

APPENDIX B

EXHIBIT LIST

EXHIBIT	DESCRIPTION
1	September 22, 2015, City of Spokane Media Release announcing Straub's departure
2	December 30, 2015, Memorandum of Proposed Scope of Investigation
3	Recovered September 2015 text messages from Capt. Dan Torok's work cell phone, aka Torok "Love you" texts
4	April 27, 2016, Isserlis Letter
5	Torok Notes
6	Walker Notes
7	December 21, 2015, Cortright complaint letter
8	Email communications between Straub, HR, and Legal re Cotton complaints
9	March 14, 2014, Lowe email to Walker
10	April 2014 email communication between Ms. George-Hatcher and Ms. Cotton
11	Griffiths Notes
12	Olsen Notes
13	April 6, 2015, email exchange between Ms. Sanders and Ms. Cotton re potential public safety communications position in City Hall
14	April 10, 2015, meeting invite from Mayor Condon to Ms. Sanders and Isserlis
15	City of Spokane Nepotism Policy
16	Ms. Sanders' handwritten notes from conversation with Ms. Cotton
17	Text messages between Ms. Sanders and Ms. Cotton
18	April 15, 2015, email re Ms. Isserlis and Ms. Jacobson interview of Chief Straub on April 14, 2015
19	April 13, 2015, email from Ms. Jacobson to Ms. Pfister re earlier public records request seeking text messages between Ms. Cotton and Chief Straub
20	April 14, 2015, meeting scheduled with Ms. Sanders, Ms. Isserlis, and Ms. Jacobson
21	April 20, 2015, instruction from Mayor Condon to set up a meeting with Chief Straub on April 21st
22	Multiple drafts of letter regarding Ms. Cotton's transfer from SPD to Parks Department
23	May 4, 2015, City-wide internal email from Mr. Coddington announcing Ms. Cotton's transfer from SPD to Parks.
24	May 4, 2015, Spokesman Review article announcing Ms. Cotton's transfer from SPD to Parks Department
25	May 4, 2015, email exchange between Ms. Isserlis and Ms. Sanders re Ms. Cotton's transfer to Parks Department
26	April 30, 2015, email from Mr. Eadie to Mr. Wright and Ms. Traver re Ms. Cotton's transfer to Parks Department
27	May 15, 2015, email exchanges among Mr. Wright, Mr. Dunau, Mr. Leroy, and Ms. Traver re Ms. Cotton's position
28	May 27, 2015, email exchange between Ms. Sanders and Ms. Isserlis
29	June 2, 2015, Outlook meeting schedule between Ms. Sanders and Ms. Cotton
30	June 8, 2015, letter from Cotton's lawyer to Mayor Condon and Ms. Sanders re Reimbursement Claim/Agreement
31	June 2015 email communications between Ms. Isserlis and Cotton's attorney
32	June 2015 email communications between Sanders and Isserlis

APPENDIX B

EXHIBIT LIST

EXHIBIT	DESCRIPTION
33	June 17, 2015, letter from Cotton's attorney to Mayor Condon and Ms. Sanders re Reimbursement Claim/Agreement
34	June 18, 2015 letter from Ms. Isserlis to Cotton's attorney re need for Ms. Cotton to file a formal claim in order to receive reimbursement
35	August 28, 2015, email invitation to Lieutenants & Captains Association to September 8, 2015 budget meeting
36	September 8, 2015, email from Ms. Sanders to SPD Captains and Lieutenants
37	September 18, 2015, Letters from E-team and Lieutenants & Captains Association
38	September 11, 2015, emails from Ms. Sanders to Mayor Condon and Mr. Coddington with link to article re firing of Cincinnati Police Chief
39	August 18, 2015, Spokesman Review Public Record Request
40	Multiple Public Records Requests regarding Straub/Cotton
41	Schwering 9/30/15 Email transmitting Torok texts – Extraction Report
42	August 19, 2015, email from Ms. Cotton to Mr. Leroy and Ms. Sanders with link to Spokesman-Review article regarding Ms. Cotton's transfer
43	August 20, 2015, Spokesman-Review article
44	City of Spokane Ethics Commission Findings and Conclusions re October 12, 2015, complaint made by Ms. Lichty against Ms. Sanders
45	August 24, 2015, email correspondence between Ms. Sanders and Ms. Cotton
46	August 25, 2015, Ms. Sanders forwarded email correspondence with Ms. Cotton to Ms. Isserlis
47	September 18, 2015, email from Ms. Cotton to Ms. Sanders and Ms. Isserlis, copying Cotton's attorney regarding blog entry by Scott Maclay
48	September 18, 2015, email from Mr. Dalton to Ms. Pfister
49	September 30, 2015, email from Ms. Cotton to Mr. Coddington, Ms. Sanders, and Ms. Isserlis, copying Cotton's attorney, regarding article re conflict between Ms. Cotton and members of the police union
50	City Clerk's Spreadsheet – Documents Produced to Deshais
51	September 29, 2015, emails from Mr. Schwering with screen shots of Torok text messages
52	October 14, 2015, 10-day notification letter to Ms. Cotton
53	October 28, 2015, email exchange between Ms. Pfister and Mr. Dalton
54	November 9-10, 2015, email correspondence from Ms. Jacobson to City Clerk
55	Screenshot of 6/8 and 6/17 legal correspondence located in Mayor's Office
56	November 23, 2015, email from Ms. Jacobson to Ms. Pfister
57	Isserlis emails – monitoring Straub/Cotton PRRs
58	December 11, 2015, letter from Mayor Condon to City Council
59	November 11, 2015, email from Angela Pashon transmitting June 8, 2015 letter to City Clerk.
60	SPD Org charts – 2013
61	January 10, 2016, Cortright letter to Lowe
62	Cortright September 9, 2013, email
63	Cortright Organization Charts
64	Cortright Declaration

APPENDIX B

EXHIBIT LIST

EXHIBIT	DESCRIPTION
65	Dalton/City Clerk email communications re PRR Responses
66	Isserlis/Sanders emails – no responsive documents
67	Investigation Process Flow Chart
68	Isserlis September 14, 2015, email to Sanders re Breen PRR
69	November 25, 2015, Press Release – late produced records
70	Imus November 11, 2015, emails to City Clerk
71	September 22, 2015, Draft Press Releases – Straub Resignation

EXHIBIT 1

Kris Cappel

From: Coddington, Brian
Sent: Tuesday, September 22, 2015 4:37 PM
To: Coddington, Brian
Subject: Straub to leave the Spokane Police Division

MEDIA: Mayor David Condon and City Council President Ben Stuckart will speak to the media at 4:45 pm in the Mayor's Conference Room, 7th floor of City Hall.



City of Spokane—Media Release

www.spokanecity.org

FOR IMMEDIATE RELEASE

September 22, 2015

Contact: Brian Coddington
Communications Director
(509) 625-6740

STRAUB TO LEAVE THE SPOKANE POLICE DIVISION
DOBROW TO SERVE AS INTERIM CHIEF

Frank Straub, who has led the effort that has driven down crime and use of force incidents while restoring public confidence in officers, has decided to leave the Spokane Police Division to pursue new opportunities and be closer to family. He will be reassigned to the City Attorney. His last day of City employment will be Jan. 1, 2016.

Spokane Mayor David Condon accepted Straub's resignation today and reassigned him to work on criminal justice initiatives and assistant in the transition to the new chief after some police leadership members submitted letters last week summarizing their concerns about his management style.

"I am very proud of the work that has been done to re-engage the Spokane Police Division with the community and drive down crime," Straub said. "We have achieved great things and brought policing in Spokane closer to the community. Rather than engage in a public discussion that distracts from making Spokane safer I have told the Mayor that it is time for new energy and perspective."

Rick Dobrow, an assistant chief, will serve as interim chief. Straub will be assigned to the City Attorney during the transition period to ensure the continuity of important strategic initiatives.

"The Spokane Police Division has come a long way under Frank's leadership," Condon said. "There is still work to be done and the Spokane Police Division is up to the challenge. Officers are building new relationships

with the neighborhoods they serve and that is driving down crime and dramatically improving public trust and confidence in our police officers.”

Crime decreased by 12 percent last year and is again down 12 percent through the first three quarters of this year. Use of force incidents have declined 22 percent as officer training has emphasized new crisis intervention and de-escalation techniques.

Staffing has risen to 300 officers with a financial commitment in place to keep that level consistent. Transparency, including the use of body cameras, is at an all-time high as collaborations with the independent citizen Use of Force Commission and the U.S. Department of Justice COPS program have helped improve law enforcement service citywide. Reforms to our criminal justice system are well underway.

“Re-engineering a police department is difficult work,” Condon said. “We appreciate very much Frank’s service and the work he’s done to help us get to this point. He gave us great momentum to build from as a law enforcement organization, city and community and we remain committed to the efforts he led.

“The men and women of the Spokane Police Division have done outstanding work over the past four years. Their commitment to serving this community and their tireless effort to delivering a safer Spokane has us well down the road to becoming the safest city of our size.”

“The Spokane Police Division, under Frank Straub, has done a tremendous job serving the community,” said Ben Stuckart, City Council president. “We stand behind our officers and their commitment to Spokane.”

About the City of Spokane

The City of Spokane, home to more than 210,000 people, is located in the heart of the Inland Northwest. Our 2,000 employees strive to deliver efficient and effective services that facilitate economic opportunity and enhance the quality of life for all our citizens. For more information, visit spokanecity.org and follow us @spokanecity on [Facebook](#), [Twitter](#) or [Instagram](#).

-30-



Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



EXHIBIT 2

MEMORANDUM OF PROPOSED SCOPE**Date:** December 30, 2015**To:** Brian McClatchey, Esq.
Laura McAloon, Esq.
Councilmember Karen Stratton
Rick Romero, Director City Utility**From:** Kris Cappel, Seabold Group
Martha Norberg, Seabold Group

Based on discussions with the joint committee on Tuesday, December 29, 2015, it is our understanding that the scope of the investigation for which we have been retained will address the following issues:

1. The facts and circumstances of workplace complaints that have been asserted against Chief Straub since he was hired as Spokane's Chief of Police, including:
 - a. What information was known to Mayor Condon, City Administrator Theresa Sanders, and HR Director Heather Lowe;
 - b. When was the information known to these individuals; and
 - c. What action was taken to address the complaints?
2. The facts and circumstances surrounding Chief Straub's resignation.
3. What are the City's policies and procedures for responding to employee complaints of discrimination and harassment, and are they consistent with best practices? Seabold Group will offer recommendations as necessary.
 - a. What are the City's policies and procedures for transferring employees internally and were those policies followed in connection with Monique Cotton and Carly Cortright?
4. Were the City's policies and procedures followed in connection with complaints that were made known to the City by Ms. Cotton and Ms. Cortright?
5. What are the City's policies and procedures for responding to public record requests and were they followed in responding to media requests for documents related to Chief Straub and Ms. Cotton?

EXHIBIT 3

818	MMS Messages	Incoming	2	8/22/2013 10:40:32 PM(UTC-7)	From: 5099943940 Craig Meidi To: 5099937961 5092200291 Chief Straub	Gardner makes sense. I'll pass the message along and let you know if things change, or we just have command staff after the briefing update.	intact	High
819	MMS Messages	Incoming	2	8/23/2013 5:53:11 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5099937961 5099902513 Keith Cummings 5097209650 Mark Griffiths	Can we release any information regarding the arrest of one of the 88 year old WWII vet? I am getting a ton of media calls and they are asking if there is someone in custody. I would really appreciate your help	intact	High
820	MMS Messages	Outgoing	2	8/23/2013 5:56:10 AM(UTC-7)	To: 4351866 Monique Cotton 5097209650 Mark Griffiths 9902513 Keith Cummings	We are meeting at 0800 prior to the other meeting to discuss this case. Suspect was booked for 1st murder and robbery. Please wait until after the meeting, but I imagine we will be able to release info then.	intact	High
821	MMS Messages	Outgoing	2	8/23/2013 5:57:50 AM(UTC-7)	To: 4351866 Monique Cotton 5097209650 Mark Griffiths 9902513 Keith Cummings	1st robbery and murder not the other way....not quite finished with coffee	intact	High
822	MMS Messages	Incoming	2	8/23/2013 5:57:52 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5099937961 5099902513 Keith Cummings 5097209650 Mark Griffiths	Thank you	intact	High
823	MMS Messages	Incoming	2	8/23/2013 5:58:32 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5099937961 5099902513 Keith Cummings 5097209650 Mark Griffiths	Lol thanks I will wait to talk to you before I release.	intact	High
824	MMS Messages	Incoming	2	8/23/2013 5:58:46 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5099937961 5099902513 Keith Cummings 5097209650 Mark Griffiths	Are u coming to exec staff to talk about this at 8?	intact	High
825	MMS Messages	Outgoing	2	8/23/2013 6:05:36 AM(UTC-7)	To: 4351866 Monique Cotton 5097209650 Mark Griffiths 9902513 Keith Cummings	I think we are doing it at Gardner at 0800 as the other meeting is at 0830 at gardner	intact	High
826	MMS Messages	Incoming	2	8/23/2013 6:07:06 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5099937961 5099902513 Keith Cummings 5097209650 Mark Griffiths	Briefing is in Chief conf room	intact	High
827	MMS Messages	Incoming	2	8/23/2013 6:08:37 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5099937961 5099902513 Keith Cummings 5097209650 Mark Griffiths	Are u coming to exec staff?	intact	High
828	MMS Messages	Outgoing	2	8/23/2013 6:09:13 AM(UTC-7)	To: 4351866 Monique Cotton 5097209650 Mark Griffiths 9902513 Keith Cummings	OK.....that is not the normal spot.....yes I will be there	intact	High
829	MMS Messages	Incoming	2	8/23/2013 6:10:26 AM(UTC-7)	From: 5097209650 Mark Griffiths To: 5099937961 5099902513 Keith Cummings 5094351866 Monique Cotton	Hi there. I m meeting with Dets at Gardner at 0700 to handout assignments that still need to be done refer the officer involved shooting. At 0830 I m meeting with the chief and others in chief conference room to give update on case.	intact	High
830	MMS Messages	Outgoing	2	8/23/2013 6:11:18 AM(UTC-7)	To: 4351866 Monique Cotton 5097209650 Mark Griffiths 9902513 Keith Cummings	Perfect	intact	High
831	SMS Messages	Outgoing	2	8/23/2013 6:52:53 AM(UTC-7)	To: 5092200291 Chief Straub	Chief, can you give me a call when you have a second?	intact	High
832	MMS Messages	Outgoing	2	8/23/2013 6:59:06 AM(UTC-7)	To: 5092200291 Chief Straub 4351866 Monique Cotton	My suggestion would be to release one line to media right now: Spokane police have arrested one suspect, a juvenile male, in connection the to beating death of an 88 year old man earlier this week. He has been charged with 1st Degree Robbery and 1st Degree Murder. More information will be released later this morning. That is griff's suggestion. I concur.	intact	High



