

City of Bainbridge Island Ethics Board

Advisory Opinion

Case # EB2020-07

Date Filed: December 30, 2020

Requestor: [REDACTED]

Advisory Opinion Issued: March 15, 2021

I. *Questions Presented*

Requestor seeks Code of Conduct educational feedback regarding emails recently exchanged between him and several parties regarding what he perceived to be racial equality issues during City Council's selection of a final appointee to a vacant Council seat. Subsequent to these emails, an Article I Complaint (hereinafter, "Complaint") was filed against him by one of the two remaining candidates, also the recipient of the emails. The Request for Advisory Opinion (hereinafter, "Request") is attached in its entirety, but with redactions per Article III, Section D.3 that requires the Board to not include any identifying information as to "...the requestor or the individuals(s) whose conduct is the subject of the opinion unless otherwise agreed in writing by both the requestor and the subject individual(s)."

Due to the phrasing of the Request, it was necessary for the Ethics Board to extract the relevant substance of the clarifications sought. They are below:

A. Requestor Queries

(1) How to have respectful, yet meaningful discussions on race equity, diversity, and inclusion.

(2) How to keep discussions focused on how to take meaningful actionable steps to address racial inequities and to increase diversity and inclusiveness in our local government in a manner which respects the core values of respect, integrity, trust, etc. as adopted by the City of Bainbridge Island.

(3) Were the emails sent by the Requestor, including to County Commissioners, a violation of the Code of Conduct as a method of attempting to resolve a 3-3- tie?

(4) Was there a Code of Conduct violation when Requestor suggested a debate between the finalists as a means of resolving the 3-3- tie?

II. Applicable Provisions of the Ethics Program

The Complaint alleged violations of Article I, § B.1, § B.2, § B.3, and § C.2b of the City of Bainbridge Island Code of Conduct and Ethics Program, effective July 28, 2020 (“the Program”). Related allegations included the following:

A. Alleged violation of Article I, Section B.1

The Complaint alleged that Requestor violated Article I, § B.1, which provides, in relevant part, that Councilmembers are “...committed to provide service to the people of Bainbridge Island that is courteous...”

B. Alleged violation of Article I, Section B.2

The Complaint alleged that Requestor violated Article I, § B.2, which provides, in relevant part, that Councilmembers are to “...treat one another with honesty and integrity, recognizing that trust is hard won and easily lost... in keeping with that integrity and the highest standards of this community”.

C. Alleged violation of Article I, Section B.3

The Complaint alleged that Requestor violated Article I, § B.3, which provides, in relevant part, that Councilmembers are to “...pledge to act with the standard of fairness and impartiality in the application of policies and directives and that of equality and mutual respect with regard to interpersonal conduct”.

D. Alleged violation of Article I, Section C.2b

The Complaint alleged that Requestor violated Article I, § C.2b, which provides, in relevant part, that Councilmembers are to “...sustain a culture of ethical integrity...and in all their interactions, conduct themselves in a manner that demonstrates civility and respect for others”.

III. Findings

(1) How to have respectful, yet meaningful discussions on race equity, diversity, and inclusion.

In the future, personal correspondence from City Councilmembers and members of city committees, boards, and commissions should be represented as such with clear language indicating the opinions are not shared by or on behalf of the City or its Council.

Discussions towards improving our equity landscape are challenging in even the best environments. Efforts should be undertaken with sincerity, forethought, authenticity, and the assistance, wherever possible, of those trained and highly qualified to facilitate effective and productive results.

(2) How to keep discussions focused on how to take meaningful actionable steps to address racial inequities and to increase diversity and inclusiveness in our local government in a manner which respects the core values of respect, integrity, trust, etc. as adopted by the City of Bainbridge Island.

See response to #1 above.

(3) Were the emails sent by Requestor, including to County Commissioners, a violation of the Code of Conduct as a method of attempting to resolve a 3-3- tie?

Yes. Resolution of a 3-3 tie was a previously agreed upon decision for City Council to discuss and decide in a public meeting. The emails sent were an attempt to circumvent that process.

