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OCT 06 2016

OFFICE OF THE CITY ATTORNEY

CITY OF SPOKANE ETHICS COMMITTEE

ALEXANDER J. SHOGAN, JR.
Complainant

DAVID CONDON, MAYOR OF
THE CITY OF SPOKANE,
Respondent

)
)
) RE-FILING OF COMPLAINT And
) AMENDED COMPLAINT
) ALLEGING VIOLATION OF
) SECTION 1.04A.030 OF THE
) CITY OF SPOKANE CODE OF ETHICS
)
)

ALEXANDER J. SHOGAN, JR, Complainant in This Matter, HEREBY RE-FILES his Previously Filed Complaint and Amended Complaint herein, and HEREBY REQUESTS a HEARING By the CITY OF SPOKANE ETHICS COMMISSION as Permitted by Paragraph 1 of the STIPULATION FOR VOLUNTARY WITHDRAWL OF ETHICS COMPLAINT dated February 16, 2016 and Filed with the ETHICS COMMISSION on February 16, 2016 by the Attorney for Respondent David Condon. Said STIPULATION is Attached hereto as Exhibit A and Incorporated Fully Herein by Reference. Furthermore, the ETHICS COMMISSION'S previous jurisdictional determination BINDS both the Complainant and the Respondent herein, as Provided for in Paragraph 3 of said STIPULATION.

IN ADDITION, the ETHICS COMMISSION has NOT YET ruled on Complainant's MOTION FOR RECONSIDERATION OF PARAGRAPH C OF COMPLAINANT'S AMENDED ETHICS COMPLAINT BASED ON NEWLY DISCOVERED EVIDENCE, dated January 21 , 2016 and Filed with the Office of The City Attorney on January 21, 2016.

IN ADDITION, Complainant, in Accordance with Paragraph 2 of the Aforementioned STIPULATION, submits as NEWLY DISCOVERED EVIDENCE the Following Quotation from the Top of Page 3 of the INVESTIGATIVE REPORT RE: THE RESIGNATION OF FRANK STRAUB prepared by the SEABOLD GROUP which reads as follows:

"Based on all of the evidence we considered, we conclude that **Mayor Condon**, Ms. Sanders, Mr Coddington, and Ms. Isserlis intentionally withheld information from the **City Clerk** about the existence of the documents at issue with the intent and purpose of delaying the production of those records until after the Mayor's election."
(Italics, Bold Print, and Underlines Added Herein for Emphasis),

DATED at Spokane, Washington, this 6th day of October, 2016.


ALEXANDER J. SHOGAN, JR.
Complainant Herein

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FEB 16 2016

OFFICE OF THE CITY ATTORNEY

CITY OF SPOKANE ETHICS COMMISSION

ALEXANDER J. SHOGAN, JR.

Complainant,

vs.

DAVID CONDON, MAYOR OF THE
CITY OF SPOKANE,

Respondent.

STIPULATION FOR VOLUNTARY
WITHDRAWAL OF ETHICS
COMPLAINT

COME NOW the parties to the above-entitled matter, and hereby agree and stipulate as follows:

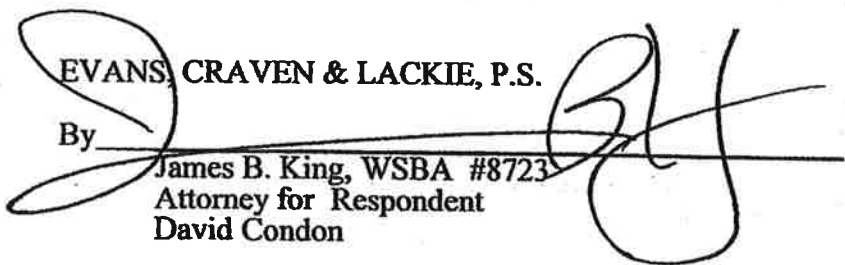
1. The existing Complaint and Amended Complaint herein by Alexander J. Shogan, Jr. is voluntarily withdrawn.
2. The Complainant reserves the right to refile his Complaint or Amended Complaint pending completion of the ongoing investigation into the facts and circumstances surrounding the resignation of Frank Straub as Chief of Police for the City of Spokane.
3. The parties stipulate that if the pending Complaint and Amended Complaint is refiled, that the Commission's previous jurisdictional determination will bind both the Complainant and Respondent.

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5 DATED at Spokane, Washington this 16th day of February, 2016.