833	MMS Messages	Incoming	2	8/23/2013 7:05:12 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5092200291 Chief Straub 5099937961	Sent	Intact	High
834	MMS Messages	Outgoing	2	8/23/2013 7:06:22 AM(UTC-7)	To: 5092200291 Chief Straub 4351866 Monique Cotton	Thanks	Intact	High
835	MMS Messages	Incoming	2	8/23/2013 7:07:37 AM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	Thank you	Intact	High
836	MMS Messages	Incoming	2	8/23/2013 7:09:45 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5092200291 Chief Straub 5099937961	You're welcome. Very important for community to know the amazing work we are doing to keep city safe	Intact	High
837	MMS Messages	Incoming	2	8/23/2013 7:18:15 AM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	See you soon Love you You are an awesome partner and best friend. You always will be!	Intact	High
838	MMS Messages	Incoming	2	8/23/2013 7:19:18 AM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	Group hugs this morning at the briefing.	Intact	High
839	MMS Messages	Incoming	2	8/23/2013 7:19:18 AM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	Dan you are totally awesome as well. I love you. Good advice on both of your parts	Intact	High
840	MMS Messages	Outgoing	2	8/23/2013 7:20:03 AM(UTC-7)	To: 5092200291 Chief Straub 4351866 Monique Cotton	Lol! Can't wait	Intact	High
841	MMS Messages	Incoming	2	8/23/2013 7:20:05 AM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	I am very lucky to be the chief here	Intact	High
842	MMS Messages	Incoming	2	8/23/2013 7:21:45 AM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	It is great to have strong partners - especially ones that challenge me to do my best for the good of the department.	Intact	High
843	Cookies			8/23/2013 9:19:35 AM(UTC-7)		.ap.org	Intact	High
844	Cookies			8/23/2013 9:19:35 AM(UTC-7)		.udmserve.net	Intact	High
845	Cookies			8/23/2013 9:21:47 AM(UTC-7)		.khq.com	Intact	High
846	Cookies			8/23/2013 9:22:11 AM(UTC-7)		.aexp.demdex.net	Intact	High
847	MMS Messages	Incoming	2	8/23/2013 2:01:28 PM(UTC-7)	From: 5099902513 Keith Cummings To: 5092200291 Chief Straub 5099943940 Craig Meidl 5099937961 5094351866 Monique Cotton	All clear	Intact	High
848	MMS Messages	Incoming	2	8/23/2013 2:05:45 PM(UTC-7)	From: 5094351866 Monique Cotton To: 5099943940 Craig Meidl 5099937961 5092200291 Chief Straub 5099902513 Keith Cummings	Thank u!	Intact	High
849	MMS Messages	Incoming	2	8/23/2013 3:12:25 PM(UTC-7)	From: 5097209650 Mark Griffiths To: 5092200291 Chief Straub 5094351866 Monique Cotton 5099937961	Suspect arrested last night has been declined.	Intact	High
850	MMS Messages	Incoming	2	8/23/2013 3:15:20 PM(UTC-7)	From: 5097209650 Mark Griffiths To: 5092200291 Chief Straub 5094351866 Monique Cotton 5099937961	We are walking him from Juvenile to jail in the next few minutes. Also we will be getting the arrest warran for the outstanding suspect signed in a few minutes	Intact	High
851	MMS Messages	Incoming	2	8/23/2013 3:15:37 PM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961 5097209650 Mark Griffiths	Ok. He stays incarcerated correct? Just declined as an adult?	Intact	High
852	MMS Messages	Incoming	2	8/23/2013 3:16:08 PM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961 5097209650 Mark Griffiths	Sorry - declined as a juvenile then?	Intact	High

853	MMS Messages	Incoming	2		8/23/2013 3:16:21 PM(UTC-7)	From: 5097209650 Mark Griffiths To: 5092200291 Chief Straub 5094351866 Monique Cotton 5099937961	Yes. Walking from juvenile to jail as an adult	Intact	High
854	MMS Messages	Incoming	2		8/23/2013 3:17:07 PM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961 5097209650 Mark Griffiths	Thanks, That is good news	Intact	High
855	MMS Messages	Incoming	2		8/23/2013 3:17:08 PM(UTC-7)	From: 5097209650 Mark Griffiths To: 5092200291 Chief Straub 5094351866 Monique Cotton 5099937961	Also got two new possible phone numbers. Getting warrants on those too. In addition to emergency phone info.	Intact	High
856	MMS Messages	Incoming	2		8/23/2013 3:17:17 PM(UTC-7)	From: 5094351866 Monique Cotton To: 5092200291 Chief Straub 5099937961 5097209650 Mark Griffiths	Thank u very much	Intact	High
857	MMS Messages	Outgoing	2		8/23/2013 3:18:55 PM(UTC-7)	To: 5092200291 Chief Straub 4351866 Monique Cotton 5097209650 Mark Griffiths	Nice! Hopefully Triplett does not or him	Intact	High
858	MMS Messages	Incoming	2		8/23/2013 3:19:33 PM(UTC-7)	From: 5097209650 Mark Griffiths To: 5092200291 Chief Straub 5094351866 Monique Cotton 5099937961	That's not funny.	Intact	High
859	MMS Messages	Incoming	2		8/23/2013 3:22:40 PM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961 5097209650 Mark Griffiths	Not even a little	Intact	High
860	MMS Messages	Outgoing	2		8/23/2013 3:29:11 PM(UTC-7)	To: 5092200291 Chief Straub 4351866 Monique Cotton 5097209650 Mark Griffiths	He just ord a PSV on a 16 time convicted felon with 15 fa's.....nothing would surprise me.	Intact	High
861	MMS Messages	Incoming	2		8/23/2013 6:25:34 PM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	Sounds good	Intact	High
862	MMS Messages	Incoming	2		8/23/2013 8:45:36 PM(UTC-7)	From: 5092200291 Chief Straub To: 5094351866 Monique Cotton 5099937961	You guys cant tell Craig. He'll be jealous	Intact	High
863	MMS Messages	Incoming	2		8/23/2013 8:46:06 PM(UTC-7)	From: 5094351866 Monique Cotton To: 5099937961 5092200291 Chief Straub	He's going to be sooooo jealous!!!	Intact	High
864	MMS Messages	Outgoing	2		8/23/2013 8:56:05 PM(UTC-7)	To: 5092200291 Chief Straub 4351866 Monique Cotton	Ahhhh....the chief has enough for Craig too!! Stingy on hugs though. Lol	Intact	High
865	MMS Messages	Incoming	2		8/24/2013 9:06:57 AM(UTC-7)	From: 5097209650 Mark Griffiths To: 5092200291 Chief Straub 5094351866 Monique Cotton 5099937961	FYI update. Cell phones got us no where. They have nit been used in months. PACT and Gang units have checked every house multiple times. No luck so far. Kinard may have accessed his Facebook account this morning so we are contacting Facebook to see if we can determine where what computer he used. I will let you know as we move forward.	Intact	High
866	MMS Messages	Outgoing	2		8/24/2013 9:15:52 AM(UTC-7)	To: 5092200291 Chief Straub 4351866 Monique Cotton 5097209650 Mark Griffiths	Thanks Mark.	Intact	High
867	MMS Messages	Incoming	2		8/24/2013 9:52:16 AM(UTC-7)	From: 5092200291 Chief Straub To: 5099937961 5097209650 Mark Griffiths 5094351866 Monique Cotton	Thanks - Mark	Intact	High
868	MMS Messages	Incoming	2		8/24/2013 9:53:02 AM(UTC-7)	From: 5094351866 Monique Cotton To: 5097209650 Mark Griffiths 5099937961 5092200291 Chief Straub	Thank you!	Intact	High

EXHIBIT 4



OFFICE OF THE CITY ATTORNEY
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3326
509.625.6225
509.625.6277 FAX

NANCY L. ISSERLIS
CITY ATTORNEY

PAT J. DALTON
SENIOR ASSISTANT CITY ATTORNEY

ASSISTANT CITY ATTORNEYS

SALVATORE J. FAGGIANO	MICHAEL J. PICCOLO
MATTHEW M. FOLSOM	JAMES A. RICHMAN
ERIN A. JACOBSON	ELIZABETH L. SCHOEDEL
MARY F. MURAMATSU	TIMOTHY E. SZAMBELAN
MARIMAR I. ODLE	HUNT M. WHALEY
NATHANIEL J. ODLE	

April 27, 2016

Via Email

Kris Cappel
Seabold Group
4039 21st Avenue West, Suite 100
Seattle, WA 98199

Re: Investigation

Dear Ms. Cappel:

I wanted to respond to your request of members in the City Attorney's office to participate in your investigation. Please know that we have all thought this through very carefully, and consulted with outside attorneys and ethical experts. The Rules of Professional Conduct and other ethical rules that apply to municipal and government lawyers are non-existent at worst, and murky and unclear at best. As such, there is little ethical guidance on what we believe are very complicated ethical issues, particularly when coupled with litigation pending against the City and several City employees individually.

I understand that the Council was initially presented with several options which would have allowed members of the City Attorney's office to participate, within the confines of our ethical obligations and under an attorney work product privilege. Those options were apparently rejected by the Council.

Now that the investigation has been pending for several months and given the situation we now find ourselves in, it would not be prudent or ethical for me, or members of my office, to succumb to pressures brought by Council and the court of public opinion and speak on matters which would compromise our ethical obligations to our clients, and most importantly, could place us in a position of facing discipline, including the loss of our licenses to practice law.

I will not violate the Rules of Professional Conduct and ethical obligations to my client(s) absent a Washington Supreme Court ruling on point that allows me to do so, and without complete and full waivers of the privilege from all parties who spoke to me or

Kris Cappel
April 27, 2016
Page 2

members of my office in confidence, including former Police Chief Frank Straub. I similarly will not ask members of the office of the City Attorney to do so. I regret that the Council did not choose to create the structure that would have allowed you to conduct the investigation in a manner that would have afforded some protection to the attorneys and our clients by way of privilege and work product. Additionally, the fact that the City is in the middle of litigation regarding the facts and circumstances that are subject to your investigation, without the explicit permission of counsel representing the City in that litigation, I don't see how it makes sense to discuss issues and facts which may be subject to work product and attorney client privilege in that litigation.

The attorneys in my office are relying on the City Council and Mayor's official position, expressly made in writing, that participation in the investigation was and is "voluntary" and that there would be no retaliation for choosing to not participate. Given the significant concerns I and members of my office have, as set forth above, we will be guided by word "voluntary", and will hope that you do not draw any negative inferences if we choose not to participate.

Sincerely,

Nancy Isserlis

Nancy L. Isserlis *by SA*
City Attorney

c: Patrick Dalton
Erin Jacobson
Mary Muramatsu

EXHIBIT 5

On approximately 12-19-13 or 12-20-13, I had coffee with Chief Straub and Joe Walker at Hallet's on N. Hamilton. The conversation that they engaged in appeared to be a continuation of an earlier one. I commented that I felt like I missed the first part of the conversation. Straub talked about his two AC/directors. He said that he has one that can never finish anything that he started (Arleth) and one that was a placeholder and stands in the corner like a deaf/mute. He commented that he needed somebody to carry the same message at meetings in his absence and that he did not have that.

1-9-2014...Capt. Dobrow and I had been in Chief Straub's office discussing DSO and Captain Coverage. Capt. Walker called my work cell and told me that he had been called to Meidl's office and would let me know if he needed me (union representation).

A few minutes later as I was exiting Straub's office, Joe told me he needed to talk to me. I met him in my office. He looked distraught and confused. He told me that Meidl had just demoted him. He was told that he was going back to patrol, etc. and that he could have his pick of whatever shift he wanted.

I called HR Director Heather Lowe to inquire as to the Captain Promotion date. If they are rolling members back it should be done by classification seniority.

She advised that Joe had been promoted on 12-22-13 and Rick Dobrow on 12-23-13. I told her that Joe had just been demoted by Meidl. She said that there was some miscommunication and that Meidl got some wires crossed. She further advised that she would check further and let me know.

At 1213 hours I received a text message from Meidl that said, "Walker is rolling back to Lt. We can talk about it today or tomorrow. I texted him back and we met in Lt. Tracie Meidl's office at 1235 hours. I was accompanied by Association VP Rick Dobrow.

Meidl told us that it was his decision to roll Joe back to Lieutenant. He said that Joe had asked to roll back from Commander to Captain. Meidl said that the level of commitment for the area Captain would be the same as it was for Commander. He commented that Joe was honest about not wanting that level of commitment as a commander. He was trying to help Joe by not putting him into the situation where he would have to attend weekend barbecues, evening meetings, etc. Meidl said that this was the "exact" stuff that he did not want to do.

Meidl said Joe's personal life is important and he would not be a "good fit" as a Captain and it would be setting him up for failure.

Meidl said that he would start as a Lt. on Sunday. I asked if a Lt. would be rolled back to accommodate Joe's demotion. He told me that rather than roll Lt. Lundgren back he would fill in for Lt. McCabe and Lt. Olsen as they undergo some surgeries.

Meidl went on to say that Joe is a phenomenal Lieutenant and a Lt. role is a little more in line with what he wants. He added that he could have whatever shift he wanted.

I asked what would happen to Lundgren after the other two lieutenants returned. He said that he would not be rolled back and that they will try to get another position.

I asked with Joe's Major Crimes experience if there is a reason why Joe could not stay in the dix office as a Captain if he was worried about his inability to perform as an area Captain. I suggested that Brad Arleth could go to an area Captain Job. He responded that would "be adding fuel to fire".

Meidl said that this is "not a disciplinary issue".

He went onto to talk about a text he received from Joe about taking a day off. Meidl asked if there was coverage. Approximately 20 minutes later Joe responded that there was coverage and Wohl was working. He found out that Wohl had worked on overtime. Meidl said that what he saw was that Joe's time off was more important than costing the City \$600.

Meidl also said that Joe had told his guys to not talk to Monique without talking to him first. He went onto say that Joe doesn't want to do interviews. Meidl said that he did not think Joe wanted to be involved in "what we need for an area Captain".

I reiterated in a question form that this is not a disciplinary decision. Again, he said it was not.

I asked if the Area Captain would be filled by someone else and he said no. I asked why it was Joe being rolled back. He said that Joe was an "acting Captain". I told him that was contrary

to what HR Director Heather Lowe had just told me. I said that she had his promotion date as 12-22 and Rick's 12-23.

He told me that he did not think Joe had been promoted and that he thought that it had to be approved by City Council and it had not yet been.

I told him that Joe was looking at legal options. I asked Meidl to confer with Heather Lowe.

Meidl said that if Joe had been promoted that "this would be a different discussion" and "I don't see him rolling back". He went on to say that there had been "no progressive discipline". Meidl went onto say if he was hard promoted he "will be the Northwest Captain". He qualified that with unless Brad (Arleth) wants to trade.

At the completion of our meeting Meidl referred to his phone and said that the chief wanted to see us and Joe. I called Joe and told him that the chief wanted to see us. We walked down to his office at approximately 1300 hours. The meeting was in Straub's office. Present were Straub, Meidl, Walker, Dobrow (assoc vp) and me (assoc president).

Straub told Joe that he had lost credibility. He spoke of detectives commenting that Joe was not engaged, etc.

Straub proceeded to talk (lecture) for approximately 45 minutes. He told us about a 23 year old officer being "assassinated" in Indianapolis. He talked about a traffic officer that was directing traffic on 911 when a piece of glass fell off of one of the towers and she was cut in half. He talked about running away from the towers as they fell. He spoke of a firefighter that had been behind him and that he too was cut in half. Straub talked about the being covered in the man's "brains" and blood. The only reason he lived is because he was a little faster.

