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SEATTLE ETHICS AND ELECTIONS COMMISSION

In the matter of:  
Bruce Harrell and the Royal Esquire Club

SUPPLEMENTARY OPINION

**I. INTRODUCTION**

At its public meeting of February 4, 2026, the Seattle Ethics and Elections Commission (SEEC) unanimously voted to affirm the Executive Director’s dismissal of a complaint submitted by Paul Chapman requesting an investigation into then-Mayor Bruce Harrell and his alleged direction to City staff to perform administrative work for the Royal Esquire Club, allegedly in violation of SMC 4.16, the City’s Code of Ethics. The Commission issues this Supplementary Opinion to describe the reasoning supporting its decision to affirm the dismissal of this complaint.<sup>1</sup>

**II. BACKGROUND**

On November 6, 2025, Mr. Chapman submitted a complaint to the SEEC Executive Director

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<sup>1</sup> Commissioners Kristin Hawes and Zach Pekelis participated in the deliberations and decision related to this matter, but no longer serve on the SEEC.

1 alleging a violation of the Ethics Code by Bruce Harrell. The allegations concern Mr. Harrell’s  
2 conduct while he served on the Seattle City Council from 2016 to 2018. The complaint cited a  
3 November 4, 2025 KUOW news report with the following content:

4 “Emails recently obtained by KUOW show that in addition to the phone call, Harrell  
5 directed his staff to perform administrative tasks for the club from 2016 to 2018, which  
6 could violate city ethics rules. ... between 2016 and 2018, Harrell directed his city  
7 council staff to perform tasks for the Royal Esquire Club, which did not have secretarial  
8 support at the time and relied on leadership to pitch in. The emails show that the work  
9 included filling out insurance paperwork, collecting membership dues, drafting an  
10 event proposal, and contacting dozens of people, including city employees, to invite  
11 them to club events. On one occasion, Harrell invited Cedric the Entertainer to the  
12 club.”

13 The complaint asserted that these alleged actions on behalf of then-Councilmember Harrell violated  
14 the Code of Ethics’ prohibition on the use of City resources for a non-city purpose. Mr. Chapman  
15 further requested a full investigation of the matter.

16 On December 19, 2025, the Executive Director’s designee dismissed the complaint as time  
17 barred because of the time period that had elapsed since the occurrence of the alleged facts that formed  
18 the basis of the complaint. In so doing, the designee applied a two-year statute of limitations. On  
19 January 2, 2026, Mr. Chapman appealed the dismissal to the full Commission pursuant to SMC  
20 3.70.200.

21 On February 4, 2026, the Commission considered the appeal in its regular public meeting.  
22 The Commission heard the Executive Director’s reasoning, and also heard oral argument from Mr.  
23 Chapman. The Commission then deliberated in a closed session, and subsequently returned to open  
session where the Commission voted unanimously to affirm the dismissal.

### 24 III. RELEVANT LEGAL STANDARD OF REVIEW

25 The Commission’s standard of review in this matter is set forth in SEEC Administrative Rule

1 4 governing review of the Executive Director’s dismissal decision. Rule 4(G) requires that the  
2 Commission “shall base its review on whether the Executive Director had a rational basis for the  
3 decision and shall only reverse or amend a decision to the extent that a rational basis is lacking.” Our  
4 Supreme Court has described “[r]ational basis review [a]s a highly deferential standard.” *E.g., Harris*  
5 *v. Charles*, 171 Wn.2d 455, 466, 256 P.3d 328 (2011).

#### 6 IV. ANALYSIS

##### 7 A. Two-year Statute of Limitations

8 The Commission first notes that the City’s Code of Ethics contains no express limitations  
9 period. The Executive Director’s designee therefore looked by analogy to Chapter 42.23 RCW, the  
10 state Code of Ethics for Municipal Officers, which likewise contains no statute of limitations  
11 provision, as well as a Washington Court of Appeals decision applying a statute of limitations under  
12 that Chapter.

13 That court applied a two-year statute of limitations for claims alleging a violation of Chapter  
14 42.23 RCW based on RCW 4.16.130, which applies to causes of action that do not fall under an  
15 alternate statute of limitations period. *See Irwin Law Firm, Inc. v. Ferry Cnty.*, No. 38234-6-III, 2023  
16 WL 1158538, at \*3 (Wash. Ct. App. Jan. 31, 2023) (unpublished) (including reference to RCW  
17 42.23.050). Although the *Irwin* decision is unpublished, and therefore not precedential, the  
18 Commission concludes that the reasoning in the decision is sound and offers support for addressing  
19 the situation here in which no limitations period is provided in the City’s Code of Ethics for the claims  
20 at issue. *See also Bainbridge Taxpayers Unite et al. v. City of Bainbridge Island et al.*, No. 22-2-  
21 00875-18, Order Granting Defendants’ Motion to Dismiss (Kitsap Cnty. Super. Ct. June 14, 2023)  
22 (holding that claims arising under Chapter 42.23 RCW were subject to a two-year statute of  
23 limitations). Accordingly, and applying Rule 4’s deferential standard of review, the Commission

1 concludes that the Executive Director’s designee had a rational basis to apply a two-year limitations  
2 period.

### 3 **B. Tolling of the Statute of Limitations**

4 In his appeal, Mr. Chapman further argued that, even if a statute of limitations applies, it  
5 should be tolled or deemed inapplicable because the KUOW article was based on emails only recently  
6 obtained and disclosed.

7 In the dismissal, the Executive Director’s designee considered whether the record contained  
8 evidence that the information underlying the complaint had been concealed in some manner. He also  
9 considered whether the record includes evidence of bad faith by the subject of the complaint related  
10 to whether the information that formed the basis of the complaint was discoverable. He concluded  
11 that the record did not include evidence of such concealment or bad faith warranting application of a  
12 different statute of limitations period.

13 Mr. Chapman’s theory is best characterized as an argument for “equitable tolling” of any  
14 applicable statute of limitations based on later discovered evidence. Generally, in Washington civil  
15 litigation, the predicates for equitable tolling are bad faith, deception, or false assurances by the  
16 defendant and the exercise of diligence by the plaintiff. *See Millay v. Cam*, 135 Wn. 2d 193, 206, 955  
17 P.2d 791, 797 (1998) (citing *Finkelstein v. Sec. Props., Inc.*, 76 Wn. App. 733, 888 P.2d 161 (1995)).  
18 A similar principle is reflected in the statutory standard for tolling of a statute of limitations in Chapter  
19 42.52 RCW, Ethics in Public Service regarding state officers and employees. Under RCW 42.52.540,  
20 the statute of limitations is extended for a two-year period “if it is shown that the violation was not  
21 discovered because of concealment by the person charged.”

22 The Executive Director’s designee applied these principles as discussed above when he  
23 concluded that there was no evidence of concealment or bad faith that would warrant a different

1 application of the statute of limitations. The Commission finds that the designee’s conclusion on this  
2 point had a rational basis.

3  
4 **V. CONCLUSION**

5 In sum, applying the deferential standard of review and the general principles discussed  
6 above, the Commission concludes that the Executive Director’s designee’s dismissal decision is  
7 supported by a rational basis. The dismissal of the complaint is therefore AFFIRMED.

8 DATED this 3rd day of June, 2026.

9 By: /s/ Jonathan Schirmer, Chair, Seattle Ethics and Election Commission  
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