

PRESS RELEASE



Anchorage Assembly Approves Ordinance to Establish Specific Procedures for Removal of an Elected Official for Breach of the Public Trust

FOR IMMEDIATE RELEASE

July 12, 2022

At the Regular Meeting on July 12, 2022, the Anchorage Assembly voted 9-3 to approve Anchorage Ordinance 2022-60(S) as amended and comply with a section of the Anchorage Municipal Charter that requires the Assembly establish procedure to remove an elected official from office for breach of the public trust.

The requirement established in Anchorage Municipal Charter section 7.01(b) was partially addressed in 1993 when the Assembly adopted AO 93-54(S-1) to establish processes for removing elected members of the Assembly and the Anchorage School Board.

“This ordinance simply accomplishes the mandate from the Municipal charter for the Assembly to develop procedures for removing elected officials who violates the public trust,” said Assembly Chair Suzanne LaFrance. “There are already procedures in code for removing assembly and school board members and now the rules apply to any elected official. I think we can all agree that we want honest and transparent government that works for the people and not against the people. Mayors and elected officials have nothing to worry about if they maintain the public trust and obey the law.”

The ordinance requires a high standard of proof of “willful and knowing breach of duty or culpable indifference to official duties” to constitute a breach of the public trust. Such conduct includes, but is not limited to: acceptance of cash gifts from doing business with the municipality, violation of AMC 1.15, perjury, falsification of records, filing false reports, nepotism, personal use of municipal property, actual or attempted misconduct as defined by state law, ordering a municipal employee to undertake an unlawful act, substantial breach of statutory-, Code- or Charter-imposed duty and/or failure to faithfully execute the directives of an enacted ordinance.

Proceedings for the removal of an elected official from office may only be initiated by the Assembly or the Municipal Board of Ethics in a form of an accusation document submitted to the Municipal Clerk that alleges specific actions by the elected official that breach the public trust. The ordinance also establishes provisions for notice, a public hearing conducted by an impartial hearing officer and judicial review before removal from office is voted upon by the Assembly.

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