

From: WCC [<mailto:waconco@gmail.com>]

Sent: Friday, July 17, 2015 8:15 PM

To: Riedinger, Rebecca

Cc: Mayor; Snyder, Jon; Pfister, Terri

Subject: Ethics Complaint

To: Rebecca Riedinger, Ethics Commission

From: Cindy Zapotocky, Spokane City resident

I would like to file a complaint against Spokane City Clerk Terri Pfister regarding her dereliction of her obligation under the laws of our state to serve the citizens like me in the City of Spokane. (See my testimony regarding this complaint attached, given at the City Council meeting last Monday, July 13, 2015)

On October 27, 2014, I attended a City Council meeting at City Hall. During testimony taken regarding the Sanctuary City Ordinance #C35167, Mr. David Brookbank, an American citizen, gave his testimony all in Spanish. In my estimation, out of the estimated 50 people attending this hearing, all but 3 could not understand him, including me. Consequently, because of Clerk Pfister's denial of my request, I had to hire a translator and pay her \$25 to provide me with a translation of that testimony. (See attached.) This is not right. If you consult my Table 1 U.S. Census attached, you can easily see that the vast majority of inhabitants of the United States speak English. In a nation with the many language varieties around, it only makes sense to unify communications with the HUGELY predominant English language.

After that hearing, I politely requested that my City Clerk, provide me with a translated record of that testimony. She refused. (see attached copy of email exchange between Ms. Pfister and me.)

From the City of Spokane website:

Public Records

Pursuant to SMC 3.01.820, the City Clerk acts as the City of Spokane Records Officer. It is the role of the Records Officer to provide public access to current, as well as historical, documents. The City of Spokane provides access to public records under the provisions of the Washington State Public Disclosure Act (RCW 42.56).

All records maintained by the City of Spokane are available for public inspection unless specifically exempted by law. You are entitled to access public records, under reasonable conditions, and copies of those records can be provided upon paying copying costs. In most cases, you do not have to explain why you want the records. However, specific information may be necessary to process your request. The City may require further information to establish if disclosure would violate certain provisions of law.

The more precisely you can identify the record(s) you seek, the more responsive the City can be. The City of Spokane provides access to existing public records in its possession but is not required to collect information or organize data to create a record not existing at the time of the request. Keep in mind that a question or request for information only is not a request for a record.

It is my feeling that since English is the most commonly understood language among many thousands of languages and dialects spoken in the face of the earth, let alone the primarily understood and spoken language in the U.S., our government should provide translations of all proceeding in our legislative branches of government including at the federal, state, county and city level that are not spoken in English. In Spokane, our City should require all who testify during public hearings in other than English to provide their own translator and written English testimony to the Clerk, in this case our City Council, and to our citizens so that all may understand what has been said in court or in a public hearing. (Did our City Council members understand any of what Mr. Brookbank said? Did they get a translation of what he said?)

I am very offended by the dismissive attitude of Ms. Pfister. She did not recommend my request any higher than her office, and I feel she treated me rudely in her reply. I also sent a copy of my request to Mayor Condon and all City Councilpeople, and only Mr. Fagan replied.

This is not the way anyone...citizen or not...should be treated by a "public servant" in the United States of America or our city. This is not ethical behavior that should be encouraged in our city employees.

Cindy Zapotocky
1728 E. Rockwood Blvd
Spokane, Wa 99203
Phone: 509-534-5707

Copies to: Mayor Condon, my Councilman Snyder, Clerk

I Cindy Zapotocky, HEREBY AM FILING A CITIZEN COMPLAINT TO THE ETHICS COMMISSION OF THE CITY OF SPOKANE AGAINST CITY CLERK TERRI PFISTER REGARDING THE FOLLOWING: On October 27th, 2014, Mr. David Brookbank, an American citizen, delivered his blistering testimony for passage of the sanctuary city ordinance C35167 all in Spanish. Most people in the room had no idea what he said. I asked City Clerk Terri Pfister to provide a translation of his testimony to me, a citizen of Spokane, but she refused. This bureaucrat's idea of being an American "public servant" is obviously quite warped. This City should either ask that those who give public testimonies in a language other than Spanish provide translations....or the City of Spokane should provide them. I hereby request that this Council pass an ordinance to deal with this situation so we understand what is said in this room.