Straub talked about being at a funeral for a fallen officer and watching the officer's 3 year old daughter.

He linked this all back to passion, dedication and drive for the job. He talked again about being "all in".

Straub commented that he had the police chief down to a science, but he needed people to be "all in" and to step up.

He relayed a story about how he was called the NY Police Commissioner's office at 7 pm. He had to wait until 9 pm to see the commissioner because if the commissioner wanted to see you then you "fucking waited" to see him. He went on to say that he was driving home at 11 pm after having been there for 14 hours and how the job is not 9-5 and if you are in this for the money, or waiting to get to retirement you are in this for the wrong reason.

Straub talked about how he took this job and could have gone somewhere else, but he chose to come here to help fix our problems. He talked about how Seattle will be calling him and he was contacted by New York about a job. He went on to say that his elderly father lives back east and New York is not that far from Michigan.

Straub went on about how when the officer in Indy was shot and on life support he was in the room. His own mother had a feeding tube removed (in another state) and was approaching death. After the Indy officer died he attended the funeral. As he was leaving a firefighter died. He went and buried his mother and then got on a plane back because he "needed to be there". Again...this was used to illustrate his passion and dedication.

Straub wanted assurance that he is surrounded by people with the same amount of passion. He told us that Mayor Condon told his cabinet that when he was a Cathy McMorris staffer he was balls to the walls and he expects the same of his cabinet. He does not care if they are tired, get divorced or any of their other problems.

Straub went on to say that he was pissed when Capt. Cummings at a meeting on 01-08-2014 said that he has two months of vacation to use each year. Straub said that he wanted to reach over and "choke" that "fucking fatass". He then went on a rant about how the 23 year old would have like to have that vacation and how he might have vacation, but he (Straub) doesn't want to fucking "hear" about it.

Straub talked about how he has worked for the biggest police department in world (NYPD) and how when he got booted out of White Plains, NY the hallway was lined with officers as he exited city hall. He commented that they were all in this together. He talked about how good he is at his job, but we need to step up. All through his presentation he referred to us as "kids". "look kids" I have worked all over, etc.

Straub said that he is supposedly surrounded by "all this testosterone", but he doesn't see anybody stepping up. He specifically said that Joe was supposed to be "tough", but he did not think that he was. He related his not being "tough" to stepping down from his commander rank. Straub said that nobody has ever done that. It was apparent by his words that he was disappointed with Joe on his decision and clearly did not understand it.

Straub proceeded to tell Joe that he has lost credibility with the troops and city hall. He talked about Teresa Sanders being a multi-millionaire and how she could not understand why Joe had stepped down. He went on to say that Condon was not hurting for money, look at the house he grew up in. Straub's conduct was beyond telling an employee why he was being considered for demotion. It seemed very personal and attacking. It appeared the less that Joe reacted to the vitriol the more angry he got.

Straub said that the decision to demote Joe was Meidl's decision, but that he supported it. Straub talked about how Joe would not cooperate and talk to the media and how he had mentioned he could not stand being in meetings with Monique or Mary. The chief asked if we thought he really wanted to hear about Monique's new purse. He said he did not, but if hearing about her purse resulted in positive stories that he could put up with it. He went on to say that we have gotten a lot of positive stories because of her. The chief commented since Nancy Isserlis thought that Mary would do a good job for SPD so we are using her.

Straub went on to say that Joe really blew himself up when he took the day off and had Steve Wohl come in on overtime. Joe had cost the city money as a result of that decision.

Straub seemed to want an answer as to why Joe did that. Joe said that he noticed that the only people working over in the Chief's office was the chief because both Brad Arleth and Craig Meidl had taken the day off. (Joe had previously expressed to me that it was his understanding that both Arleth and Meidl were not supposed to have overlapping time off, but it did not seem to matter. He said that he did not take any time off while his adult son was home on military leave.

He decided to take that Friday off to spend some time with him before he flew out. The chief could not understand why he did not take Thursday off.

Straub kept coming back to why Joe had stepped down from Commander. Joe explained that executive staff was not "gelling" and that his personal life was suffering as a result of his position at work. He said that there has been a rub between him and AC Meidl which was evident by an incident at the spring/summer retreat.

He thought that by removing himself from the position that it would help his relationship with his wife improve and would help the executive staff gel.

Joe pointed out that he did engage the media and talked about two incidents where he was resistive to doing and interview. One incident involved a late notice for him to do an on cam about an assault involving some college basketball players. He said that he did not know details about the case, but was handed talking points by Monique 20 minutes before the interview. The second was on a Monday when he was preparing for COMPSTAT for himself and several other Captains that were not going to be present at the COMPSTAT meeting.

The chief then turned his focus to all of us in the room. He asked each one of us, one at a time, if we were in, committed, etc. Meidl said that he was, Dobrow the same, me the same and then he asked Joe. Joe said that he has always given 100%. He went onto say that this was not personal, but that he needed to talk to the association and their counsel.

Meidl then told Joe that he was unsure about the rub. He said that he got it all out in the open at the retreat. He said that he has friends at all levels in the organization and that he had learned that he was not being told things that he needed to know in order to keep the Chief informed. Craig said that maybe it was how he communicated and maybe he needed to work on that, but he sees himself as approachable, etc.

Straub said that he did not know what he was going to do in regards to Joe's rank. He said that three of us had answered his question about our level of commitment, but that Joe had not, but instead said that he needed to talk to an attorney.

Straub was angry as was evidenced by his loud voice, red face and rapid speech. He said that he would just tell the mayor that he was done, he would go public with why he was leaving and that he would tell the DOJ to come in and do a consent decree. He said that Seattle could not fight it, LA could not fight it, and little Spokane could not do a thing about it. He repeated this THREAT several times.

His rant was contrary to what he had said less than 24 hours earlier in front of all of the Captains and Lieutenants. He told them that the DOJ was doing their review. When they were finished they would say, "Why were we here?" He indicated that they would leave

having learned from our department because we have good people, etc. My impression was that he controls the results of their investigation regardless to if there were problems or not.

He was clearly mad during the rant and insinuated that we (the spd) would suffer as a result of him moving on. The threat reminded me of Anne Kirpatrick's departure when she said that she would recommend that the SPD be absorbed into the Sheriff's department and ran by Ozzie Kenezovich.

Straub told Joe that he had no made a decision about his demotion. He told him that if he left him as a Captain that he would still have to make probation.

We left the meeting just moments later at approximately 1408 hours.

On 1-10-14 I sent an email to Heather Lowe, Craig Meidl, and Chief Straub. I inquired as to our member's status and where he was supposed to report on the following Monday. Straub returned an email saying that he would meet us in his office about the matter.

On 1-10-14 at approximately 1000 hours Rick Dobrow, Joe Walker, Chief Straub, AC Meidl and me all met in the Chief's office. He said that Joe would be the NW area Captain. AC Meidl mentioned a leadership school in Spokane that he wanted Joe to attend.

Approximately 30 minutes later Walker forwarded me an email from Meidl telling him to sign up for the attached supervisor's course. The supervisor's course attached appeared to be a very basic supervision class presented by the City of Spokane. I shared this information with Rick Dobrow. He advised that he would talk to Meidl.

Earlier in the week Rick Dobrow and I spoke to Chief Straub about reinstating the DSO protocol to assure Capt. coverage. We explained how it would work. He asked if the Captains got paid if called out. We said that they did, but only after 10pm and before 6am and on the weekends. He added that they should get paid if they go out. Upon the completion of the meeting we agreed that we would do this. In addition, we said that in order to have appropriate Capt. Coverage that the two North Captains would coordinate their vacation times so they were not both off at the same time, and the downtown/ south Captains would do the same.

On 1-10-2014 at approximately 1325 hours I received an email from Meidl asking to meet in about 30 minutes to discuss DSO, as well as K-9 issues.

Rick Dobrow and I met with Meidl and Straub in Meidl's office. We went back through the entire DSO policy, how it would work, etc. They agreed to try it for a month. It seems to me that Straub really wants the Area Captains to be responding and he struggles with the fact that they are not on call and cannot be held accountable to come in each and every time they are called on their time off. It is becoming increasingly obvious to me that he says that he will honor the contract and does not want to violate it, he continually makes insinuations and suggestions that we go outside of it. As an example of this he said that if an Area Captain got called out in the middle of the night and was out for 3 hours that the Captain could take off the 3 hours and even add another hour in and take off 4 hours the following day.

Chief Straub illustrated that Capt. Carl was making it work. He said that he was sure she went shopping with her daughter as well as other things, but he did not care, because she was getting the job done.

I asked Meidl why Joe was being sent to a very basic supervisor's school. He told me that he noticed a lack of supervisory skills over the last 3 weeks. He mentioned Joe criticizing a subordinate to another subordinate. In addition, he mentioned that people noticed him going to coffee several times a day. He said that people notice that. He went on to say that his idea of a perfect lunch was to hit a drive thru and come back at his desk so he could work while he ate. (Meidl never indicated if he addressed these issues with Walker..I later asked Walker and he said that he had not heard from Meidl about these issues.) I do not understand that if a supervisor noticed emerging patterns in poor leadership skills, etc why they would not be directly addressed so the subordinate could change the behavior. Being sent to a basic school with the hope that you will "get it" seems rather ridiculous and seems more like a way of beginning to lay a "paper trail" for discipline.

Straub said that he had told Joe that he could go to any leadership school over the last year, but he did not want to. He mentioned SMI (which requires a BA that Walker does not have), as well as leadership classes at Harvard. He said that it would do us all well to go to leadership schools outside the area. At that time he told me that I should pick a week long school out of the area. I asked if LEEDA was acceptable. He replied that LEEDA was bullshit and we needed to see how other places operated. He went onto to lecture about how many of his friends, Bill Bratton, Dean Esserman and others often will go from a law enforcement job to the private sector and then back to LE. This exposes them to business practices and makes them better leaders, chiefs, etc.

At the same meeting I told the Chief that I needed to put on my union hat. I said that he asked us all about our level of commitment the day before. I told him that I did not understand his comment about if he chose to leave that the DOJ would come in here and put the department under a consent decree. I said that it sort of left me spinning, he then

interjected..confused? I agreed to that word.

He went onto to tell me that he was 55 years old and did not need to put up with bullshit. He did not expect any of us to do that. After a lengthy explanation he said that Mike Ormsby and Tim Durkin are like vultures just waiting to swoop down on the department. He said the reason they have not is because of his relationship with DOJ and the COPS people.

During our meeting he mentioned Keith Cumming's comments about having two months of vacation several times. I told him that he would not that again as both Rick and I talked independently to Keith about this. I further said that he needed to let that go. He chuckled and acknowledged that he did and said we would not hear about it again.

The Chief's demeanor was markedly different than the previous day. He did not appear to be agitated, upset, etc.

On January 23rd I met with Jeff Julius. Joe Walker had been talking to him about what was going on with demotion, etc. We talked about how Joe was treated. Jeff asked what we wanted to do. We told him that we liked the direction that the department was going in reference to the community and crime stats. However, the Chief's interaction with Joe was inappropriate. He said that I would need to talk to him to let him know that it was not acceptable. I commented that would be fun. He said that it would not be and that he probably would not listen, but that he needed to be put on notice.

On 01-24-2014 at 0805 hours I received a text message from Chief Straub. He asked if I would grab coffee with him on Monday (01-27-2014). He said that he had tremendous respect for me and wanted to make sure that we "are good and in cinque."

On 01-27-2014 at 0800 I met Chief Straub at Stella's. I met him as the President of the association. During the course of our conversation I told him that I did want to talk about the "demotion debacle" with Joe Walker. I told the Chief that the interaction was over the top. It was my observation that it was fueled with anger and emotion.

The Chief got visible irritated with my statement. He went onto say that there were alot of things going on and there was some emotion. He ended up apologizing for the tone of the conversation and said that it would not happen again.

On 021514 Joe Walker told me about a shooting call in the Garland business district area (14-49089). He had called the DSO, Judi Carl and also requested a PIO. He said that there were only two supervisors onscene and media was everywhere. Judi advised him that a PIO would NOT be coming.

He told me that the media had called him as he was running code to the call. This is similar to other complaints that I have heard from other Lieutenants (Lundgren-enroute to shooting downtown),etc.

On 02-17-2014 I received an email from Monique Cotton (email sent out to many) that there was a news director meeting on 02-19-2014. I thought that this would be the perfect forum to address several issues that have been occurring with Shift Commanders. Calls while running code to calls minutes after the call is dispatched. Requesting updates on open cases. Requesting updates on SCSO cases, etc.

On 02-17-2014 I sent an email to Monique asking if she wanted me to go to this and that I would like to address the group.

On 02-18-2014 I saw Monique at Compstat. We talked after COMPSTAT. There were others in the room, including Chief Straub, when we talked. These people were not involved or probably not listening to our conversation. She said that if I told her my concerns that she would carry the message to the news directors meeting. I told her of my concerns about the calls before they even arrive onscene and the calls asking for cases that they would be unaware of or would be inappropriate for them to comment.

Monique told me that often times she is called by the media on weekends asking for updates. I told her that they needed to understand that on old cases that there would be no updates unless it was coming from Major Crimes and that it was no beneficial to call shift commanders, or her for that matter.

I asked her on the larger scenes when a PIO would come out. She said that the media is the shift commander or DSO's responsibility. She said that she does not get paid overtime and that she will send out the news releases on the weekend. She immediately started talking about the West Garland shooting. I had not brought up the issue. Monique said that the shift commander or DSO need to handle the media. I said that it was my understanding that the DSO would be there for command and control purposes.

Monique started talking about the shift commander's responsibilities and how they have remained the same since we went to this model in the spring. She said that she had

distributed the responsibilities in the spring (2013). I told her that I had not received the information and asked her to send it to me. She agreed to do so. While talking to her she became a bit more animated than normal. I also noticed that her neck and upper chest looked blotchy and red. This seemed consistent with her rapid speech and what appeared to be irritation.

I returned to my office and looked for any email that had been sent by Monique in the spring that related to shift commander duties. I found the following email.

From: Cotton, Monique

Sent: Thursday, May 09, 2013 3:25 PM

To: Arnzen, Alan; Carl, Judi; Cummings, Keith; Dobrow, Rick; Drollinger, Bill; Griffiths, Mark; McCabe, David E.; Mullennix, Scott; Olsen, Eric; Olson, Rex; Richards, Dave; Scalise, Frank; Sprague, Dean; Torok, Dan

Cc: Arleth, Brad; Cortright, Carly; Meidl, Craig; Straub, Frank; Walker, Joe; Taylor, Lydia

Subject: Watch Commander Information

Thank you for your work fielding media calls during your shift under the Watch Commander model. Below is information regarding Watch Commander media responsibilities:

- During regular business hours (07:00 – 19:00) Monday through Friday PIO Lydia Prichard or I will field media calls and inquiries.
 - Lydia is available Monday through Thursday; I am available Monday through Friday
- Under the Watch Commander model Patrol Lieutenants and Captains will answer media calls during their shift.
- After regular business hours Patrol Lieutenants and Captains will conduct on-scene media interviews about a scene or incident. Media inquiries regarding Department policy, procedure and/or the Department's position on community, political or other sensitive topics should be directed the Office of the Chief.
- Lieutenants and Captains have been added to the SPD Media email list. Therefore you can now send email updates to media contacts via the SPD Media list. You will also receive media updates that are sent to the SPD Media list.
- Under normal circumstances, Patrol Lieutenants and Captains will conduct on-scene media interviews and will not be expected to send out media email updates. Exceptions include missing persons, wanted subjects, etc. or other information that must be distributed immediately.

