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CADF FILES APPEAL WITH WASC ON BEHALF OF UNDIVIDED MEDIA LLC AND BRANDI KRUSE IN PRR SUIT AGAINST CITY OF SEATTLE

Olympia, Washington — October 9, 2024 — Last month, Judge Annette Messitt of King County Superior Court ruled in favor of the City of Seattle in Brandi Kruse’s public records lawsuit, stating that the City of Seattle not only didn’t have to comply with the Public Records Act (PRA), but they also didn’t even have to follow their own policies.

This morning, the Citizen Action Defense Fund has filed an appeal with the State Supreme Court, urging it to review the Judge’s ruling – not only does it significantly undermine the letter and spirit of the PRA, it opens the door for more state agencies to elect not to be as transparent as the public deserves.

Background

On June 6, 2023, Councilmember Andrew J. Lewis voted to reject a proposal by the city attorney to prosecute drug offenses. His vote was contrary to statements he’d made in support of the measure just hours before the vote took place.

On June 21, 2023, in an effort to ascertain whether special interests influenced his vote, Brandi Kruse filed a narrow public records request, seeking text messages, emails, and phone calls to and from the Councilmember over a ten-hour period prior to and after the vote.

The City then withheld the release of those records until after both the primary and general elections, both of which had Andrew Lewis’ name on the ballot. Regardless of whether or not this was politically motivated (as we believe it to be), the City violated the Public Records Act by failing to turn over records in a timely fashion.

“As a longtime journalist, I know how important the Public Records Act is in keeping government officials accountable to those they serve. Voters knew it too – that’s why they passed this important oversight tool via initiative in 1972,” said Brandi Kruse. “And yet, we’ve seen a troubling trend of local and state agencies playing fast and loose with the law. That’s why we’re pushing to make sure the City of Seattle, which has a poor track record of preserving and

providing public records, is honoring the spirit of the PRA. If an agency isn't expected to follow its own internal policies for responding to records requests, then why have such policies at all? This is a slippery slope for those of us who believe in transparency, accountability, and oversight."

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