Requestor transmitted an email from a City email address and signed it as a member of City Council. This email, in turn, was addressed to County Commissioners in the position to break a 3-3 tie in City Council. While it is true that elected officials have the right to express their opinions on political subjects or candidates, it is a best practice guideline for many cities or municipalities that an official should not mislead the public into thinking they're speaking in an official capacity or on behalf of the City. An email is today's equivalent of using city letterhead, and Requestor should not be using public resources to engage in "off-duty" speech without clarifying that official affiliation is for identification purposes only and that comments do not imply an endorsement by the City or City Council itself.

The core purpose of adopting guidelines and Codes of Conduct of this nature is to ensure mutual respect and transparency, which sets expectations towards fostering community trust and engagement. No elected person should use his or her position in such a manner that a conflict arises between the interests of the City of Bainbridge Island and his or her personal interests. Nor should he or she use their position to circumvent the process which was underway in City Council in order to achieve a special privilege or consideration for a desired outcome, especially via means that insult or cast in a negative light the character of fellow Councilmembers, potential appointees, or members of the public.

Other key tenets of the Code of Conduct are grounded in "courtesy", "integrity", and "mutual respect" not only toward other members of the City Council and members of the City Committees and Commission but also to "the public". By sending the referenced email, Respondent exhibited disregard for the Complainant as a member of the "public" and to the City Council as a representative on their behalf.

The intersectional issues of racial equity, housing, and the environment are legitimate and deserving of informed and focused consideration and effort. Sending inflammatory emails with inferential or careless accusations of racism, particularly to achieve political ends, is a disservice to such critically important issues.

As sworn City Officials, Councilmembers are entrusted by the community to uphold the tenets of the Code of Conduct. The people have the right to expect from their elected representatives at all levels of government the highest standard of integrity, honesty and fairness in their dealings.

This means abstaining from the distribution or dissemination of materials or any communications which may be considered discriminatory or in a context that may be construed as a personal attack, sexist, racist, or as a form of harassment.

A. Article I, Section B.1

The emails sent by Requestor, including to County Commissioners, were a violation of Article I, § B.1 of the Code of Conduct as a method of attempting to resolve a 3-3- tie because the emails were potentially disparaging of fellow Councilmembers and a Council candidate under consideration. In doing so, Requestor's actions were not committed to providing service to the people of Bainbridge Island in a courteous manner.

B. Article I, Section B.2

The emails sent by Requestor, including to County Commissioners, were a violation of Article I, § B.2 as a method of attempting to resolve a 3-3- tie because the emails were sent via Requestor's City account, and to County Commissioners who would have been decision makers in the event of a 3-3 tie. By circumventing the process and inferring Councilmembers and the Complainant (per the email subject and attached article) were complicit in systemic racism as "...'good White people' who were derailing racial progress", Requestor failed to act with integrity and the highest standards of this community.

C. Article I, Section B.3

The emails sent by Requestor, including to County Commissioners, were a violation of Article I, § B.3 as a method of attempting to resolve a 3-3- tie because transmitting an email to community members, elected officials, potential officials, and others reflected partiality towards a Council candidate. Requestor's communication aimed to pre-empt the voting process underway with fellow City Council members, and in a manner which exhibited a lack of respect and regard for colleagues via accusatory interpersonal conduct.

D. Article I, Section C.2b

The emails sent by Requestor, including to County Commissioners, were a violation of Article I, § C.2b as a method of attempting to resolve a 3-3- tie because Requestor acted in a manner which was disrespectful and uncivil towards a Council candidate, fellow Councilmembers, and anyone who might disagree with Requestor's choice. The transmitted emails set the stage in the community such that any similar opposition might

be viewed as racist or contributory to systemic racism, potentially causing negative or retaliatory repercussions for those individuals.

(4) Was there a Code of Conduct violation when Requestor suggested a debate between the finalists as a means of resolving the 3-3- tie?

The Ethics Board does not have the authority to offer an advisory or educational opinion on whether suggesting a debate between the finalists as a means of resolving the 3-3- tie is a Code of Conduct violation.

IV. **Conclusion**

The Board submits this Opinion to the City Clerk for publication, pursuant to Article III, § D.2.