- Under normal circumstances Patrol Lieutenants and Captains will provide on-camera interviews and forward the information from the scene to both Lydia Prichard and me. This will ensure we are aware of the incident information and can send out a news release or email to media as needed.
- Lieutenants and Captains will alert both Lydia and me during large scale incidents that occur after hours (homicides, SWAT situations, etc.). As PIO, Lydia (or if Lydia is unavailable I) will respond to a scene to act as a media liaison.

Please add Lydia and my cell phone numbers to your cell phones:

My cell – 509-435-1866

Lydia's cell – 509-481-8656

Thank you again for your assistance in helping us to have a very positive and productive relationship with local media. Please let me know if you have questions.

Monique

Monique Cotton | PR & Communication Director | Spokane Police Department

509.363.8285 (desk) | 509.435.1866 (cell) | mcotton@spokanepolice.org



The email seemed to indicate that she or Lydia would respond to “large scale incidents”. A drive by shooting in the area of the Garland Business District would probably fit the bill.

On 02-18-2014 I received the following email with attachment from Monique.\

Hi Dan,

As we talked about earlier today, attached is the Watch Commander Model information that was distributed to Watch Commanders last spring.

Please let me know if you have questions.

Monique

Monique Cotton | Director of Public Information & Communication | Spokane Police Department

509.363.8285 (desk) | 509.435.1866 (cell) | mcotton@spokanepolice.org

The attachment had a date of May 3, 2013.

The attachment was different than the email that had been sent out on 05-09-2013. The area concerning when she would respond was vastly different than the email. This made little sense to me why a memo crafted on 05-03-2013 would have a different message than an email sent out 6 days later.

I asked Capt. Richards if he remembered media training last spring and if Monique had handed out responsibilities. He had remembered some training and said that he would check his files.

On 02-20-2014 Capt. Richards emailed me documents from training that occurred on 6-6-2013 and 6-11-2013. Contained in that packet was a very similar document to what Monique had emailed me on the 18th. I compared what had been distributed at training and what she had sent me. I discovered that they were different.

The Watch Commander Public Information Model distributed by Monique to the Sergeants in June of 2013 was dated May 3, 2013 (like the one she had sent me) and was one page long. The one she sent me was over a page long.

Part of her model had a screen snapshot of what the media availability list would look like. The one distributed in June showed a list for the week of 5/16/13 to 5/12/13. The one that she had sent me, representing it to be the one she distributed in the spring of 2013, had a media availability list on it too. The dates on that one showed for the week of 02/17/2014 to 02/23/2014. (This could not be the same document distributed in the Spring)

In addition, there were several changes that were inconsistent with the email that she had sent out on 05-09-2013 and the one that she distributed June 6 and June 11. The most remarkable change was the one concerning her response to calls.

I reread her email with the attachment several times to confirm that the document she emailed me was being represented as the one distributed in the Spring of 2013.

"As we talked about earlier today, attached is the Watch Commander Model information that was distributed to Watch Commanders last spring"

The statement is unambiguous she represented the document she sent me as the one that was distributed in the spring. It is clearly not.

I shared my concerns with VP Joe Walker. I was also aware of a property damage report that she had Lydia Taylor complete that may have been less than honest as it relates to when it occurred.

There seems to be a problem with her integrity. I am apprehensive about pushing it forward because of potential retaliation. The Chief, thru demotions, has shown that he can be vindictive. In addition, I am aware of a close relationship between the Chief and Monique. On August 23, 2013 I was on a group text thread with Monique and the Chief. We were discussing information that should be in a press release. About 9 minutes after the last message I received another text under the same group message. It read, "See you soon. Love you. You are an awesome partner and best friend. You always will be."

It was quite apparent that the text was not for me and I immediately thought that the Chief must have thought that he was texting Monique only. There was no response from anyone. A minute later another text came in. It read, "Dan you are totally awesome as well. I love you. Good advice on both of your parts." This was followed immediately by another text that read, "Group hugs this morning at the briefing."

I did not know how to respond and decided to try and make light of it like I was really that dumb to believe that the message was not sent in error.

The Chief had never told me that he loved me. In fact no boss has ever said that to me. It was apparent that he was trying to create the impression that he knew he was in a group text mode.

I think the Chief's relationship would make it impossible for her to discipline her.

On 02-20-2014 0245 hours I met with AC Dobrow in my office. I had previously shared my concerns about the difference in the email that she sent out on 05-09-2013 and what she had sent me on 02-18-2014. I shared with him the new document I had from the June 2013 training. I pointed out the differences and told him that I was convinced that she had lied and misrepresented what she sent me as what was trained on in June. He asked if he could take my documentation to the chief. I said No. I told him that I wanted to figure out how to address the issue.

It was my understanding that in 2013 there was an incident concerning Monique lying about an order with reprographics. I had heard that it was brought to the Chief's attention. I was unaware of the issue being addressed by the Chief.

I think that this incident shows a severe lack of integrity. Furthermore if the document was changed to justify why she had not responded to the West Garland shooting, it was an effort to cover up what appears to be her inadequate response. I did not want to see this simply swept under the carpet.

On 02-20-2014 I had a previously scheduled patrol staff meeting. I had invited both Rick and Monique to the meeting so that the Lieutenants could let her know about the contacts while running code to calls, etc.

The meeting was attended by the Patrol Lieutenants, Capt. Cummings, AC Dobrow, Monique and me. At the meeting she distributed titled Watch Commander Public Information Duties and Responsibilities. The document was very similar to what she had sent me on 02-18-2014 especially as it relates to her response to calls.

At the meeting I told AC Dobrow that the all incidents on the DSO policy does not require a response by the DSO. I told him that former AC Meidl had been working on creating a list that requires a response as well as a list (included in the policy) that only needed a call to the DSO.

One thing that really stood out on the new media document was the following; "In the event of a large-scale incident (SWAT situation, EDU situation, hostage negotiations, Officer Involved Shooting, fatal shooting, etc.-anything that warrants a Command Page) the Public Information & Communication Director will be notified and will discuss with the Watch Commander and/or the DSO the need for the Director or Public Information Officers to respond to the scene to handle media inquiries."

I asked Monique if there was ever an officer involved shooting that she did not respond to. She said no. I looked at Rick and said that maybe there should be an inclusive list of what the PIO will respond to that would somewhat relate to the DSO list. Monique immediately asked if there was reason to formalize this, if it was working. Rick commented that he like things to be very definitive.

After the meeting I consulted with VP Walker about how to proceed. He said that I should meet with the eboard and discuss how to proceed. This would allow some disinterested people to hear my issue. They could also consider if the report that she had filed with Lydia should be brought forward.

On 3-31-2014 I saw John Gately talking to Monique Cotton in the hallway. As I waked by I told him to come and talk to me when he was done. A few minutes later he came into my office. I told him that I had heard he was upset about car assignments. John told me at inservice AC Dobrow had told them that there was a Corporal SUV, K-9 SUV, my SUV and than everything else would go to patrol. A short time later he had heard that Jen Deruwe would be getting a SUV before patrol. He was not happy as that was inconsistent with what they had been told

John told me that he just had a conversation with the Chief and he asked him why Deruwe needed a SUV. The reason given was that she needed to drive kids around for the basketball program. John said that they could remove the shield in her car or use another car. The Chief said that if there was another car, that she could use that.

John told me that he just spoke to Monique about her car. He asked her why she needed a newer car when her previous one was in good shape and we had patrol cars/dix cars still being used that were falling apart. He said that she responded that she was a member of the Executive Staff. She mentioned to him that she works with people that are bullies. He told her that he was just asking questions. He added that he also questioned why the Chief and AC needed brand new Tahoes when their cars were perfectly fine. John indicated that Monique was irritated by his questions.

On 04-01-2014 after COMPSTAT I had a brief conversation with Lydia Taylor. She told me that Monique had told her about the conversation with Gately. Monique said that she has always got along with Gately and she thought that maybe I "put him up to it" as it relates to asking questions about her car. Lydia told her that if I had a problem with something that I would ask her directly and not send someone to do it. Monique mentioned to her that she was either being bullied or had been bullied.

Lydia asked her If she thought the last sentence that she sent out in an email about Russo might be the cause for her feelings about how people are treating her. Misconduct by SPD will not be tolerated....etc. Monique said that Rick told her to put that in there.

My communication with Monique since filing the complaint has been via text and email. All of which I have retained. I have answered her questions and in fact he given her advise on how/why to release a

story.

On 04-01-2014 I met with AC Dobrow on an unrelated issue. After we finished talking I briefed him on what Gately and Lydia had told me. I highlighted the bullying comment as well as the statement that she thought I put Gately up to confronting her. I told him what she had said to Lydia and encouraged him to speak directly to Lydia as opposed to accepting my 3rd party version. He said that when Frank got back that they needed to talk.

I told him that I have not refused to work with her, but noticed that she has not requested that I do any interviews, etc. I told him that I think she has an integrity issue, but I have not and will not refuse to work with her on the communications/ interview pieces.

Dave, I want to make you aware of a situation that occurred as well as some concerns that I have regarding the integrity of Director Monique Cotton. I had a meeting in January with both Heather Lowe and Erin Jacobson on an unrelated matter. At that meeting they told me that a Director is the civilian equivalent of the commissioned rank of Commander. I believe the issue concerning potential integrity issues need to be addressed. However, I am not sure of the best method to address them. Complaining about someone that outranks me and could potentially impact my position is concerning to me.

On 021514 Joe Walker told me about a shooting call in the Garland Business District area (14-49089). He had called the DSO, Judi Carl and also requested a PIO. He said that there were only two supervisors working and media was everywhere. Judi advised him that a PIO would NOT be responding to the scene.

He told me that the media had called him as he was running code to the call. This is similar to other complaints that I have heard from other Lieutenants.

On 02-17-2014 I received an email from Monique Cotton that there was a news directors meeting on 02-19-2014. I thought that this would be the perfect forum to address several issues that have been occurring with Shift Commanders. These issues included receiving phone calls while running code to calls only minutes after the call is dispatched, requesting updates on open Investigative Division cases, as well as requesting updates on SCSO cases, etc.

On 02-17-2014 I sent an email to Monique asking if she wanted me to go to this and I expressed that I would like to address the group.

On 02-18-2014 I saw Monique at COMPSTAT. We talked after COMPSTAT. There were others in the room, including Chief Straub, when we talked. These people were not involved or probably not listening to our conversation. She said that if I told her my concerns that she would carry the message to the news directors meeting. I told her of my concerns about the phone calls that they receive before they even arrive onscene, as well as the calls asking for updates on cases that they would be unaware of or would be inappropriate for them to comment.

Monique told me that often times she is called by the media on weekends asking for updates. I told her that they needed to understand that on old cases that there would be no updates

unless it was coming from Major Crimes and that it was not beneficial to call shift commanders, or her for that matter.

I asked her on the larger scenes when a PIO would come out. She said that the media is the shift commander or DSO's responsibility. She said that she does not get paid overtime and that she will send out the news releases on the weekend. She immediately started talking about the West Garland shooting. I had not brought up the issue. Monique said that the shift commander or DSO needs to handle the media. I said that it was my understanding that the DSO would be there for command and control purposes and their primary responsibility was not the media.

Monique started talking about the shift commander's responsibilities and how they have remained the same since we went to this model in the spring. She said that she had distributed the Watch Commander responsibilities in the spring (2013). I told her that I had not received the information and asked her to send it to me. She agreed to do so. While talking to her she became a bit more animated than normal. I also noticed that her neck and upper chest looked blotchy and red. This seemed consistent with her rapid speech and what appeared to be irritation.

I returned to my office and looked for any email that had been sent by Monique in the spring that related to shift commander duties. I found the following email.

From: Cotton, Monique

Sent: Thursday, May 09, 2013 3:25 PM

To: Arnzen, Alan; Carl, Judi; Cummings, Keith; Dobrow, Rick; Drollinger, Bill; Griffiths, Mark; McCabe, David E.; Mullennix, Scott; Olsen, Eric; Olson, Rex; Richards, Dave; Scalise, Frank; Sprague, Dean; Torok, Dan

Cc: Arleth, Brad; Cortright, Carly; Meidl, Craig; Straub, Frank; Walker, Joe; Taylor, Lydia

Subject: Watch Commander Information

Thank you for your work fielding media calls during your shift under the Watch Commander model. Below is information regarding Watch Commander media responsibilities:

- During regular business hours (07:00 – 19:00) Monday through Friday PIO Lydia Prichard or I will field media calls and inquiries.
- Lydia is available Monday through Thursday; I am available Monday through Friday

- ② Under the Watch Commander model Patrol Lieutenants and Captains will answer media calls during their shift.
- ② After regular business hours Patrol Lieutenants and Captains will conduct on-scene media interviews about a scene or incident. Media inquiries regarding Department policy, procedure and/or the Department's position on community, political or other sensitive topics should be directed the Office of the Chief.
- ② Lieutenants and Captains have been added to the SPD Media email list. Therefore you can now send email updates to media contacts via the SPD Media list. You will also receive media updates that are sent to the SPD Media list.
- ② Under normal circumstances, Patrol Lieutenants and Captains will conduct on-scene media interviews and will not be expected to send out media email updates. Exceptions include missing persons, wanted subjects, etc. or other information that must be distributed immediately.
- ② Under normal circumstances Patrol Lieutenants and Captains will provide on-camera interviews and forward the information from the scene to both Lydia Prichard and me. This will ensure we are aware of the incident information and can send out a news release or email to media as needed.
- ② Lieutenants and Captains will alert both Lydia and me during large scale incidents that occur after hours (homicides, SWAT situations, etc.). As PIO, Lydia (or if Lydia is unavailable I) will respond to a scene to act as a media liaison.

Please add Lydia and my cell phone numbers to your cell phones:

My cell – 509-435-1866

Lydia's cell – 509-481-8656

Thank you again for your assistance in helping us to have a very positive and productive relationship with local media. Please let me know if you have questions.

Monique

Monique Cotton | PR & Communication Director | Spokane Police Department

509.363.8285 (desk) | 509.435.1866 (cell) | mcotton@spokanepolice.org



The email seemed to indicate that she or Lydia would respond to “large scale incidents”. A drive by shooting in the area of the Garland Business District would probably fit the bill.

On 02-18-2014 I received the following email with attachment from Monique.

Hi Dan,

As we talked about earlier today, attached is the Watch Commander Model information that was distributed to Watch Commanders last spring.

Please let me know if you have questions.

Monique

Monique Cotton | Director of Public Information & Communication | Spokane Police Department

509.363.8285 (desk) | 509.435.1866 (cell) | mcotton@spokanepolice.org

The attachment had a date of May 3, 2013.

The attachment was different than the email that had been sent out on 05-09-2013. The area concerning when she would respond was vastly different than the email. This made little sense to me why a memo crafted on 05-03-2013 would have a different message than an email sent out 6 days later.

