



MUNICIPALITY OF ANCHORAGE
Board of Ethics

August 19, 2022

Subject: *Ethics Complaint for Potential Violation 2022-03*

Allegation: Violation of AMC 1.15.010(C) and (D)(1) – Use of Municipal Resources for Partisan Activity

On May 5, 2022, the Board of Ethics (“the Board”) received Ethics Complaint for Potential Violation 2022-03 (“the Complaint”). The Complaint alleged the Mayor violated Anchorage Municipal Code (AMC) 1.15.110(C) and (D)(1) when he used municipal resources for partisan activity. The complaint alleged the Mayor used municipal letterhead, paper, and substantial employee time to draft a letter, which he sent to the Municipal Clerk, Deputy Municipal Clerk, and Anchorage Election Commission. The Mayor’s letter, which was attached to the complaint, sought clarification and answers to concerns raised by constituents and observers regarding the last election, requested certain records related to the last election, and proposed a third-party audit of election technology. The complaint alleged this letter was partisan activity.

After considering the complaint, the Board declined to review it further pursuant to AMC 1.15.160(A)(2)(g). The Board determined that the allegations, even if true, do not constitute a violation of the Municipal Ethics Code. The Code allows elected officials limited use of municipal resources to “voice their opinions as part of their usual and customary duties.” (AMC 1.15.110.C.2). While election integrity is a politically charged issue, the Mayor’s letter constitutes a rather limited use of municipal resources to voice general concerns about election integrity in light of constituent complaints. The Board found that this limited use of resources falls within the usual and customary duties of the Mayor. Furthermore, the records request by the Mayor is an action that he, like any citizen, is entitled to make. As for the third-party election audit, the Board found that merely *proposing* one does not make use of municipal resources. Therefore, the Board did not make any ruling as to whether conducting such an audit would be a violation of the Ethics Code.

Approved by the Municipality of Anchorage Board of Ethics

Rebecca Windt Pearson, Chair
Aesha Pallesen, Vice Chair
Abram Goodstein
Terrence Kelly
Joan Wilson