APPENDIX TO ADVISORY OPINION

This is a request for a code of conduct educational advisory opinion concerning emails I recently sent regarding issues of racial equity in the context of which of two finalists to appoint to a vacant seat on the Bainbridge Island City Council and the follow-up written responses sent out by one of the finalists, including a code of conduct complaint to the ethics board. Additionally, I watched the November ethics board meeting, and saw that there was a struggle as to whether to refer the finalist's code of conduct complaint to mediation or to write an advisory opinion, with the final decision to refer to mediation. By my submittal of this request, the ethics board will now have an opportunity to issue an advisory opinion on the matter as well, though I construe the issue more broadly and provide extensive background and context to help the ethics board in the writing of their considered opinion.

1a. I seek advice from the ethics board as to how to have respectful, yet meaningful discussions on race equity, diversity and inclusion that do not simply devolve into a discussion of white people's hurt feelings and how to make white people feel better about their position of privilege¹⁻². I seek ethical advice as to how to keep discussions focused on how to take meaningful, actionable steps to address racial inequities and to increase diversity and inclusiveness in our local government, while respecting the core values of respect, integrity, trust etc. that have been adopted by the City of Bainbridge Island.

Request 1a centers around a basic question: Is it a violation of our government's adopted Core Values if we discuss issues of race equity, diversity and inclusiveness in such a way that makes white people uncomfortable? If not, then how do we talk about these issues, and in particular, how do we talk about them in such a way that we address the feelings of guilt, shame, fear and the tendency towards personalization that naturally arise when a predominantly white community discusses issues of race equity, diversity and inclusiveness (RDI)¹⁻².

1b. I also seek advice as to whether from a process perspective, there was a code of conduct violation by the act of reaching out to the County Commissioners to suggest a debate between the two finalists on issues of race, the environment, climate change, etc. as a means of resolving the 3-3 tie?

Background

I was the author in an email chain that included two emails by me and one by former Mayor Val Tollefson (see Appendix 1 for emails) on the issue of how to proceed with breaking a 3-3 deadlock between the six current council members as to whether to appoint a black woman or a white woman to the vacant seat on the City Council. The email exchange was subsequently followed by series of communications by the white female applicant in which she:

- 1) Withdrew her name from consideration for the open seat,
- 2) Accused me of painting her and as a racist,
- 3) Accused me of painting her supporters on the council as racist,
- 4) Suggested that her safety is now a concern

Most of these accusations were asserted by the white female applicant (hereafter the “complainant”) through a code of conduct complaint filed to the ethics board (see Appendix 2), but also include an interview with a local newspaper, facebook quotes, and her withdrawal letter^{3,4}. These sentiments were also reinforced in a facebook post by Mayor Leslie Schneider, in which she also supported the use of the term “race-baiting” to describe my actions. Mayor Schneider’s actions also merit consideration as to whether she conducted herself properly, but that is not the focus of this advisory opinion request.

The complainant’s primary assertion appears to be that in effect, the spirit and intent of my email is inconsistent with my responsibility to be respectful in my use of language. That is, by simply bringing up the issue of race equity, that was akin to calling her and her supporters racist and that made her and her feel unsafe and that this was disrespectful (Unsafe from what was never specified)^{1,5}.

My emails were worded to focus discussion on issues of racial equity, diversity and inclusiveness into the debate on the merits of the two finalists for the North Ward vacancy appointment. My emails intentionally did not identify the complainant by name, nor were council members or supporters of the complainant mentioned by name. Also note that absent from my emails was the word “racist” (see Appendix 1).

Avoidance of the term “racist” was deliberate because most regrettably, certain white people take grave offense at the idea that they might be racist. When I do use the word “racist” or “racism” I use it in terms of the definition provided by the Washington State Supreme Court (see General Rule 37), in which they recognized several types of racism, including purposeful racism, unintentional racism, institutional racism and unconscious racism⁶. So in the context of how the State Supreme Court thinks about racism, arguably, we are all racist to one degree or another. Personally, I take no issue with being called racist, and if someone suggested I was racist, I would want to unpack, explore and evaluate the basis for that statement.