I contacted Captain Carl and asked if she had requested Monique respond to the shooting on W. Garland. Capt. Carl told me that she had told Monique that Joe Walker wanted a PIO. Monique told Capt. Carl that is not how it worked and that she would not be responding.

I asked Capt. Richards if he remembered media training last spring and if Monique had handed out responsibilities. He had remembered some training and said that he would check his files.

On 02-20-2014 Capt. Richards emailed me documents from training that occurred on 6-6-2013 and 6-11-2013. Contained in that packet was a very similar document to what Monique had emailed me on the 18th. I compared what had been distributed at training and what she had sent me. I discovered that they were different.

The Watch Commander Public Information Model distributed by Monique to the Sergeants in June of 2013 was dated May 3, 2013 (like the one she had sent me) and was one page long. The one she sent me was over a page long.

Part of her model had a screen snapshot of what the media availability list would look like. The one distributed in June showed a list for the week of 5/6/13 to 5/12/13. The one that she had sent me, representing it to be the one she distributed in the spring of 2013, had a media availability list on it too. The dates on that one showed for the week of 02/17/2014 to 02/23/2014. (This could not be the same document distributed in the Spring)

In addition, there were several changes that were inconsistent with the email that she had sent out on 05-09-2013 and the one that she distributed June 6 and June 11. The most remarkable change was the one concerning her response to calls.

I reread her email with the attachment several times to confirm that the document she emailed me was being represented as the one distributed in the Spring of 2013.

“As we talked about earlier today, attached is the Watch Commander Model information that

was distributed to Watch Commanders last spring”

The statement is unambiguous; she represented the document she sent me as the one that was distributed in the spring. It is clearly not.

I have attached the email that was received on 05-09-2013 and 02-18-2014. In addition, I have attached the documents sent to me by Capt. Richards.

EXHIBIT 6

Walker Personal Log Notes Summary

- 10/09/13 I have met with the Chief and told him I wanted to roll back to Captain for a couple of reasons. His time expectations were unattainable at times and how he viewed and treated employees was not something I agreed with. I told him there were clearly some conflicts within exec staff and our morning meetings didn't seem to accomplish much, because he never seemed to have a plan and we changed direction almost daily. I told him the direction the department was going changed so often nobody could understand what their responsibilities were and it was frustrating and affecting morale. I asked him if he had a plan, so we could all follow along and help move things the direction he wanted to go. The Chief was not pleased that I was asking to step back. He started to get very mad. The Chief said he was disappointed with my decision. He was clearly angry and made a statement that "I blew him up and I was going to ruin everything" by doing this.
 - 10/11/13 Exec Staff – Chief said we are over budget and Jacob Jones from the Inlander is asking questions about the admin costs within the dept. He said nobody has told him that we are over budget and we need about \$67,000 for Use of Force equipment still. AC Meidl was going to work on the difference, but Chief reiterated he was not aware of spending over runs. This statement from the Chief was absolutely untrue. Several of us told him many times throughout the year that he needed to be more responsible with the budget, because he was spending more than the department was budgeted. Carly specifically told him this many times and he would get mad at her after she told him to watch the spending. I saw her crying in her office a couple of times this year after he became angry with her. Myself and Arleth also told the Chief we were going to be way over budget if he continued to spend like he was.
 - 12/16/13 The Chief, Capt Torok and I met this week at Halletts and he was still frustrated that I had stepped down. He told Torok and I that we were the only two that knew how everything worked and were able to get the work done. He called Arleth the guy that couldn't finish anything and AC Meidl deaf and mute. The Chief had asked me at least twice now to become the AC in Meidl's place and sent texts stating this. He said he was going to demote AC Meidl if I accepted this position. I told him I didn't want to be the assistant chief or a commander and I knew I made the right decision. He said he has also been in conversations with two others about filling this role (Schwering & an outside commissioned person)
 - 01/02/14 I met with the Chief at 1100 hours in his office. The Chief said that he has nobody that can step up. He also said no one of command works the hours he does and he doesn't understand it. He asked why. I told him everyone is giving it 100% and we want to see the department be successful. I said we know we need to move the department forward and gain the respect of the community again. I told him people have families too and he can't just see employees as widgets. He started to get irritated
-

Walker Personal Log Notes Summary

about this and said that people get divorced all the time and that work should come first. He said I "blew him up" when I asked to go back to captain. He said if I wanted this to be the best department why did I do that. I told him I had been giving it everything I had, but his expectations and now his views on family caused me to see where I could still be an asset for the department. I told him the department seemed to be in chaos with all of the constant changes. I said it was better that I stepped back and he could get somebody else to fill my roll if he thought I was part of the problem so he wouldn't have to be put in a tough position. He made disparaging comments about AC Meidl. He mentioned again about a conversation he had with me in 2013 when AC Meidl, Arleth and Carly went to a school in Boston (SMIP). He said all Meidl did was call him (Chief) while he was back there and cried and made bizarre religious quotes. He said AC Meidl asked him if he loved him and trusted him to be the assistant chief. It made me uncomfortable listening to this. Earlier in the conversation he also mentioned going back to NY or doing something else.

- 01/08/14 We had our senior staff retreat at 850 e Spokane Falls Blvd. All exec staff and captains were present and Lt's arrived for last two hours. The Chief advised us his three goals were to reduce crime significantly, implement doj reform and continue to integrate stronger relationships with the community. He said the doj will be wasting their time and they will actually learn something from us. He told everyone what the department structure was. He only said Arleth would be assigned to the Investigations Division as a Captain but didn't mention demotion. He also said he (Arleth) would be working for a civilian director yet he told me the day before that he was flattening out the organization. This just kept the same layers within the department, but calling it something else and adding another captain. He said he would not tolerate toxicity and if there was any he would demote them and then remove them eventually from the department. He told Lt McCabe that overtime would not be a problem if used for special patrols, etc. He advised everyone that Lt Cowles would be his exec officer and Lt Tracie Meidl would answer to the Chief directly. There was no plan for specialty teams and he said that needed to be worked out still. He said the captains need to come up with a schedule that ensures coverage and that he will abide by the contract. He did make threats that if there were no captains available or they didn't respond he would not hesitate to demote captains. He said there would be no changes in 2014 and that this was the configuration for the entire year. He said we will be out of the PSB at the end of the year and the precinct captains will be in buildings roughly 3,000-5,000 sq feet. There will be 300 police officers and new cars as well and new technology. The entire retreat was filled with examples from other Chiefs methods of operation and movie references. He also described the "O Ring team" from Nasa that failed to speak up that there was a problem and it caused the space shuttle disaster. He said we will
-

Walker Personal Log Notes Summary

never have an O Ring team and that everyone in the room better speak up if they see a problem (I tried to do this on 01/02/14 as well as other times throughout the year). Other members also spoke up, but it led to nothing but anger and threats from the Chief. He also said we will be operating under the Tacoma neighborhood policing model, but Spokane would be the model and better than Tacoma. His plan was to add two more NCO's and another detective to the precinct captains. There did not appear to be clear planning and or direction. He threatened if captains were unavailable because of vacations he would dictate the hours and when they could be off. There were several references to the contract. The Chief also told all of the captains that they were leaders and not managers.

- 01/09/14 I received a text message from AC Meidl to come to his office at approx 1230 hours. I came to his office and he had me sit down and closed the door. He said there is only one way to say this "You are being demoted to Lt and will be assigned to patrol" He said I would be able to work any shift I wanted though. He was going to discuss this with Capt Torok to work out the shift, etc. He said the captain jobs are going to be no different than the jobs the commanders were doing and that I wasn't going to be able to do that. He said between media events and neighborhood meeting expectations he didn't think I would agree with the time commitments. I had never expressed my concern with time commitments regarding the rank of captain. I didn't express an opinion as to where I was going to be assigned and removed from investigations. I asked him if this was for discipline and he said "no". I asked what the reason was and he said I was being demoted and they were not going to have a NW precinct captain, but the day before at the retreat the Chief was very clear to everyone where I was going to be assigned and at what rank. There was no indication as to this immediate change.
- I met with Capt Torok and advised him I had just been demoted to Lt and stated it was not for discipline. I had already been promoted to Captain and I asked if he knew if I was senior to Capt Dobrow and he said he had an email that I was. He said he would check with HR Dir Lowe. He called her and also received an email stating that I was senior to Capt Dobrow by a day. Capt Torok and Capt Dobrow met with AC Meidl to explain that I was senior to Dobrow and that I couldn't be demoted and/or reduced for cut backs before Dobrow.
- Capt Torok, Capt Dobrow and I were asked to come to the Chief's office at approx 1300 hours. AC Meidl was also present. The Chief went on a rant for approx 45 minutes. He said they had realized after the fact that it appeared they couldn't demote me ahead of Capt Dobrow and that I was not being demoted for discipline reasons. He said I was not engaged and obviously didn't want to be a commander and that the captain's jobs were going to be similar to that of the commanders. This would be impossible, because of

Walker Personal Log Notes Summary

the rank structure and responsibilities as stated in job descriptions with Civil Service. They would be expected to be at neighborhood meetings, media and call outs, etc. He said I obviously didn't want to be part of that before and this new precinct captain position would be the same if not more demanding. He berated and belittled me stating people at city hall didn't have any respect for me and specifically mentioned Theresa Sanders & Mayor. He said they thought I was a quitter. He continued to rant and made comments about the mayor not having any balls to be a leader and deal with the contract and city council. He said the mayor didn't give "two shits about families and divorces". He said Theresa Sanders didn't even need a job because she was a Microsoft millionaire. He said I quit on them and the department. He continued to talk about examples of how great he was and NYPD and his experience back east. He said he didn't understand why I wouldn't keep working as a commander. He said it was Craig's decision to demote me and then clarified it with, but I support him. He continued to berate me. The Chief asked if we were all in. Rick said "yes" Dan said "yes" and he looked at me and said this is all about you. I told him I have been in for the past 25 years and never said I wasn't in now. It seemed all of these assumptions were made and there was never any discussion and I was never told of any problems or discipline. I told him based on what I heard today I was going to consult with the association and attorney to weigh my options. The Chief became red faced and said "well fuck it then". Clearly you don't give a shit and if that's how it is I am going to tell the mayor this week that he was quitting and will notify the doj that they should come in and do a consent decree and you will all have to deal with them and what they tell you to do. He said he didn't want to hear that " fuck Cummings talk about vacation again either or he would grab him by the throat and choke him". He said since I am on probation he would demote me that way. I have only been in this position for a week. He called the association grade school compared to back east and Indianapolis and he didn't give a shit. He finished by saying he would decide what he would do. I was not told what position I held and where to report Monday. His statements go against everything he said to everyone the day before about our department teaching the doj something, etc. The mean disrespectful comments he made were similar to the treatment I had observed when he dressed down Capt Cummings in front of a room full of 30 people in compstat. The derogatory treatment Capt Cummings received was enough that the legal advisor (Mary Murumatsu) went to the city attorney (Isserlis) and expressed her concerns and the Chief was spoken to about that by the city attorneys. I know everyone that left the room that day including outside agencies (FBI Frank Herrill) had commented negatively about it.

- We (Dobrow, Torok & I) left and spoke about what to do and notified Reisenauer. Dobrow said he had "never seen anything like that". He also said he was documenting
-

Walker Personal Log Notes Summary

all of it in notes. He said there was no way he could work directly for anyone like that. I also had a phone conversation with Erin Jacobson and told her what had occurred. I told her I would be speaking with our (Association) attorney. She said nobody has ever made disparaging comments about me and actually just the opposite why I stepped down. I gave her details about his behavior and comments made about others at City Hall. She admitted that she and others are as frustrated with all of the changes in structure at the department and what his plan is. She said some have commented that they have heard about his temper and how he has treated employees too. I asked her why nobody has addressed it. I told her we have made some great progress within the department and implemented awesome programs, but his behavior was going to derail everything we have been working on. I told her one of his favorite saying was "sitting somebody outside his office and intensively managing them". He has moved people everywhere and some multiple times when he tried to force them out of the department.

- 01/10/2014 I was called to the Chief's office again with Capt's Dobrow and Torok. AC Meidl was also present at 1000 hours. The Chief said he just had a couple of things to say. He gave all of us the Captain expectations for the precincts, which were new and had not been given to any of the other newly promoted captains or other precinct captains. He had an article from the retreat highlighted regarding toxic leaders. He gave that to us as well. He confirmed I was still a captain and to report on Monday to AC Meidl for the NW precinct. He said he didn't know how this got so sideways, but offered no apology. He said obviously I was on probation and I was expected to be able to operate under these expectations and if I couldn't and or there were other issues then I would be having a different discussion with him. There was no other discussion regarding this other than attending a command class in March in Spokane. I returned to my office and within 30 minutes I received an email from him cc'd to Heather Lowe telling me to sign up for a city sponsored class that appeared to be in line with first level supervision and it was 7 weeks long once a week for 4 hours. This was humiliating and insinuated that I wasn't even capable of being a first level supervisor.
 - 01/15/14 I met with Erin Jacobson, Heather Lowe, Rick Dobrow & Dan Torok at 0900 hours at city hall. I advised them that I wished to roll back to Lt. I told them it was for personal reasons and that I would like their assistance to be able to do this. They said they would take care of the discussion with the Chief and civil service and have this worked out as soon as they could. They were going to meet with the Chief on Thur Jan 16th and discuss this with him. They would be back in contact with us. We all gave them very clear details of his behavior and comments that he made during our meeting with him. They said it would be addressed.
-

Walker Personal Log Notes Summary

- 01/16/14 I received an email from Heather Lowe stating everything was going through for me to be a Lt. I will be sending her a request for the voluntary demotion contingent to there being an open position. See email -

Good Morning Joe,

I spoke with the Chiefs this morning. As we discussed last night, the plan will be to classify a 14th Lieutenant position and then based on your request to voluntarily demote, you will be put in the Lt. classification. Please get me a formal request to voluntarily demote as soon as you can.

We are requesting the 14th Lt classification from Civil Service right now and asking that this be done asap so that we can get you taken care of right away.

I will let you know where we are at in the process and will give you updates as I receive them.

Thank you!

01/16/14 I received this email from Heather Lowe see email - **From:** Lowe, Heather

Sent: Thursday, January 16, 2014 2:48 PM

To: Walker, Joe

Cc: Torok, Dan

Subject: FW: Two classifications in the Police Department

Joe,

We have two Lts classified through CS – please get me your voluntary demotion letter (email is fine) so that we can get you on that list and then put in the requisition with your name on it.

This will be done much faster than I originally anticipated so we may be able to get this done in time for our next pay cycle, which is next week.

Thanks!

01/16/14 I also received this email - **From:** Lowe, Heather

Sent: Thursday, January 16, 2014 10:05 AM

To: Walker, Joe

Cc: Torok, Dan; Jacobson, Erin

Subject: Status

Importance: High

Good Morning Joe,

Walker Personal Log Notes Summary

I spoke with the Chiefs this morning. As we discussed last night, the plan will be to classify a 14th Lieutenant position and then based on your request to voluntarily demote, you will be put in the Lt. classification. Please get me a formal request to voluntarily demote as soon as you can. We are requesting the 14th Lt classification from Civil Service right now and asking that this be done asap so that we can get you taken care of right away.