6 
7 Alexander J. Shogan, Jr.
8 Complainant

9 EVANS, CRAVEN & LACKIE, P.S.

10 By

11 
12 James B. King, WSBA #8723
13 Attorney for Respondent
14 David Condon
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STIPULATION FOR WITHDRAWAL: Page 2

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Evans, Craven & Lackie, P.S.
818 W. Riverside, Suite 250
Spokane, WA 99201-0910
(509) 455-5200; fax (509) 455-3632

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OFFICE OF THE CITY ATTORNEY

CITY OF SPOKANE ETHICS COMMISSION

ETHICS COMPLAINT FORM

Please review the City of Spokane's Code of Ethics – Chapter 1.04A SMC – before completing this complaint form. When you have completed this form, submit it to:

City of Spokane Ethics Commission
Attention: Rebecca Riedinger
Office of the City Attorney
5th Floor Municipal Building
W. 808 Spokane Falls Blvd.
Spokane, WA 99201

or at: riedinger@spokanecity.org

Pursuant to the City of Spokane's Code of Ethics, I am filing a complaint regarding conduct which I believe constitutes a violation of the City's Code of Ethics.

Name, position, and department of person(s) I believe to have violated the Code of Ethics:

Name: David A Condon

Position/Title: Mayor of the City of Spokane

Nature of Code of Ethics violation:

What specific provision of SMC 1.04A.030 do you believe has been violated?

Section 01.04A.030 (N) Commission of Acts of
Moral Turpitude or Dishonesty

Describe in as much detail as possible the alleged Code of Ethics violation conduct. Attach additional sheets of paper, if necessary. Please include all documentation you believe demonstrates a violation. Your description should include the date, location and frequency of the alleged violation.

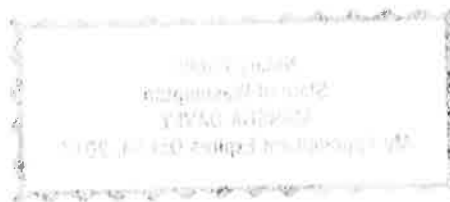
CITY OF SPOKANE ETHICS COMMITTEE

ALEXANDER J. SHOGAN, JR.
Complainant

DAVID CONDON, MAYOR OF
THE CITY OF SPOKANE,
Respondent

)
) NO.

) SWORN COMPLAINT ALLEGING
) VIOLATION OF SECTION 01.04.030 of
) CITY OF SPOKANE CODE OF ETHICS



STATE OF WASHINGTON)

: ss

County of Spokane)

ALEXANDER J. SHOGAN, JR being duly sworn, on oath,
states as follows:

- A. That he is a Resident of the City of Spokane currently living in the Northwest area of the 3rd Council District and a Registered Voter in that District.
- B. That he has read and is familiar with the City of Spokane Code of Ethics contained in Chapter 01.04 of the Code.
- C. That Several Times in the Month of September, 2015, the Respondent stated that, with regard to rumors of Misconduct by then Spokane Police Chief Frank Straub, he had **only** heard of "these issues" in the "last several weeks." In Fact, the Respondent was made aware of Extremely Serious Misconduct - Sexual Harassment- allegations against Chief Straub in April, 2015 during a Confrontation involving himself, City Administrator Theresa Sanders, and Monique Cotton, then Spokesperson for the Spokane Police Department. Cotton reported to the Respondent and Sanders details of sexual harassment of her by Chief Straub. Again, in September of 2015, when Respondent accepted the Resignation of Chief Straub, he was asked at that time whether there were any sexual harassment complaints against Chief Straub and Respondent replied, **"No."**
- D. Since Respondent is Mayor of the City of Spokane, he is a Public Official governed by the City of Spokane Code of

1 Ethics. His **Failure to Tell the Truth on Several Occasions**
2 regarding the Claim of Sexual Harassment made by Monique
3 Cotton against then Spokane Police Chief Frank Straub
4 constituted a **Violation of Section 01.04A.030 Prohibited**
5 **Conduct** of the Spokane City Code of Ethics, as follows:

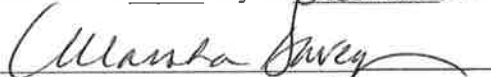
6 **N. Commission of Acts of Moral Turpitude or Dishonesty**
7 **Prohibited.**

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ALEXANDER J. SHOGAN, JR.

SUBSCRIBED AND SWORN TO before me this 2nd day of December, 2015.




NOTARY PUBLIC in and for the State of Washington,
residing at Spokane.
My Commission expires: 10/14/2017

(See Attached Sworn Complaint Alleging
Violation of Section 01.04.30 of City of Spokane
Code of Ethics

Names and positions of the persons who may have witnessed the event:

Former Spokane Chief of Police: Frank Straub
City Administrator Theresa Sanders
Monique Cotton
Brian Coddington

Evidence or documentation

Please list any evidence or documentation that would support your allegation of a Code of Ethics violation. Indicate whether you can personally provide that information.