My emails are part of a larger discussion on issues of race equity, diversity and inclusiveness

The assumptive assertion that my emails were intended to convey that the complainant and those that supported her are “racist” and that they now feel some sort of a threat, improperly derails the discussion of RDI by mischaracterizing my emails as a personal attack with malicious intent. Such tactics shift the debate from one of race equity to one of how white people feel threatened by race equity discussions. Such behavior is diversionary and only serves to re-enforce the systemic racism that keeps white people at a socio-economic advantage over people of color by muzzling attempts at RDI discussions^{1,2,5,7}.

The reality is that my emails communicated to many in our community the broader need to advocate for racial equity at the local level. The advocacy in my emails are fundamentally rooted in the sweeping progressive attitude of racial equity and social justice and is largely informed by

national and regional discussions on anti-racism, published literature on racial equity, white fragility, institutional racism, and the Black Lives Matter movement ^{1,2,5, 8,9,10}.

The desire for greater racial equity, diversity and inclusiveness is also strongly embraced by the constituents I serve, as evidenced by the record-breaking number of citizens who either came to a city council meeting to speak on behalf of the black finalist, [REDACTED], or the record-breaking number of citizens who wrote to the council in support of her appointment. Nearly 75 emails of support poured in for [REDACTED] and 16 people stood before the Council and testified in support of her. Many of the supporters spoke specifically on their desire for greater racial equity, diversity and inclusion in our government as a basis for their support.

The interpretation of my emails as personal and threatening attacks represents, in and of itself, the engrained web of subjugation, whereby white people are viewed as superior to their black and brown neighbors, and are therefore entitled to complain when discussions on racial equity, diversity and inclusion arouse feelings of fear, guilt, anger, or shame. This tendency provides heightened protection of white people from uncomfortable debates on institutionalized racism and implicit bias, and seeks to excuse white fragility, particularly when expressed by white women.

Particularly applicable to this discussion is the concept of 'white women's tears' ^{1,7 11}. White women's tears are considered an insidious form of (often unintentional) racism. This is because it is recognized that they will summon more attention, help, and "recentering" of the white women's (emotional) needs than any other type, from men specifically because of, as DiAngelo¹ has it, "their conditioning under sexism and patriarchy," ostensibly to care about and want to protect women. This means that, even if they don't mean to, women who (metaphorically-speaking) shed white women's tears are committing a racist act by being too delicate to confront their own complicity in racism and thus putting themselves at the center of concern and interest ¹¹.

A timely example of this phenomenon was during the November ethics board meeting, when a white male member opined that I should apologize to the white female complainant (presumably for my emails that made her feel like a racist). It seemed to be an emotional response to the emotional distress that he felt from the white female complainant and possibly the distress the white females on the city council felt when confronted with a discussion about race equity and their own potential complicity in racism. There was no reason provided by the white male as to what I had actually done that warranted an apology to the complainant, but since the code of conduct complaint centered around the fact that my emails made her feel "painted as a racist" and concerned for her safety, presumably I was to apologize for making her feel like a racist and therefore making her feel unsafe (again, there was no specificity as to what she feared).

Generation after generation, the impact of enslavement and racial prejudice contributes to a mixture of unequal and bigoted standards. It suggests that white people get to operate with practical impunity and are licensed to cast blame upon those who advocate for racial equity, including those burdened by institutionalized racism, as if people of color and their advocates

are supposed to embrace the white privilege to complain about the difficulty of discussions about race^{2, 12}.

At the same time, the strict and self-defeating expectations that marginalized people are held to all but guarantee defensive blowback for those who dare challenge the existence of racial inequities, especially for those who compete with their white counterparts for positions of power within a system that was consciously designed to disadvantage them^{1,2,9,12}.

The truth is that people of color in America are in a constant state of unease. Implicit in my emails and the referenced citations is the assertion that those of us in positions of power can increase our aptitude to confront and persist through discussions of race equity, diversity and inclusiveness^{2,12}.

The severe reaction by the complainant, and the extended efforts by council members who supported the complainant to punish me, highlights the complexities of RDI discussions in American society, and illustrates how deeply ingrained implicit biases truly are.