I will let you know where we are at in the process and will give you updates as I receive them. Thank you!

- 02/19/14 We had labor negotiations with the city at 0900 hours. Erin J, Tim D, Gita, AC Dobrow represented the city. Myself, McCabe, Arleth, Richards, Reisenauer were representing the assoc. We discussed all old topics from 2012 and agreed to meet again. We also discussed the constant change occurring in the dept and the positions and responsibilities. We stated we wanted to negotiate these changes and AC Dobrow advised us he would notify the Chief and let him explain the changes he has proposed. Erin also said she would send an email to the Chief notifying him we wanted to discuss the changes and responsibilities for the director positions as well as additional Lt and Capt responsibilities and who they report too and the loss of the Capt position Dobrow held. Tim Dunivent told us they were having a hard time following all of the Chief's changes and they were paying attention to it. The Chief's spending was a concern.
 - 02/26/14 We had labor management meeting with the following people in the Chief's conference room. Chief, AC Dobrow, Gita (HR), McCabe, Cummings, Richards, Arleth and myself. We advised the Chief we would like to discuss the issues outlined in McCabe's email above. McCabe did most of the talking from the association. He asked about the minor contracts email from Erika Wade and what the Chief expected from the Lt's and Capt's. The Chief stated he just wanted to have the Lt's and Capt's be aware of contracts within their area of responsibility and the secretaries would also assist. He gave examples of precincts and his expectation was that Capt's could sign off on minor contracts and not major ones. McCabe told the Chief we wanted to table the DSO shift commander guidelines. The Chief said he was aware of a complaint against Monique that was filed in IA today. McCabe told him no complaint had been filed and the Chief looked at Dobrow as if he was surprised. The Chief then went on to talk about shift commander responsibilities. He gave an example of a shooting occurring at Ash and Buckeye on a Sunday night and the response would be minimal and wouldn't need a DSO or PIO, but if we had a shooting on a Saturday afternoon at Howard and Main it would require a full response because of the political issues. He didn't seem to give other areas of the community the same priorities as downtown. He didn't expand if that was coming from the Mayor or just his decision. McCabe asked the Chief about the training/IA Captain position Dobrow had and if the Chief was going to fill it. The Chief became irritated immediately and said you guys know who is on the list (Lt Sprague & ?) and if that is what you want. He then talked about refreshing the list and if we were
-

Walker Personal Log Notes Summary

going to fight him on everything he wasn't going to deal with that and would just do what we want (the association was not fighting him on everything). McCabe said we don't want to fight we want to move forward but he hasn't laid out a plan for anything and we wanted to know what he planned on doing with that position. He said if we wanted to see one of those two promoted then he would. McCabe told him we have to look out for the best interest for our members. We met separately for a few minutes and decided to consult with our attorney and the Chief was advised of this. McCabe asked about the new director of investigations position and what the Chief planned on doing with those responsibilities because we had commanders and Arleth was demoted. He asked if Selby was going to be commissioned and the Chief said he was looking at that. McCabe said some of his job responsibilities matched those of a captain and again we need to look out for our members. The Chief then went on for several minutes about all the promotions and then started in on negotiations and specialties and special pay for captains in charge of precincts. He talked about buildings and take home cars, but if we wanted to fight over all this then he would just have 300 street cops and stop promoting people. McCabe again said we wanted to move the department forward but have never heard a plan and the Chief never did lay one out. Cummings and Richards left and McCabe and I stayed to talk to Gita, Dobrow and the Chief. McCabe told the Chief he was forwarding a complaint on Monique tomorrow and it was in regards to dishonesty and false reporting. The Chief immediately said isn't that something that can be handled at the management level. McCabe said no it is clearly an IA issue. The Chief wanted details, but McCabe said he would lay them out in writing tomorrow. The Chief then turned and glared right at me and said "I see where this is going". He seemed to take it personal. I didn't say anything. McCabe said we were done and we left.

- 02/28/14 McCabe and I met with Gita at City Hall. I advised her we did not want to file a complaint but we were very concerned about the Chief's comment at the end of our meeting. I told her I took it as a threat for potential retaliation. I explained why I believed this and what had occurred last year. I gave her some details of what type of behavior we had observed. I described the demotions for myself Meidl, Arleth and how Carly had been sent off to City Hall and that she had tried to advise the Chief about the department spending and budget. I described his comments in detail during his attempt to demote me and what he said the Mayor allegedly said. I told her that was why we couldn't take anything to the Chief or Mayor. I asked her if she thought it was unusual that the Chief wanted to deal with the complaint at his level or management. She agreed it caught her attention too. We told her he seemed to be very protective of her and spent a lot of time with her at work. She asked if we believed if there was anything
-

Walker Personal Log Notes Summary

illegal going on and we said "no". She asked about ethical and we said we didn't know. We finished by saying that we just wanted her to be aware of our concerns with retaliation. She said she would bring it to her bosses (Lowe) attention. We felt our concerns would be addressed because Gita is the departments HR rep and provides training to the department reference bullying and harassment.

- 03/05/14 Myself and others (Olsen, Wohl, Sprague, Torok) attended Command College during this week and Chief Straub taught two sections on this date. He was rambling on about areas that didn't have anything to do with public value and police legitimacy. He started talking over and over about 911 and how he ran and someone behind him was killed. He talked about being airlifted off a mountain while skiing. He came across very arrogant and it was bizarre. Several of the attendees contacted the assistant director (Debra Mealy) of the cjtc at lunch break and told her they couldn't follow the Chief and he was arrogant. A couple of others asked if he was always like this. Another attendee told me this. Mealy sat through the second half session.
 - 03/14/14 Lt McCabe and Sgt Reisenauer spoke with Erin Jacobson and Heather Lowe about our complaint against Monique. I had received a voice mail from Trish (HR). She stated the investigation was completed within a week of being filed. None of the officers listed were ever interviewed. Lt McCabe pointed out several problems with the way this complaint was handled. There were no interviews of the officers and the inadequate response wasn't even addressed. The computer was never analyzed to see when the document was redone in Capt Torok's complaint. Heather told McCabe that Torok and I could speak with her. She told McCabe that the complaint will be sent to the chief for review but neither complaint was founded.
 - 03/14/14 I received an email from HR Dir Lowe today asking to meet for additional info. See email -
Hi Joe,
Can we meet for coffee on Monday? I'd like to get any additional information on the complaint and to touch base to see how you are doing.
Thanks!
 - 03/17/14 I met with Heather Lowe today at Hallett's Coffee House and she asked me about the complaints the association had filed. I told her I didn't care to talk about the complaint anymore because they were done with the investigation and it appeared the investigation had a predetermined outcome based on the lack of effort put into the investigation. I told her I was concerned about retaliation. I told her last year on several occasions the Chief became very protective and defensive of Monique. I told her Torok
-

Walker Personal Log Notes Summary

was afraid to say anything else because of retaliation fears. I told her about the texts the Chief sent to Torok right after the complaint was filed and that the texts appeared to be an attempt in to intimidating Torok. I also told her what the Chief said while we were in labor management with Gita. I told her how the Chief had been treating employees and the inappropriate comments that he has made. I said I was aware of a text that a Captain received from the Chief that appeared to have been meant for Monique. It said something about him (Chief) loving her and a couple of other comments that seemed to be inappropriate to send to a subordinate. I said he used to make Carly cry when she would let him know he was spending more than he should be and he would get mad and yell at her. The Chief said some inappropriate things about the US attorney early on, because Mr Ormsby didn't come to Compstat at first. These comments got back to Mr Ormsby and the Chief ended up telling us he (Chief) had to apologize. I told her other employees have taken demotions or requested transfers to get away from the Chief and his behavior. She assured me she would look into these concerns and make sure to monitor any possible future issues.

- 04/28/14 I spoke with Erin Jacobson today and told her the Chief told me that Monique was a hair away from filing a hostile workplace lawsuit against me and Torok. The timing of hearing this was interesting because I assumed the Chief had been counseled about the text and his behavior towards myself, Monique and others. I asked her if she knew who from City Legal told the Chief that Monique was a hair away from filing a hostile work place law suit against me. Erin said it wasn't her and she didn't know of anyone who said it. She said she would check with Nancy and Mary M. She said she knew Monique had talked to Gita a week ago and was supposed to meet with her but never showed up or canceled. I also said if it was that close being that the Chief is her supervisor shouldn't he file a complaint then or have my supervisor talk to me. She agreed. I told her Cummings and McCabe said what should have been a 30 min discussion about if the original complaint was done and dso policy turned personal towards me and Torok and Arleth. I told her I have taken two demotions to get away from and avoid him because of his bullying and harassment. I finally asked her if there was anything she could do to make sure others at City Hall were aware of his behavior. She said they were aware and had heard things.
- 05/15/14 Lt McCabe attended labor management along with the Guild members and Chief Straub and Gita. The Chief became very angry with Lt McCabe about filing the grievance and ulp. [REDACTED] McCabe told me about this and Gita got a hold of him to meet the following week. That was an inappropriate comment in front of other department members. I had also heard this

Walker Personal Log Notes Summary

inappropriate comment from other Guild members who were present during this meeting. They said it was one of the worse meetings they had seen reference the Chief's behavior.

- 06/11/14 Lt Arnzen told me that on 06/04/14 at the senior staff retreat the Chief went on about an hour long rant at the end, which I also heard from others that attended. He made several comments that seemed to be directed at me and a couple others. The Chief also made a comment about how all the people in the South Perry district thought he was great and just loved him. He said he could probably have any woman up there, because of all the great things he has been doing. Arnzen said this was extremely inappropriate. I also heard this rumor from Sgt Ervin on 06/10/14. He asked about the Chief making these statements.
 - 07/22/14 I met with the SPD legal advisor (Mary Murumatsu) today and asked her when the city attorney would be assigned to the CEU unit because I was told I would have assistance with all of these new projects. She told me that it may be awhile because they didn't know how they would pay for his position yet. He is currently being paid through city hall as a budgeted position. She then told me there was discussion about using seizure funds to pay his wages. I told her I didn't think you could use seizure funds to supplant wages. We also spoke about the creation of the unit and some of the reasons he gave. She expressed concerns too and would monitor. She said she has kept Nancy in the loop with what has been going on within the department too.
 - 09/02/14 We have just concluded negotiations with the city and we (Association) were approached by Erin Jacobson about accepting an early medical buyout type clause. It used to be calculated so that your age and time on had to add to a certain number. Now it doesn't matter what your age is and you only need 20 years on. Several people have commented that is the Brad & Joe clause (meaning the chief is trying to get us to retire). I had a conversation with Erin Jacobson about this and told her I wasn't sure how many members would take this offer. I told her she could pass on to the Chief that myself and Arleth would not be taking this offer though.
 - 11/05/14 I turned in the whistleblower complaint to Erin Jacobson. I told her I was extremely concerned with the purpose of the Civil Enforcement Unit. We talked about the Chief's behavior again and I told her about the text I had seen that was sent mistakenly sent to Captain Torok last year. I told her the Chief sent a text that had been meant for Monique and it had comments about Monique being his best friend and that he loved her (Monique). I said I wasn't sure what was going on between them but it didn't look good. I said somebody needs to do something about his behavior soon, because it just keeps getting worse and I would not be surprised if it ended in lawsuits like had happened with other Chiefs in the past. She assured me that others above her were aware of his behavior and budget issues.
 - Erin Jacobson made contact with me by phone just prior to my transfer from CEU to patrol. She asked if I was willing to accept an offer to retire early. She said the City allows for a payout of up to \$48,000 for retirement. I told her I wasn't old enough to
-

Walker Personal Log Notes Summary

retire and was not accepting that offer to retire. It appeared based on the conversation the offer was being pushed by the Chief. I got off the phone and immediately told my coworker (Matt Folsom) about this offer. I told him I wouldn't be surprised if the Chief eventually caused a bigger mess for the City or the department.

11/12/14 Senior Staff meeting – staffing org chart plan for 2015. Lt's & Capts, admin staff present. Chief stated main goal for 2015 is to move to precinct model. They are hoping the north precinct will be open by mark up. Chief described plans to move south precinct into intermodal and downtown precinct into main floor of city hall. NW precinct would move into nw community center. AC Dobrow said precinct LT hours would be rotating 10's for day shift and 10-40's for power and graveyard. Precinct Lt's will be placed in precincts and shifts based on department needs and seniority as factors. Chief said a contract person (Steve James) will be hired on a yearly contract to the academy/training and will look into getting college credits for academy attendance and other training for precincts, etc. Lt King is not being moved from the academy. Chief and AC Dobrow both admitted communication has been a problem and has affected things. They will make a better effort to communicate direction and keep captains in the loop on things. He said the captains will be the chief of their part of town and eventually be given a budget. They will be given the ability to make command decisions. North and South will be divided into a 60/40 split. The DV unit will be moving to the YMCA. Both administrative captains for Dobrow and Schwering will be called XO's not deputy directors. AC Dobrow said the precinct hours are still being worked out. He reiterated there will be no organizational changes in 2015 except for promotions and retirements, etc.

11/13/14 Civil Service sent us an email asking for input on job descriptions for Lt's and Capts that they had received from the department. This was received prior to our meetings with them this week. The Chief never mentioned any of these changes. See Email - Thanks for the heads up --- I hadn't seen them either, but that's pretty typical actually for Civil Service processes to be limited to the Department and the impacted union. I usually only get into it if we're trying to negotiate something outside of the Civil Service process.

I appreciate your comment about preferring to be involved earlier on, but I can at least assure you that nothing will get to the Civil Service Commission for approval without your concurrence. If the Association and Department don't agree on something in the job spec, Civil Service will usually set up a meeting with both parties to try to resolve any issues. If they can't get both of you to agree, then they'll send it to the Commission and the Association and Department will both get a chance to present their positions before any changes are made to the job spec.

Confidential & Privileged Legal Materials

[No Disclosure Authorized Without Express Consent of Client(s) & City Attorney]



Erin A. Jacobson | Assistant City Attorney
office 509.625.6889 | cell 509.710.8028



FIND US



LIKE US



FOLLOW US

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error,

please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received. Thank you.

From: McCabe, David E.
Sent: Thursday, November 13, 2014 11:10 AM
To: Jacobson, Erin
Cc: Walker, Joe; Reisenauer, Chuck
Subject: FW: Capt. and LT proposed job spec changes

Erin, I don't know if you've seen these yet. This is the first time that anyone from the Association has seen them. We didn't know anything about proposed changes to these classifications and have had no discussions about changing them with the Chief's office. We're in the process of reviewing them now, but it would have been nice to be in the discussions from the beginning.

Thanks!

Dave

From: Cline, Janet K.
Sent: Tuesday, November 11, 2014 9:55 AM
To: McCabe, David E.
Subject: Capt. and LT proposed job spec changes

Hi Dave,

SPD management sent me some proposed changes to the lieutenant and captain job specs, and I made further changes to make them fit our format – see attached. SPD approves of them as attached.

Please review the changes and let me know if the LTs & Capts Association approves, or if you have comments/suggested changes, etc. If you can do this by the end of the month, that will be helpful.

If you want to look at the attached specs without all the edits showing, choose the Review tab, then in the Tracking section change Final Showing Markup to Final. It doesn't change the document, it just changes what you see. (You may already know that, but not everyone works with this aspect of Word).

