

**RESOLUTION NO. 1436**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, CENSURING COUNCILMEMBER XXX XXXX FOR 1) ACTING IN A MANNER UNBECOMING OF A COUNCILMEMBER 2) BRINGING DISREPUTE TO THE COUNCIL AND 3) COMMISSION OF AN UNLAWFUL ACT.**

**WHEREAS**, public officials hold a public trust and are expected to adhere to a standard of behavior that does not violate or appear to violate that trust, and

**WHEREAS**, the citizens of Des Moines should be able to trust in the honesty and integrity of their City Councilmembers, and

**WHEREAS**, the City of Des Moines has adopted a policy that states that public officials are assumed and expected to act in accordance with all laws and codes, and

**WHEREAS**, the Des Moines City Council expressly found on October 22<sup>nd</sup> 2020, that domestic violence offenses are among the most significant criminal violations of City code in terms of both seriousness and impact to the victims and community, and

**WHEREAS**, the Council also found that crimes of domestic violence can result in short- and long-term negative effects suffered by not just the direct victims but also the child witnesses, and

**WHEREAS**, children witnessing acts of domestic violence have been shown to suffer near-term effects such as anxiety, guilt, isolation, low self-esteem, and behavioral issues, and

**WHEREAS**, the short- and long-term psychological effect on children who witness acts of domestic violence makes those children additional victims of the violence, which merits treatment as a separate crime, and

**WHEREAS**, in October of 2021, the City Council once again unanimously proclaimed October as Domestic Violence Awareness Month, and declared that every one of our residents deserves to live a life free from violence and abuse, and

**WHEREAS**, the Council further encouraged the community to ensure that victims of domestic violence know that they are not

alone and that the Council is here to support survivors of domestic violence as they courageously move forward to enjoy full and healthy lives, and

**WHEREAS**, on August 12, 2021, the Des Moines Police Department received a phone call from someone who identified themselves as the mother of the partner of City Councilmember XXX XXXX. The mother reported that her daughter was in a "very abusive" relationship and that Councilmember XXXX had choked her daughter and "threatens to hit her regularly," (Attachment 1<sup>1</sup>) and

**WHEREAS**, given Councilmember XXXX's status as a Des Moines elected official, the matter was referred to the City of Tukwila police department for investigation and a final report was prepared (Attachment 2<sup>2</sup>), and

**WHEREAS**, based on the information in the police report, Councilmember XXXX was charged with six criminal law violations:

Incident in December of 2020

1. Assault 4<sup>th</sup> Degree - Domestic Violence
2. Exposing Children to Domestic Violence
3. Reckless Endangerment - Domestic Violence

Incident in March of 2021

4. Harassment - Domestic Violence
5. Interfering with Reporting Domestic Violence

Incident in August of 2021

6. Harassment - Domestic Violence, and

**WHEREAS**, Councilmember XXXX was arrested on these offenses and two separate judges reviewed the filings and found

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<sup>1</sup> Pursuant to a vote of the City Council, Attachment 1 has been removed from this document and will not be posted on the City's website. The document is available for review through a public records request made to the City Clerk. Information on this process can be found at [www.desmoineswa.gov](http://www.desmoineswa.gov).

<sup>2</sup> Pursuant to a vote of the City Council, Attachment 2 has been removed from this document and will not be posted on the City's website. The document is available for review through a public records request made to the City Clerk. Information on this process can be found at [www.desmoineswa.gov](http://www.desmoineswa.gov).

that probable cause existed to believe that Mr. XXXX committed the charged offenses, and

**WHEREAS**, the Court also determined "that there is a substantial danger that XXX XXXX, will commit a violent crime and interfere with the administration of justice," (Attachment 3<sup>3</sup>) and

**WHEREAS**, although Councilmember XXXX is awaiting trial and is presumed innocent until proven guilty, the nature and severity of the allegations require the Council to make an immediate and forceful denunciation of the alleged actions, and

**WHEREAS**, holding a public office requires the trust of the public and actions that betray are unacceptable, and

**WHEREAS**, Councilmember XXXX was provided notice of this proposed censure at the November 4, 2021 City Council meeting and he has been provided an opportunity to provide input, and

**WHEREAS**, the City Council finds that the actions of Councilman XXX XXXX have brought disrepute to the City and the City Council, and

**WHEREAS**, the purpose of a censure motion is to denounce misdeeds; now therefore

**THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, HEREBY  
RESOLVES AS FOLLOWS:**

1. Councilman XXX XXXX is hereby censured for acting in a manner unbecoming of a Councilmember.

2. Councilman XXX XXXX is hereby censured for bringing disrepute to the Council.

3. Councilman XXX XXXX is hereby censured for commission of an unlawful act.

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<sup>3</sup> Pursuant to a vote of the City Council, Attachment 3 has been removed from this document and will not be posted on the City's website. The document is available for review through a public records request made to the City Clerk. Information on this process can be found at [www.desmoineswa.gov](http://www.desmoineswa.gov).

4. The City Council approves of the removal of Councilmember XXX-XXX-XXXX from all committee assignments for the remainder of his appointments.

5. Notice of this Resolution of Censure shall be sent to all media outlets to whom the City of Des Moines sends official notices of public hearing.

6. Notice of this Resolution of Censure shall be posted for a period of sixty days on the public notice bulletin board outside City Hall.

7. Notice of this Censure Resolution shall be sent to all elected officials who represent the residents of Des Moines.

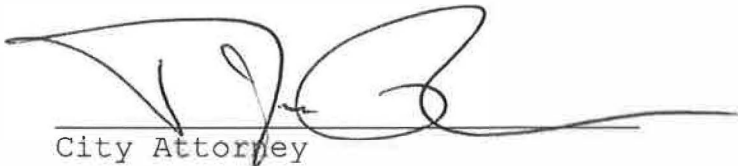
**RESOLVED** this 18th day of November, 2021 and signed in authentication thereof this 18th day of November, 2021.



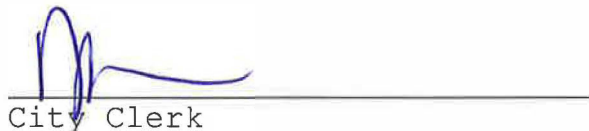
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M A Y O R

APPROVED AS TO FORM:

  
City Attorney

ATTEST:

  
City Clerk