The fight for racial equity is a fight for social justice; racial justice requires that white people surrender some of their power and resources to balance the inequities perpetuated by our social, political, and economic systems.

The CNN article⁵ attached to my email that is the subject of this complaint quotes author Shannon Sullivan, a woman of color: *"I want to hear about justice...I don't want to hear about how we make White people feel comfortable again."*

This quote illustrates an essential truth, that when white people engage in discussions of racial equity, the conversation often gets hijacked and the focus turns to how white people feel. But such diversions illustrate a main point of the CNN article (and my emails), which asserts that **until white people are willing to give something up, there will be no true racial awakening in America**. The first and most obvious privilege that white people must willingly surrender is the privilege to complain when racial debates trigger feelings of discomfort and resentment. (emphasis added).

While the complainant's feelings may have been hurt and she may have felt discomfort during the debate over the extent to which the issues of racial equity, diversity and inclusion should influence the outcome of the appointment process, such feelings should not end the conversation. Conversations about race that probe white peoples' role in perpetuating systemic and institutional racism is likely to continue to upset the status quo, which illustrates the need to continue to have such conversations.

When citizens through their elected leaders argue for racial equity, the collective response by City leaders (e.g. the ethics board and the city council) should avoid giving greater deference to the plight of white people's discomfort about discussions of race over the historic plight of blacks and other people of color; otherwise the City may appear to some as promulgating the unequal

treatment of black and other people of color in our community, and this can cause people to lose faith or trust in their government to meaningfully address difficult issues (see Bainbridge Island Ethics Board Advisory Opinion 2018-03)¹³.

Content aside, was sending emails to County Commissioners a code of conduct violation?

Regardless of the email content, as a matter of process, was it a code of conduct violation to submit an email to County Commissioners during a Council vacancy appointment process when the Council was deadlocked as to which of two candidates to appoint?

The Council's process for filling the council vacancies (there have been three in the past few years) does not include a process for resolving a tie vote. Further, state law stipulates that County Commissioners are to make the appointment if a city council fails in that duty. There are no restrictions on Council Member communications with the County Commissioners related to and during the appointment process or in fact for any matter whatsoever, as we are their constituents.

Note also that I, along with council member Joe Deets, offered what we thought was a fair solution to resolve the 3-3 tie by sending it out to the general citizenry for an advisory vote. Unfortunately the three council members that supported the complainant declined that solution.

Because there was no process for resolving a tie vote, council was unsure how to proceed. There was no path forward, and a solution needed to be found. Other council members were similarly inventing alternatives as well.

If the ethics board were to find that sending emails to County Commissioners constitutes a problematic action, similar to AO 2018-02, the ethics board might recommend that the Council adopt an improved process for dealing with tie votes on an appointment, one that is "fair, equitable, and respectful of citizens who apply"; The complainant's concerns might be useful to inform that policy debate. Such a recommendation by the ethics board might inspire Council to discuss and potentially adopt language to clarify what constitutes appropriate action in the appointment process, so as to better facilitate Council appointment processes in the future.

Referenced Material and Further Reading

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2. Kendi, Ibram X. 2016. *Stamped from the Beginning. The Definitive History of Racist Ideas in America* (New York Times Bestseller and National Book Award Winner). Bold Type Books, New York, NY.

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11. New Discourses. 2018. White Women's Tears (White Girl Tears). Available online at <https://newdiscourses.com/tftw-white-womens-tears/>
12. Kendi, Ibram X. 2019. How to be an Antiracist (New York Times Bestseller). Random House, NY.
13. City of Bainbridge Island Ethics Board Advisory Opinion. Case # 2018-03. Available online at <https://www.bainbridgewa.gov/DocumentCenter/View/11364/2018-03-Johnson-Advisory-Opinion>

Appendix 1 Email exchange regarding BI council seat vacancy 3-3 deadlock.

Re: How 'Good White People' derail racial progress-no replies please to stay consistent with Open Public Meetings Act

☒

[REDACTED]

[REDACTED]

- Council;
- Kitsapcommissioners@co.kitsap.wa.us;

+9 others

Honorable [REDACTED],

Thanks for having the courage to speak out on your convictions. The key points in the article I sent out (re-attached below), are:

1. that if we truly want race equity, we (white people) are going to have to turn over power to black people and other people of color and,
2. We are going to have to them provide housing and an option for homeownership, which is the primary gateway to wealth in the middle class and,
3. We are going to have to provide access to good education, which again is a gateway to wealth.