Thanks.

Janet Cline
Exam Analyst
Civil Service
#6163

12/03/14 I was speaking with Matt Folsom this morning in our office when Capt Olsen came to the office. He was speaking with Matt and I left for a few minutes. When I came back they were still talking and stopped talking abruptly. It was apparent they were talking about me. Capt Olsen then left. I asked Matt if they needed more time to talk about me. He was flustered and said he didn't want to be involved in that. I asked him if Capt Olsen said I was being transferred. He said yes he just told him that I was being transferred at the first of the year. I told him that Capt Olsen hadn't told me that yet since I was the one being moved again. I sent an email to Erin J and Heather Lowe after this because of the rumors and statements Capt Olsen was making to my coworkers about being moved but he had not even told me that personally.

See email -
Erin & Heather,

I am concerned about some rumors I have heard recently, which involve me and that appear to have been started by Captain Olsen.

I was recently asked by a detective if I had filed a complaint against Detective Pence. I find this interesting because the only two people within the Gardner Building that knew about the whistleblower complaint I filed are Captain Olsen & Director Smith. A detective sergeant had also asked another Captain if I had filed a complaint as well.

I was contacted by a precinct Captain who told me that Captain Olsen had called him and said I was going to "throw him (precinct Captain) under the bus" at a recent compstat meeting. I asked this other Captain if he felt I had done this at the compstat meeting and he said "no".

Lastly I just found out that Captain Olsen had informed one of my coworkers that I was being transferred at the first of the year, but Captain Olsen has not informed me of this. There also hasn't been anything sent out department wide that I was being transferred.

These are just a few examples of among others of what has occurred since I filed the whistleblower complaint against Captain Olsen. It seems clear Captain Olsen is attempting to disparage my reputation and cause internal conflict within the department and with my coworkers, because of the whistleblower complaint I filed.

I am asking both of you to please make sure Captain Olsen stops this rumor mongering, because this behavior is not appropriate. I appreciate your assistance.

Thank you
Joe

12/08/14 Email (below) from Det Stacey Carr -

Thank you, Joe. I have enjoyed working with you. I really admire you for giving me a positive work environment despite the situation. That takes a lot of character! I do wish you the very best in your new position.

Stacey

Sent from my Verizon Wireless 4G LTE DROID

01/26/15 I received a phone call from Director Schwering on 01/26/16 at approx 1530 hours. He told me they were taking my patrol car from me and rotating me to the same body style only marked. He said the Chief wanted this done. I told him the timing was interesting because I had just passed Chief Straub on Monroe street. He said they were rotating all of the Lt cars, but I explained to him that several of the Lt cars are unmarked like mine. I spoke with Schwering again and said I didn't have a problem rotating cars but it didn't make sense given what other Lt's were driving (very old vehicles).

He agreed and sent me this email -

Since Lt. Walker is driving a newer vehicle, let's not worry about his car at the moment until we have more of the lieutenants that are in Crown Vic's taken care of.

Thanks,

Tim

EXHIBIT 7

December 21, 2015

City of Spokane Human Resources Department
4th Floor
808 W. Spokane Falls Blvd.
Spokane, Washington 99201-3327

Re: Concerns regarding Hostile Work Environment, Gender Discrimination, Sexual Harassment and Retaliation.

Dear Human Resources Department:

I am writing to formally request your help and support in relation to the hostile work environment, gender discrimination, and retaliation I was subjected to under former Spokane Police Chief, Frank Straub. It is my hope that we can resolve these issues informally and out of the spotlight. To date, I have been incredibly fearful of filing this request for help, but as Chief Straub is no longer in his role, I am hopeful that I can do so without facing additional retaliation.

Prior to Chief Straub's appointment, I was employed in a protected position as a police planner, focusing on resource allocation. Since his hiring my world has been turned upside down. Things started off pleasantly enough. When Chief Straub was hired in 2012, I was promoted to Business Services Director, a new position responsible for records management, fleet, police planning, and serving as a liaison with accounting. In this role, however, I was no longer a protected employee.

It became evident early in his tenure here that Chief Straub intended to accomplish his goals regardless of whether he had to break rules and established procedures in order to do so. This included efforts to obtain funding for things that were not permitted and skirting procedures in order to manufacture certain results. I repeatedly told Chief Straub that he could not take these shortcuts and that he had to follow procedure. In response, Chief Straub started trying to get rid of me, post haste.

In June 2013, I was sent to a three week leadership training in Boston. I later learned that Chief Straub said that he wanted me to attend so that for that period, at least, I would be out of his way. During our leadership team meetings, which included Monique Cotton and several others, the Chief subjected us to constant negative feedback. During one of the meetings, he described himself as "a cock sucker" and threatened to fire me and demote Brad Arleth.

On August 13, 2013, I took on a temporary project that was supposed to last for less than 12 months. I did this solely to get away from the suffocating and toxic exposure I was subjected to

with Chief Straub each day. In October, I was moved to City Hall to work on the project. I later learned that as soon as I took the temporary project, the Chief removed me from the organization chart at the Spokane Police Department. I was replaced shortly thereafter by a male with no experience at the same pay rate I had been receiving. That male with no experience was subsequently given an \$18,000.00 raise by Chief Straub.

I met with Mr. Straub on October 9, 2013 to discuss return to my role upon completion of the project. The very next day he cut off all of my access to the Spokane Police Department, thus eliminating any opportunity for me to return to my position.

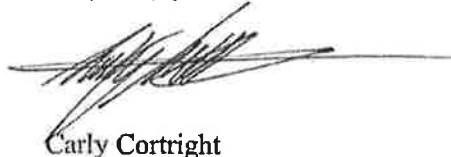
My story has even become a cautionary tale for other City employees. For example, the husband of a city colleague was subsequently hired as a police officer. During his on-boarding, he was told not to get on the Chief's bad side or else he would get "Carlied." This disgusts me.

To add insult to injury, several of my former colleagues, Joe Walker and Brad Arleth asked Chief Straub about my status when I did not return to my prior job. The Chief told them that I had to go because I was a "cunt."

As indicated above, I did not lodge a formal complaint at the time as I was terrified of retaliation. I knew nobody could or would do anything to help, as evidenced by Monique Cotton's recent complaint. Nobody from the City has contacted me at all since I made comments to the media to try to shed some light on this matter.

In summary, I have been subjected to a hostile work environment, gender discrimination, and retaliation. I am currently still employed for the City, although I do not enjoy the role that I have been forced into as much as I enjoyed my prior position at the Spokane Police Department. It is my goal to discuss this matter with you informally in an effort to resolve these issues short of any formal action. I do not want to cause the City any trouble, but I remain fearful of retaliation. I am asking you to take prompt and immediate steps to protect me.

Very truly yours,



Carly Cortright

EXHIBIT 8

Kris Cappel

From: Straub, Frank
Sent: Friday, February 28, 2014 10:57 AM
To: Jacobson, Erin; Muramatsu, Mary
Cc: Isserlis, Nancy; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather
Subject: RE: Complaint

All good. HR is it. Regardless, there will be more – immaturity is immaturity.

From: Jacobson, Erin
Sent: Friday, February 28, 2014 10:26 AM
To: Straub, Frank; Muramatsu, Mary
Cc: Isserlis, Nancy; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather
Subject: RE: Complaint

[REDACTED]

Confidential & Privileged Legal Materials
[No Disclosure Authorized Without Express Consent of Client(s) & City Attorney]



Erin A. Jacobson | Assistant City Attorney
office 509.625.6889 | cell 509.710.8028



NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received. Thank you.

From: Straub, Frank
Sent: Friday, February 28, 2014 10:22 AM
To: Muramatsu, Mary
Cc: Jacobson, Erin; Straub, Frank; Isserlis, Nancy; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather
Subject: Re: Complaint

Opening an investigation or an involved HR process gives much more credence to the bs.

[REDACTED]

Sent from my iPhone

On Feb 28, 2014, at 10:20 AM, "Muramatsu, Mary" <mmuramatsu@spokanecity.org> wrote:

[REDACTED]

From: Jacobson, Erin
Sent: Friday, February 28, 2014 10:17 AM
To: Straub, Frank; Isserlis, Nancy
Cc: Muramatsu, Mary; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather
Subject: RE: Complaint

Frivolous or not, a complaint has been made. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidential & Privileged Legal Materials

[No Disclosure Authorized Without Express Consent of Client(s) & City Attorney]

<image001.jpg>

Erin A. Jacobson | Assistant City Attorney
office 509.625.6889 | cell 509.710.8028

<image002.png> <image003.png> <image004.png>

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received. Thank you.

From: Straub, Frank
Sent: Friday, February 28, 2014 10:11 AM
To: Isserlis, Nancy
Cc: Muramatsu, Mary; Jacobson, Erin; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather
Subject: RE: Complaint

My sense is it wouldn't even rise to that level as she attempted to address the issue, albeit not fully and accordance to policy. Again – no indication that it was deliberate – bottom line – her colleagues thought it was funny at the time and failed to help her out. Now it is a “crime against the state.”

From: Isserlis, Nancy
Sent: Friday, February 28, 2014 10:09 AM
To: Straub, Frank
Cc: Muramatsu, Mary; Jacobson, Erin; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather
Subject: Re: Complaint

[REDACTED]
[REDACTED]

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

On Feb 28, 2014, at 10:01 AM, "Straub, Frank" <fstraub@spokanepolice.org> wrote:

[REDACTED] – it is (a) frivolous, (b) resulting from a civilian employee not be cognizant of the car policy, (c) action was taken at/or close to the time of the damage discovery, e.g. photos taken, (d) persons familiar with the police, including fellow members of the command staff (Arleth and Walker) failed to advise her

as to proper procedure, (e) it is clearly retaliatory in nature stemming from the more recent event and an ongoing issue of disrespect for the position by members of the commissioned staff.

My thought would be [REDACTED]
[REDACTED]

Other thoughts?

From: Muramatsu, Mary
Sent: Friday, February 28, 2014 8:13 AM
To: Straub, Frank; Jacobson, Erin
Cc: Isserlis, Nancy; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather
Subject: RE: Complaint

Chief,
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] - M

From: Straub, Frank
Sent: Friday, February 28, 2014 7:20 AM
To: Jacobson, Erin
Cc: Isserlis, Nancy; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather; Muramatsu, Mary
Subject: RE: Complaint

Response to complaint:

1. The complaint is in fact two (2) separate complaints – one stemming from the damage to the vehicle. The second, although directed at Ms. Cotton is a broader complaint focused on the department’s policies regarding media, DSO, and operations.
2. Because there are two separate and distinct issues – I am going to direct that two separate complaints be generated.
3. Regarding the first, we (IA) will investigate the incident and related issues as well as all persons involved.
4. Regarding the second, I will assume responsibility for the complaint as I am ultimately responsible for policy development, implementation, and follow-up. We will use the second complaint to address the various policy issues raised by the incident (a shooting) and clarify all related policies, procedures, training and other issues within 30-days.

Frank

From: Jacobson, Erin
Sent: Thursday, February 27, 2014 4:31 PM
To: Straub, Frank
Cc: Isserlis, Nancy; Dobrow, Rick; George-Hatcher, Gita; Lowe, Heather; Muramatsu,

Mary
Subject: FW: Complaint

FYI – I haven't looked at this yet, but here is the complaint that McCabe filed re Monique.

As we discussed earlier, I do advise [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Confidential & Privileged Legal Materials

[No Disclosure Authorized Without Express Consent of Client(s) & City Attorney]

<image001.jpg>

Erlin A. Jacobson | Assistant City Attorney
office 509.625.6889 | cell 509.710.8028

<image002.png> <image003.png> <image004.png>

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received. Thank you.

From: McCabe, David E.
Sent: Thursday, February 27, 2014 3:11 PM
To: Jacobson, Erin
Cc: Walker, Joe
Subject: Complaint

Hi Erin,
The complaint has been filed. Please read my complaint summary first, then you can go over the attachments. Everything is properly labeled, so it shouldn't be too confusing. Let me know if you have any questions.
Thank you!
Dave

EXHIBIT 9

Re: Meeting

Walker, Joe

Sent: Friday, March 14, 2014 6:38 PM

To: Lowe, Heather

Sounds like a plan

I will be in around 9:00am. Let me know what time works for you

Sent from my Verizon Wireless 4G LTE DROID

"Lowe, Heather" <hlowe@spokanecity.org> wrote:

Hi Joe,

Can we meet for coffee on Monday? I'd like to get any additional information on the complaint and to touch base to see how you are doing.

Thanks!



Heather L. Lowe | City of Spokane | Human Resources Director
509.625.6233 | fax 509.625.6379 | hlowe@spokanecity.org | spokanecity.org



EXHIBIT 10

George-Hatcher, Gita

From: George-Hatcher, Gita
Sent: Wednesday, April 02, 2014 08:20
To: Cotton, Monique
Subject: Monday

Monique,

Based on our conversations this week, I will contact you on Monday (4/7/14) in the late afternoon regarding follow up after you have, based on your suggestion, had a chance to talk with the Chief in the morning of the same day as he is out on vacation this week. In the meantime, please feel free to contact me to let me know if there are any additional issues. Thank you and have a great week.

Gita

Gita S. George-Hatcher, M.P.A., C.L.R.P., P.H.R.
Human Resources Analyst
City of Spokane
44 W. Riverside Avenue
Spokane, WA. 99201
(509) 625-7083

This electronic message is intended only for the use of the addressee(s) named above and may contain legally privileged and/or confidential information. Any dissemination, distribution or copying of this message is strictly prohibited. If you received this message in error, please immediately notify the sender by telephone and delete the original message.

George-Hatcher, Gita

From: George-Hatcher, Gita
Sent: Monday, April 07, 2014 13:13
To: Cotton, Monique
Subject: Interview

Monique,

This is to follow up with you regarding your phone conversation with me that you are cancelling the interview appointment that was scheduled for this afternoon at 2:30 p.m. You indicated that you had spoken to the Chief today about your concerns and issues and that the Chief has assured you that he would be addressing the issues to ensure that you are not subjected to a continuation of the behaviors you are concerned about. You indicated that you would like to provide the Chief with the opportunity to address these concerns and that if the types of behaviors that are of concern to you continue, then you will contact me. Thanks.

Have a wonderful day!

Gita

Gita S. George-Hatcher, M.P.A., C.L.R.P., P.H.R.
Human Resources Analyst
City of Spokane
44 W. Riverside Avenue
Spokane, WA. 99201
(509) 625-7083

This electronic message is intended only for the use of the addressee(s) named above and may contain legally privileged and/or confidential information. Any dissemination, distribution or copying of this message is strictly prohibited. If you received this message in error, please immediately notify the sender by telephone and delete the original message.

George-Hatcher, Gita

From: George-Hatcher, Gita
Sent: Monday, April 07, 2014 13:54
To: Cotton, Monique
Subject: RE: Interview

You are welcome.

Have a wonderful day!
Gita

*Gita S. George-Hatcher, M.P.A., C.L.R.P., P.H.R.
Human Resources Analyst
City of Spokane
44 W. Riverside Avenue
Spokane, WA. 99201
(509) 625-7083*

This electronic message is intended only for the use of the addressee(s) named above and may contain legally privileged and/or confidential information. Any dissemination, distribution or copying of this message is strictly prohibited. If you received this message in error, please immediately notify the sender by telephone and delete the original message.

