss all investigation of these acts based on the expiration of the statute of limitations.

For these reasons, I request the Seattle Ethics and Elections Commission overrule Mr Mayo's dismissal of this case and instruct the Executive Director to complete an investigation of Mayor Harrell's use of public employees for the benefit of a private organization of which he was a member.

Thank you
Paul Chapman

Text of the initial complaint submitted to the SEEC:

Thu, Nov 6, 2025, 6:52 PM

FROM: Paul Chapman

TO: ethicsandelections@seattle.gov

SUBJECT: Another Bruce Harrell Ethics Violation - Admin Work for Private Club

I am formally requesting an ethics investigation into Bruce Harrell's actions as reported by KUOW here:

<https://www.kuow.org/stories/ethics-concerns-surface-from-bruce-harrell-s-time-as-seattle-city-council-president>

The important question is whether city staff performed work for a private organization at Bruce Harrell's behest as reported. Or if his relationship to the club created any other ethical violations.

"Emails recently obtained by KUOW show that in addition to the phone call, Harrell directed his staff to perform administrative tasks for the club from 2016 to 2018, which could violate city ethics rules.... between 2016 and 2018, Harrell directed his city council staff to perform tasks for the Royal Esquire Club, which did not have secretarial support at the time and relied on leadership to pitch in. The emails show that the work included filling out insurance paperwork, collecting membership dues, drafting an event proposal, and

contacting dozens of people, including city employees, to invite them to club events. On one occasion, Harrell invited Cedric the Entertainer to the club."

I am asking that this matter be fully and publicly investigated, especially as it appears Bruce Harrell has an [apparent pattern mixing public and private in his office](#).

Thank you

Paul Chapman