How many of you in this room understand what I just said...please raise your hand.

Here is translation/synopsis of the Brookbank testimony in Spanish on Oct. 27th.

Brookbank's 3-minute segment begins at Hour 1:25 <http://vimeo.com/110291145>

He claims that he was a Vice Consul for U.S in Latin America also a former bi-lingual CPS social worker.
Also he mentions that he was involved with a Radio station program in Spanish in Spokane and also he played the piano at a Hispanic church.

He explains that for the past 30 years he lived in several Latin American countries, he married a Salvadoran woman.

Sometime ago his wife (the Salvadoran woman) was riding a city bus here in the US and the bus was involved in an accident but because she was not able communicate in English she could not give a clear statement of the accident to file a police report. He is not very clear therefore I am not sure if she was trying to get compensation from the City Public Transportation claiming on their insurance.

His best friends here in US are illegal immigrants.

He is worried that illegal immigrants will not be protected or treated fairly if they decide to report a crime to the police, fearing that they could be deported if their illegal status comes to light

He wants that the police department in Spokane stop working with ICE and not to profile illegal immigrants.

He also mentions an indictment of a person Carmen Le Blanc for extortion of a business named Tacos Tundras ?
He does not explain this event clearly.

Dear Ms. Pfister: It was a shock to receive your communication below. You are telling me that the 50 or so of us English-speaking American citizens attending the City Council Meeting on 10-27-14 DO NOT have a right to understand what was being said in the room? Your presumption in my view is unlawful and unfair.

Keeping in mind that the vast majority of Americans speak their native tongue, which is English, I hereby VIGOROUSLY PROTEST your refusal to provide a translation of this testimony to me, a citizen of the United States of America. I have reluctantly done as you directed to see just what Mr. Brookbank said in his testimony, which is attached. I believe you will agree that his testimony was something I needed to hear and understand.

I hereby respectfully ask that our Spokane City Council and our Mayor formulate and pass an ordinance requiring that all public testimonies provided at City Council meetings in non-English be translated into English by your office so that the vast majority of our nation's and this city's citizens can understand what is being said.

Your's truly, Cindy Zapotocky
1728 E. Rockwood Blvd
Spokane, WA 99203
Phone: 509-534-5707

----- Original Message -----

From:"Pfister, Terri" <TPfister@spokanecity.org>
To:"zapox6@afo.net" <zapox6@afo.net>
Sent:Wed, 19 Nov 2014 16:35:51 +0000
Subject:RE: RE Translation

> Ms. Zapotocky:

>

> In response to your email inquiry below, the City Clerk's Office
> does not provide transcription services to the public for comments
> made during public meetings, nor am I aware of any requirement that
> would require the City to hire a translator or interpreter to
> translate/interpret testimony provided at a City Council meeting. We
> are required to keep a record of meetings, which we have done. You
> are most welcome to obtain a copy of the audio recording and/or the
> video recording of the meeting and consult with a translator or an
> interpreter of your own choosing to translate/interpret the comments
> for you.

>

> Best regards,

>

> Terri L. Pfister, MMC | City of Spokane | City Clerk

> 808 W. Spokane Falls Boulevard, Spokane, WA 99201-3342
> 509.625.6354 | fax 509.625.6217 | tpfister@spokanecity.org

>

> -----Original Message-----

> From: zapox6@afo.net [mailto:zapox6@afo.net]

> Sent: Monday, November 17, 2014 11:54 AM

> To: Clerks - City of Spokane

> Subject: RE Translation

>

> ----- Forwarded Message ----- From:zapox6@afo.net

To:TPfister@spokanecity.org Sent:Tue, 28 Oct 2014 19:42:54 -0700 Subject:RE Translation

>

> Dear Terry: I attended last night's City Council meeting and heard a

> testimony by David Brookbank, mostly in Spanish. Could I please have

> a translation of this sent to me?

>

> Thank you, Cindy Zapotocky

> 509-534-5707

Table 1.