(See Attached Sworn Complaint Alleging Violation
of Sec 01.04.30 of City of Spokane
Code of Ethics

Complainant Declaration

I declare under penalty of perjury of the laws of the State of Washington that to the best of my knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true and correct.

Alexander J. Shogan, Jr. October 6, 2016
Complainant's Signature Date

Date and Place (e.g. City, State)

10/06/2016 Spokane, Washington

Name (please print): Alexander J. Shogan, Jr.

Address: 5726 N. Sutherland Street, Spokane, WA 99205

Phone Number(s): (509) 954-0727

E-Mail Address: joeshoganjr@gmail.com

CITY OF SPOKANE ETHICS COMMITTEE

ALEXANDER J. SHOGAN, JR.
Complainant

DAVID CONDON, MAYOR OF
THE CITY OF SPOKANE,
Respondent

)
) NO.
)
) SWORN COMPLAINT ALLEGING
) VIOLATION OF SECTION 01.04.030 of
) CITY OF SPOKANE CODE OF ETHICS

STATE OF WASHINGTON)

: ss

County of Spokane)

ALEXANDER J. SHOGAN, JR being duly sworn, on oath,
states as follows:

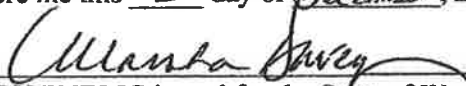
- A. That he is a Resident of the City of Spokane currently living in the Northwest area of the 3rd Council District and a Registered Voter in that District.
- B. That he has read and is familiar with the City of Spokane Code of Ethics contained in Chapter 01.04 of the Code.
- C. That Several Times in the Month of September, 2015, the Respondent stated that, with regard to rumors of Misconduct by then Spokane Police Chief Frank Straub, he had **only** heard of "these issues" in the "last several weeks." In Fact, the Respondent was made aware of Extremely Serious Misconduct - Sexual Harassment- allegations against Chief Straub in April, 2015 during a Confrontation involving himself, City Administrator Theresa Sanders, and Monique Cotton, then Spokesperson for the Spokane Police Department. Cotton reported to the Respondent and Sanders details of sexual harassment of her by Chief Straub. Again, in September of 2015, when Respondent accepted the Resignation of Chief Straub, he was asked at that time whether there were any sexual harassment complaints against Chief Straub and Respondent replied, "No."
- D. Since Respondent is Mayor of the City of Spokane, he is a Public Official governed by the City of Spokane Code of

1 Ethics. His **Failure to Tell the Truth** on **Several Occasions**
2 regarding the Claim of Sexual Harassment made by Monique
3 Cotton against then Spokane Police Chief Frank Straub
4 constituted a **Violation** of **Section 01.04A.030 Prohibited**
5 **Conduct** of the Spokane City Code of Ethics, as follows:

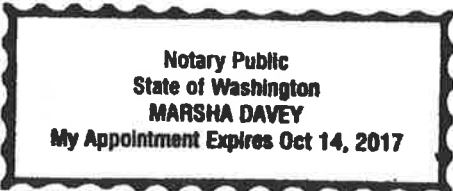
6 **N. Commission of Acts of Moral Turpitude or Dishonesty**
7 **Prohibited.**

8 
9 ALEXANDER J. SHOGAN, JR.

10 SUBSCRIBED AND SWORN TO before me this 2nd day of December, 2015.

11 
12 NOTARY PUBLIC in and for the State of Washington,
13 residing at Spokane.

14 My Commission expires: 10/14/2017

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CITY OF SPOKANE ETHICS COMMISSION

OFFICE OF THE CITY ATTORNEY

ETHICS COMPLAINT FORM

Please review the City of Spokane's Code of Ethics – Chapter 1.04A SMC – before completing this complaint form. When you have completed this form, submit it to:

City of Spokane Ethics Commission
Attention: Rebecca Riedinger
Office of the City Attorney
5th Floor Municipal Building
W. 808 Spokane Falls Blvd.
Spokane, WA 99201

or at: rriedinger@spokanecity.org

Pursuant to the City of Spokane's Code of Ethics, I am filing a complaint regarding conduct which I believe constitutes a violation of the City's Code of Ethics.

Name, position, and department of person(s) I believe to have violated the Code of Ethics:

Name: David A Condon

Position/Title: Mayor of the City of Spokane

Nature of Code of Ethics violation:

What specific provision of SMC 1.04A.030 do you believe has been violated?

Section 01.04A.030 (N) Commission of Acts of
Moral Turpitude or Dishonesty

Describe in as much detail as possible the alleged Code of Ethics violation conduct. Attach additional sheets of paper, if necessary. Please include all documentation you believe demonstrates a violation. Your description should include the date, location and frequency of the alleged violation.

