

COMPLAINTS 2014 – NO. 5 AND NO. 6

In Re Dahlquist and Hurst
August, 2014

Jurisdiction Determination – Order of Dismissal

1. Nature of the Complaint

These complaints allege the same facts and both are addressed by the Board in this single opinion. The Respondents have previously filed an ethics complaint (C2014-No.3) in which they made statements, or repeated statements made by others, about certain Islamic-based organizations. The Complainant characterizes these statements as “bigoted, hateful, derogatory and inflammatory.” Complainant requests the Board conclude that these types of statements violate the Ethics in Public Service Act (Act). No provisions of the Act are cited in support of the allegation.

2. Jurisdiction Determination

RCW 42.52.320 limits the jurisdiction of the Legislative Ethics Board to alleged violations of the Act, chapter 42.52 RCW, and related rules, by legislators and legislative branch employees. The Act does not address a legislator’s views about these organizations which are expressed in an ethics complaint. See, for example, C2004-No.1 – no subject matter jurisdiction over a legislator’s use of a racist comment, and C2008-No.2 – no subject matter jurisdiction over a legislator’s comments directed at abortion, which were characterized as “berating” and “lacking in human decency.”

3. Conclusion and Order

The Board concludes that it lacks jurisdiction over the subject matter of these complaints. The complaints are hereby dismissed.

Kristine F. Hoover, Chair
Date