Detailed Languages Spoken at Home by English-Speaking Ability for the Population 5 Years and Over: 2011(For information on confidentiality protection, sampling error, nonsampling error, and definitions, see www.census.gov/acs/www/)

Characteristics	Population 5 years and over (Number)	Spoke a language other than English at home ¹ (Percent)	English-speaking ability ² (Percent)			
			Spoke English "not well"	Spoke English "not at all"		
Population 5 years and over	291,524,091	X	X	X	X	X
Spoke only English at home	230,947,071	X	X	X	X	X
Spoke a language other than English at home.	60,577,020	100.0	58.2	19.4	15.4	7.0
Spanish or Spanish Creole	37,579,787	62.0	56.3	17.8	16.9	9.0
Other Indo-European languages:						
French	1,301,443	2.1	79.6	13.9	5.9	0.6
French Creole	753,990	1.2	56.8	23.8	15.2	4.3
Italian	723,632	1.2	73.5	17.1	8.6	0.8
Portuguese	673,566	1.1	61.8	20.8	13.5	3.9
German	1,083,637	1.8	82.9	13.1	3.6	0.3
Yiddish	160,968	0.3	68.4	17.7	10.2	3.7
Other West Germanic languages	290,461	0.5	77.6	17.9	3.7	0.8
Scandinavian languages	135,025	0.2	90.6	7.7	1.6	0.1
Greek	304,928	0.5	75.3	15.5	7.8	1.4
Russian	905,843	1.5	52.3	25.6	16.8	5.3
Polish	607,531	1.0	60.0	23.4	13.8	2.8
Serbo-Croatian	269,624	0.4	61.7	21.9	13.6	2.9
Other Slavic languages	336,062	0.6	62.1	22.8	11.9	3.3
Armenian	246,915	0.4	53.8	22.2	16.5	7.6
Persian	407,586	0.7	62.7	21.9	12.0	3.4

Gujarati.	358,422	0.6	63.8	20.2	12.2	3.8
Hindi.	648,983	1.1	77.0	16.3	5.3	1.4
Urdu.	373,851	0.6	70.0	19.3	9.2	1.5
Other Indic languages .	815,345	1.3	60.6	23.7	10.9	4.9
Other Indo-European languages.	449,600	0.7	65.1	21.5	9.9	3.4
Asian and Pacific Island languages:						
Chinese .	2,882,497	4.8	44.3	26.1	19.9	9.7
Japanese.	436,110	0.7	57.5	27.4	13.9	1.2
Korean.	1,141,277	1.9	44.5	27.0	24.4	4.0
Mon-Khmer, Cambodian .	212,505	0.4	47.1	23.4	22.9	6.6
Hmong.	211,227	0.3	56.7	22.2	14.9	6.2
Thai.....	163,251	0.3	43.4	34.8	18.9	2.8

Laotian.	140,866	0.2	50.9	22.1	22.7	4.3
Vietnamese.....	1,419,539	2.3	39.8	27.1	25.8	7.3

Other Asian languages.	855,303	1.4	69.3	19.6	8.4	2.7
Tagalog.	1,594,413	2.6	67.2	25.6	6.7	0.5
Other Pacific Island languages.	428,476	0.7	61.6	25.7	11.7	1.1
Other languages:						
Navajo .	169,369	0.3	78.8	14.2	4.8	2.2
Other Native American languages.	195,407	0.3	85.4	11.4	2.9	0.3
Hungarian.	93,102	0.2	71.0	21.1	7.3	0.7
Arabic.	951,699	1.6	63.3	21.7	11.9	3.1
Hebrew.	216,343	0.4	84.7	11.9	2.9	0.5
African languages.....	884,660	1.5	68.1	21.1	8.6	2.1

All other languages.	153,777	0.3	56.3	19.7	14.8	9.3

X Not applicable.

¹ The percentage in this column is calculated as the number of speakers of the specific language divided by the total number of those who spoke a language other than English at home (60,577,020).

² The percentages for these columns are calculated as the number of those who spoke English "very well," "well," "not well," or "not at all" for a particular language divided by the total number of those who spoke that language.

Note: Margins of error for all estimates can be found in the Appendix Table 1 <www.census.gov/hhes/socdemo/language/data/acs/Table1.xls>. For more information on the ACS, see <www.census.gov/acs/www/>.

Source: U.S.Census Bureau, 2011 American Community Survey.