See Amended Sworn Complaint Alleging
Violation of Section 01.04A.030(N) of the
City of Spokane Code of Ethics -
Commission of Moral Turpitude or
Dishonesty Prohibited.

Names and positions of the persons who may have witnessed the event:

Former Spokane Chief of Police Frank Straub
City Administrator Theresa Sanders

Monique Cotton

Joe Walker

Brian Coddington

Brad Arleth

Carly Cortwright

Evidence or documentation

Please list any evidence or documentation that would support your allegation of a Code of Ethics violation. Indicate whether you can personally provide that information.

See Amended Sworn Complaint Alleging Violation
of Section 01.04A.030(N) City of Spokane
Code of Ethics - Commission of Acts of
Moral Turpitude or Dishonesty Prohibited

Complainant Declaration

I declare under penalty of perjury of the laws of the State of Washington that to the best of my knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true and correct.

Alexander J. Shogan, Jr.
Complainant's Signature

October 6, 2016
Date

Date and Place (e.g. City, State)

10/6/2016 Spokane, Washington

Name (please print): Alexander J. Shogan, Jr.

Address: 5726 N. Sutherland Street, Spokane, WA 99205

Phone Number(s): (509) 954-0727

E-Mail Address: joeshoganjr@gmail.com

CITY OF SPOKANE ETHICS COMMITTEE

ALEXANDER J. SHOGAN, JR.
Complainant

DAVID CONDON, MAYOR OF
THE CITY OF SPOKANE,
Respondent

)
) NO.
) **AMENDED**
) SWORN COMPLAINT ALLEGING
) VIOLATION OF SECTION 01.04.030 of
) CITY OF SPOKANE CODE OF ETHICS
)
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STATE OF WASHINGTON)

: ss

County of Spokane)

ALEXANDER J. SHOGAN, JR being duly sworn, on oath,
states as follows:

- A. That he is a Resident of the City of Spokane currently living in the Northwest area of the 3rd Council District and a Registered Voter in that District.
- B. That he has read and is familiar with the City of Spokane Code of Ethics contained in Chapter 01.04 of the Code.
- C. That on December 2, 2015 he filed an **Ethics Complaint** against David Condon, Mayor of the City of Spokane, Respondent herein, stating in part that: With regard to rumors of Misconduct by the then Spokane Police Chief Frank Straub, Respondent had heard of "these issues" in the "last several weeks."
- * In Fact, the Respondent was made aware of Extremely Serious Misconduct - **Sexual Harassment**- allegations against Chief Straub in April, 2015 during a Confrontation involving himself, City Administrator Theresa Sanders, and Monique Cotton, then Spokesperson for the Spokane Police Department. Cotton reported to the Respondent and Sanders details of sexual harassment of her by Chief Straub
- * Again, in September of 2015, when Respondent accepted the Resignation of Chief Straub, he was asked at that time whether there were any sexual harassment complaints against Chief Straub and Respondent replied, "No."

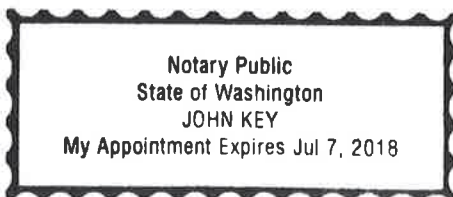
1 D. Furthermore, in Answering "No" as Stated Previously,
2 Respondent Denied his Knowledge of an Allegation
3 of Misconduct by Chief Straub brought to the Respondent's
4 Attention in **August, 2013** by Carly Cortwright, who was
5 at that time the Spokane Police Department Executive.
6 For Carly Cortwright, the Culture created under
Chief Straub's Leadership punished honesty. She has stated
"The sexually charged language and behavior created another
layer of disrespect." Subsequent to this Event,
Carly Cortwright was moved to a New job in City Hall.

7 E. As Mayor of the City of Spokane, Respondent is a Public
8 Official governed by the City of Spokane Code of Ethics.
9 **His Failure to Tell the Truth on Several Occasions**
10 regarding the Claims of Sexual Harassment made by
11 Both Carly Cortwright and Monique Cotton against then
Police Chief Frank Straub **Constitute a Violation of Section**
01.04A.030 Prohibited Conduct of the Spokane Code of Ethics
as follows:

12 **N. Commission of Acts of Moral Turpitude or Dishonesty**
13 **Prohibited.**

14 
ALEXANDER J. SHOGAN, JR.

15
16 SUBSCRIBED AND SWORN TO before me this 14 day of December, 2015.



NOTARY PUBLIC in and for the State of Washington,
residing at Spokane.

My Commission expires: 7/7/18