I grew up with a feminist mother and three older feminist sisters, one who was gay, which at that time was a lot scarier than it is today. I was infused with the feminist argument that if we truly wanted equality between the sexes, then men were going to have to turn over power to women, that we needed to break the "glass ceiling" They didn't use the term white, but there weren't a lot of people of color leading the feminist movement back in the day and it was essentially a fight over power between white men and white women.

Regarding the Bainbridge Island City Council, with four women on the council, and a fifth likely to soon be joining us, I think we can safely say when it comes to women, the glass ceiling has been shattered. Not so when it comes to people of color, particularly people who are black. As far as I know, in the entire history of Bainbridge Island/Winslow, there has never been a black city council member, and there have been very few in our administration, particularly in management. I am only aware of two people of color every serving on the council, Nezzam Toulee and Rasham Nassar, both of middle-eastern descent.

So now we have three white women on our City Council arguing for putting a fourth white woman on the City Council over a black woman. Viewed through a race equity lens, and given the recent

rise of the Black Lives Matter movement, to me that seems entirely inappropriate. In the attached article, I think it makes an analogous point with the feminist movement; just as white men had to give up to white women a seat at the decision-making table for their to be greater equity between the sexes, white men and white women now have to give up seats at decision-making tables to people of color for there to be greater equity between the races.

Regarding my calling card, it is a willingness to tackle challenging issues and to speak truth to power, and doing it with a sense of joy, purpose and humor. This is perhaps best summed up by a recent email sent to me by a colleague from election night, quoting Molly Ivins:

With an administration that delights in every form of cruelty, it's easy to believe that the current situation is so grim the only appropriate way to face it is grimly. But if they rob us of our capacity for joy, they've stolen one of the precious tools of survival and resistance. So on this somber night in somber times, I offer this reminder from Molly Ivins: "Keep fightin' for freedom and justice, beloveds, but don't you forget to have fun doin' it. Lord, let your laughter ring forth. Be outrageous, ridicule the fraidy-cats, rejoice in all the oddities that freedom can produce. And when you get through kickin' ass and celebratin' the sheer joy of a good fight, be sure to tell those who come after how much fun it was."

In Peace, Joy and Laughter,

[REDACTED]

From: [REDACTED]

[REDACTED]

Sent: Thursday, December 10, 2020 11:44 AM

To: Kitsapcommissioners@co.kitsap.wa.us <Kitsapcommissioners@co.kitsap.wa.us>

Cc: [REDACTED]

[REDACTED]

Subject: Bainbridge City Council vacancy

Commissioners,

As you certainly know by now, the Bainbridge Island City Council is currently deadlocked over the appointment to fill the vacancy left by Kol Medina's departure from the scene.

[REDACTED] sent you an email this morning with an attachment which no-so-subtly suggests that the Councilmembers who do not support the candidacy of [REDACTED] are racist. This sort of irresponsible broadside has unfortunately become [REDACTED] card during his current service on the Council, but couldn't be further from the truth.

Certainly each Councilmember can make a decision on this appointment for any reason. Given the current political climate and the local and national heightened awareness of the racism that pervades our society it is understandable if some might choose to support the black candidate over the white candidate in the belief that such an outcome without consideration of other factors serves the cause of “racial equity”. I suggest rather that “racial equity” exists when race is no longer the determinate of the outcome.

In the case of the decision before the Bainbridge Council, both candidates are qualified. [REDACTED], however, is clearly the best qualified to fill this position at this time. [REDACTED] involvement in the civil life of the Bainbridge community over the past years, including service and advocacy on environmental issues and substantive involvement in the development of the City’s Comprehensive Plan make her uniquely qualified. [REDACTED] [REDACTED] relatively recent involvement is laudable, and I hope that she continues to invest in her community, but her relevant experience at this point is scant.

Bainbridge Island has taken steps to “up its game” in the area of racial equity, and like the rest of the country it has plenty of room to improve. Selecting the lesser-qualified candidate for this position is not the way to accomplish that.

Hopefully, our Council will figure this out on its own after all, but if not thanks for taking these comments into consideration.

[REDACTED]

[REDACTED]

[REDACTED]

Sent: Thursday, December 10, 2020 9:40 AM

To: Council <Council@bainbridgewa.gov>; Kitsapcommissioners@co.kitsap.wa.us
<Kitsapcommissioners@co.kitsap.wa.us>; [REDACTED]

[REDACTED]

[REDACTED]

Subject: How 'Good White People' derail racial progress-no replies please to stay consistent with Open Public Meetings Act

Hi Bainbridge Island Council, County Commissioners, BI Council Wannabes and our newly elected rep Tarra Simmons. I thought this article below provides some good food for thought regarding race equity, housing and the environment.

I have also included the County Commissioners in this email since they may well be deciding who are next BI Council member is since we are deadlocked, and issues of race equity, the environment and housing seem to be where the council is split, and also because these issues extend into all of Kitsap County.

Since we are deadlocked on who to select for our seventh Council member, I would also like to entertain the idea of a debate between [REDACTED] and [REDACTED] on the issues of race equity, the environment, housing and climate change. It would be something that the Council and the Commissioners could watch, and which might help everyone reach a decision as to which candidate best represents the interests of the Bainbridge Island electorate. Also below are links to the two candidates applications.

I would also like the Bainbridge Island Council to consider a 2 hr workshop on race equity, housing and the environment in the near future. This article touches on some of those issues and form a good basis for discussion.

Just a reminder to all that Open Public Meeting Act requirements preclude a quorum of an elected body from having an email conversation, as that constitutes a meeting, so this email is informational only and please do not respond to it.

Thanks,

[REDACTED]
Councilmember, City of Bainbridge Island

<https://www.cnn.com/2020/08/01/us/white-liberals-hypocrisy-race-blake/index.html>



[White liberals' dangerous hypocrisy on race - CNN](https://www.cnn.com/2020/08/01/us/white-liberals-hypocrisy-race-blake/index.html)

Any attack against entrenched racism will run into a formidable barrier: White people who support progressive causes yet oppose efforts to make their schools and neighborhoods more diverse.

www.cnn.com

Appendix 2. Code of conduct complaint

Article I (Code of Conduct) Ethics Complaint Form

I. Introduction:

Individuals seeking to submit an ethics complaint alleging a violation of the Code of Conduct (Article I) by a Councilmember or a member of a City Committee or Commission should complete this form and submit it, along with any supporting documents, to the City Clerkatcityclerk@bainbridgewa.gov. By submitting this form, you are indicating your willingness to participate in mediation (i.e., "reconciliation") to resolve this dispute. Should mediation be offered, and you do not agree to participate, your complaint will be dismissed pursuant to Article III, Subsection A.5.b of the Code of Conduct and Ethics Program.

II. Your Contact Information: (redacted)

III. Article I Complaint:

A. Please provide the name of the Councilmember or the member of a City Committee or Commission who is the subject of your complaint (this individual is referred to as the "Respondent"):

Councilmember [REDACTED]

B. Please identify the section(s) or subsection(s) of the Code of Conduct (Article I) that you believe were violated by the Respondent:

Core Values: B1, B2, B3, C2.b

C. Please describe the facts supporting your allegation that the Respondent has violated the sections or subsections of the Code of Conduct (Article I) indicated above. If necessary, please attach additional pages. If other records exist that you believe support your allegation (e.g., emails or other documents), please attach them to this form as well.

Council Member [REDACTED] just sent an email (below) that:

- makes me concerned for my safety as he is clearly trying to paint me as a racist and put me in harms way; and also,
- pigeonhole anyone who might vote for me as a racist, with a subject line and article that are completely unrelated to Bainbridge or the process we are in regarding the North Ward council seat;
- makes me concerned for what else [REDACTED] might do if he's willing to send inflammatory emails to not just me, the council but also commissioners, and one of our state Reps - he's starting *real fires* to ensure his pick for council wins.