From: Cotton, Monique
Sent: Monday, April 07, 2014 1:39 PM
To: George-Hatcher, Gita
Subject: RE: Interview

Thank you, Gita.

Monique

Monique Cotton | Director of Public Information & Communication | Spokane Police Department
509.363.8285 (desk) | 509.435.1866 (cell) | mcotton@spokanepolice.org

From: George-Hatcher, Gita
Sent: Monday, April 07, 2014 1:13 PM
To: Cotton, Monique
Subject: Interview

Monique,

This is to follow up with you regarding your phone conversation with me that you are cancelling the interview appointment that was scheduled for this afternoon at 2:30 p.m. You indicated that you had spoken to the Chief today about your concerns and issues and that the Chief has assured you that he would

be addressing the issues to ensure that you are not subjected to a continuation of the behaviors you are concerned about. You indicated that you would like to provide the Chief with the opportunity to address these concerns and that if the types of behaviors that are of concern to you continue, then you will contact me. Thanks.

Have a wonderful day!
Gita

Gita S. George-Hatcher, M.P.A., C.L.R.P., P.H.R.
Human Resources Analyst
City of Spokane
44 W. Riverside Avenue
Spokane, WA. 99201
(509) 625-7083

This electronic message is intended only for the use of the addressee(s) named above and may contain legally privileged and/or confidential information. Any dissemination, distribution or copying of this message is strictly prohibited. If you received this message in error, please immediately notify the sender by telephone and delete the original message.

George-Hatcher, Gita

From: George-Hatcher, Gita
Sent: Friday, April 11, 2014 11:49
To: Cotton, Monique
Cc: Lowe, Heather
Subject: Closing the Loop

Monique,

Just to let you know, I followed up with the Chief on Tuesday, April 8, and he let me know that he met with you and that he is working with you to resolve your concerns. He told me that would let me know if additional issues come up. Please let me know right away if there are continuing issues. Thanks Monique.

Have a wonderful weekend!

Gita

Gita S. George-Hatcher, M.P.A., C.L.R.P., P.H.R.
Human Resources Analyst
City of Spokane
44 W. Riverside Avenue
Spokane, WA. 99201
(509) 625-7083

This electronic message is intended only for the use of the addressee(s) named above and may contain legally privileged and/or confidential information. Any dissemination, distribution or copying of this message is strictly prohibited. If you received this message in error, please immediately notify the sender by telephone and delete the original message.

EXHIBIT 11

On 3-31-15 at approximately 0805 hours, following a compstat meeting, I was contacted by Capt. Olsen in my office. He said he was having an impromptu, "unpleasant meeting with the Chief" regarding my overtime issue and asked that I join. As we walked into Asst Chief Smith's office, I asked Asst Chief Smith, more in jest than anything, "if I needed a union rep," he laughed and answered "no."

I then walked in Asst Chief Smith's office.

Chief Smith sat at his desk, Chief Straub to his right and Chief Dobrow to his right. Across from them sat me, with Director Cotton to my right and Capt Olsen to my left.

Chief Straub started the conversation by saying he was very disappointed in the 3 of us. He started specifically addressing Director Cotton, saying that she had information yesterday that she withheld from him yesterday.

Then turned to me and said he was disappointed in me and that it is was "my fault" that I had not contacted him sooner about this matter and that I should not have used my chain of command. Later in the conversation he said I "hid behind my chain of command."

He then turned to Capt Olsen and said he had an obligation to talk to him sooner and not let him, the Chief, make a bad decision without more information.

This conversation was approximately 10 minutes and Chief Straub began to raise his voice and become more agitated. He said we all made him look like a "fucking asshole" by not going to him sooner.

I finally spoke and said, I took offense to being blamed for his decision making and disagreed. I told him I had talked to Capt Olsen and Chief Smith on Thursday and they were fully informed.

He said he had been misinformed by Capt Torok and that if he knew the truth he would have made a different decision.

I told him I found it offense that I was getting yelled at for doing my job, being told this was my fault, when I was not the one to misinform him and that Capt Torok should be getting this talk and he was not being addressed.

When I told the Chief I disagreed, he began to get more and more angry. He went on to tell me he had been the Chief of several large departments and had done many things in his career. I told him, I of course had not been the Chief of any department, but I felt he was wrong. When I said he was wrong, the Chief completely lost his temper. He stood up and began to yell at me directly. He was screaming and his face was beat red. He seemed to have a hard time speaking due to his emotions.

At this time he was yelling with profanity. I told him I did not feel that I had to sit here and be yelled at and told him I was leaving. He told me I had better sit down and that he "was playing the Chief card", "to be careful" and that he would consider "insubordination discipline on all of us." He told me I was "going nowhere" and I had to "sit and listen." I told him, "Yes sir" and remained seated, as did everyone else, but him. Chief Straub then said, "Wipe that fucking smirk off your face" as he addressed me. At this point I looked straight at the ground in front of me. I was being told I could not leave, I was being threatened with insubordination, a fire-able offense and now he was interpreting my expression as an inappropriate smirk. Chief Straub yelled for another few minutes at me as I looked at the ground.

He then turned his attention to Director Cotton and told her he blamed her for not telling him yesterday. He said that she knew more and she should have told him. She said that Chief Smith told her that the issue between Griffiths and Torok was being handled. She also said she did not have all the facts and that she was not in my chain of command so it was not appropriate for her to get involved. She said that she had suggested to Chief Straub that he follow up with Lt. Griffiths because she thought there was more to the story regarding Capt Torok's disapproval of my overtime. He continued to yell at her, saying that she "fucked him", made him "look like a fucking asshole" and that she "fucked him in the ass and broke the dick off." Director Cotton was tearing up and it appeared that she was fighting back from crying at this point and he continued to yell at her. Twice she motioned with her hands in a "time out motion" and said "why am I even here?"

Chief Straub appeared irritated that she was beginning to cry and he then began yelling at Capt Olsen. He said that "he sat on this information" and he had an obligation to tell the Chief and "didn't do shit." He continued to berate Capt Olsen. Capt. Olsen tried to speak and explain, but was continuously cut off.

During the remainder of the conversation, Chief Straub was standing, while all the rest of us remained seated.

Chief Dobrow and Chief Smith offered nothing to the conversation.

At this point, I said I find it incredible, that Capt Olsen and Director Cotton are being blamed, but Chief Smith says nothing and bears no responsibility.

I addressed Chief Smith directly and said you were CC'ed yesterday on this same email that Capt Olsen is getting attacked for not sending. I also said that I did not keep either you (Chief Smith) or Capt Olsen in the dark yesterday or Thursday in any way.

***If should be noted, that Director Cotton, who is not in my chain of command, was getting reprimanded for not telling Chief Straub yesterday, when I had met with Chief Smith yesterday morning at 0830hours and told him about all of my concerns. During that conversation he said that he was meeting with Chief Straub at 1100 hours later this morning about this. I sent the CC'd email regarding my concerns to Chief Smith at 1033 hours. I had also sent him an email at 0819 hours asking for any other communication he had received questioning my overtime. When I spoke with Chief Smith at 0830 hours, he volunteered that he had received the 0819 hours email. When I had met with Chief Smith and Capt Olsen on Monday 3-30-15 at 1500 hours he told us that Capt Torok was going to be "reigned in." I told him I was completely unsatisfied with that resolution. That I liken Capt Torok's behavior to that of a school yard bully and that I had complained to the School Principle and this was not a satisfactory resolution.

When I spoke about Chief Smith, he acted like he was knocked out of a daze. Chief Smith then said in the meeting, "this is on me", and that he had intended to approach me today and ask my permission to forward my email to the Chief and that he has not sent the email to the Chief.

Chief Straub seemed irritated that Chief Smith was taking responsibility and then said "I will look at your email and address it then." He stormed out of the room and Chief Dobrow followed him out of the office. I then addressed Capt Olsen and asked if I could be excused. He said yes.

I left the office, returned to my office and documented my recollection of the conversation.

It should be noted in 22 years of police service, I have never been addressed in such a disrespectful and colorful manner by any SPD supervisor, much less the Chief of Police.

Mark Griffiths

Griffiths, Mark

From: Smith, Selby L.
Sent: Tuesday, March 31, 2015 3:31 PM
To: Straub, Frank
Cc: Dobrow, Rick; Cotton, Monique; Olsen, Eric; Griffiths, Mark
Subject: RE: Overtime

Chief; I accept FULL responsibility for the lack of information that was not conveyed to you, to include Capt. Olsen's prior approval of this OT. My understanding is that this prior approval was discussed with Capt. Torok the day of the initial discussion. I sincerely apologize to you, my own staff and AC Dobrow and Dir. Cotton. This will not happen again...I will work with Capt. Olsen and Lt. Griffiths to resubmit for his overtime for the time that he spent on those days. I will work with Capt. Olsen and AC Dobrow on all our overtime and ensure that this does not occur again. Selby

Selby L. Smith
Assistant Chief
Director of Investigations
Spokane Police Department
Cell – 509-368-4238

From: Straub, Frank
Sent: Tuesday, March 31, 2015 2:29 PM
To: Smith, Selby L.
Cc: Dobrow, Rick; Cotton, Monique; Olsen, Eric; Griffiths, Mark
Subject: Overtime

Selby:

I am in receipt of your email as well as the related documents. I have reviewed all them and reach the following conclusions:

- 1) It appears, according to the documentation provided by Lt. Griffiths that he made a series of phone calls, 17, regarding two major scenes on March 19, 2015. Lt. Griffiths is in my opinion entitled to an hour of overtime. If those phone calls extended beyond an hour, Lt. Griffiths should be compensated accordingly.
- 2) It appears, according to the documentation provided by Lt. Griffiths that he made, and received, a series of phone calls, 23, during two days (March 20-March 21, 2015). Lt. Griffiths requested one hour of overtime. In my opinion, Lt. Griffiths is entitled to an hour of overtime. If, in fact, those phone calls extended beyond an hour, Lt. Griffiths should be compensated accordingly.
- 3) Captain Olsen approved Lt. Griffiths' overtime for the days in question. Therefore, Captain Olsen owned his decision and should have conveyed his authorization to Captain Torok. Had he done so the issue would have been resolved or it could have been "bumped up" to Assistant Chiefs Smith and Dobrow for resolution.
- 4) Although individuals copied on this email were aware of the specific details regarding Lt. Griffiths' overtime request (eg. the number of calls and/or amount of time involved) the information was not conveyed to Assistant Chief Dobrow or me. Without this information, we made our decision to deny the hour of overtime as we believed it was one phone call, made on one day. We were totally in the dark about the number of calls, two instances, and multiple days, until we read the email from Assistant .

I consider this failure to bring all of the information that each of you had, in parts or in total, to my attention. Your failure to resolve the situation at the appropriate level as well as your failure to convey accurate information in a timely manner caused me to make an erroneous decision and contributed to several days of unnecessary and inappropriate bad feelings, comments and angst. It flies in the face of my repeated discussions with members of the department concerning "my open door policy, that things should not fester in the locker room, and that I can only fix what I know about." I expect more, and better, from all of you regarding the conveyance of information.

- 5) Regarding the conduct of the Association, and or officers thereof – it seems that this is a matter the Chief should not be engaged in. I am disappointed that this is one of several instances that I have become aware of where individual members feel inappropriately or improperly represented by their Association. I would hope that if the Association, or members thereof have current or unresolved issues with my leadership, that they bring them to my attention so that we can work through them.

I would hope that we have all learned some valuable lessons from this event and that it does not occur again. Please advise me of the final compensation to be given to Lt. Griffiths so that he is compensated appropriately for his time on March 19, 20 and 21st.

Frank

EXHIBIT 12

prep for 4-15-15 Meeting w/ Nancy I. & Erich
ref 3-31-15 "Encounter" of Christ Stramb

- See Notes from that Day
- Removal of Assoc. Leadership - hinted/implied 1x
 - Stronger 2nd time
 - This time it was blatant 'took a shot at me'
taking Mark out
- Smirk Comment
- Threatened - Mark w/ insubordination - and was/ironic too
- A/C Dobrow said nothing - even though - it was Torok & him
who reportedly went to Chief for the decision

①

3-31-15

Phone!

→ Was timing this next down

• I did make my chain of com

• My chain + I discussed "Jurisdiction"

Meeting w/ Chief Strack + Chief Smith
see page 4

→ Not letting it fester

got ^{prolonged} Repeatedly yelled @ for not coming to Chief
Chief ie - etc called him @ home ref. -

- Open door
- he looks like an a-hole ←
- disappointed in me
- he didn't know there were multiple calls

Took ^{took} Don @ Face value

- I ^{multiple times} explained that I followed chain of command

- That I have made Selby aware - IMMEDIATELY

→ Mark called out Selby *

- I got laid open -

Mark asked to leave - Chief said prying Chief card

②

- Rick said nothing

- Chief was yelling @ Monique / Mark / Me
lots of profanities

→ Chief of various sizes of Dept
- said he did not empower Dan

→ Selby took blame @ end as this thing was ending
→ said he didn't know there were a ton ^{number of} of phone calls

→ Chief yelled @ me for not forwarding email to him -
the one Mark sent Selby and I

- Chief's perception + mind made up before he came
into the room



Pre Comstat → I met w/ Selby + Chief +
brought it up + was going to ask for
Mark's O.I. to be re-instated

→ which I had told Selby prior to this meeting

Selby @ end of this said I was doing fine
defending myself.

③

→ Mark did get very animated + upset

→ said wrong people in the room — should've been Zevak
getting eviscerated-not us!

→ Mark → wanted his pound of flesh but not out of his own
ass

(4)

Meeting before Constat w/ Just Chief Smith
+ Chief Straub

- I started talking about what had occurred w/ the
O.T. issue + explaining how it got to this point -
As I was going to ask for decision to be rescinded
• I went as far as to tell Straub that I spoke
w/ Dobrow yesterday + wanted to tell him I was
going to come to him

He started ripping on me - saying if he left
now - there is no one in the Dept who could fill
his spot → went on to tell me - and reminded
me that he had previously told me that he needed
someone with balls to step up + ~~have~~ ^{get}
Walker + McCabe + (Tard?) removed from the
Assoc. Leadership → There was ^{hardly any} ambiguity that
he ~~expected~~ wanted me to ~~get~~ them voted out.

He said that we needed to vote them out! I took
what he was saying or I had no balls - to prove
I do - I would get them out.

"They
took a shot
at me and are
now going after
Mark → blamed
me for not
doing something
about it."

EXHIBIT 13

Kris Cappel

From: Sanders, Theresa
Sent: Monday, April 06, 2015 5:32 PM
To: Cotton, Monique
Subject: RE: our chat

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Monique – sorry for the non-response. You have been on my mind and I keep getting distracted with other issues. We definitely have opportunity to have you here at City Hall managing communications for Public Safety. Where we don't have alignment is in reporting structure. Only Cabinet level positions report through me as City Administrator and all Communications resources are integrated through Brian's effort. Let's talk about to see how we can best make that scenario work. I would love to have you over here.



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



From: Cotton, Monique
Sent: Monday, April 6, 2015 10:57 AM
To: Sanders, Theresa
Subject: RE: our chat

Hi Theresa,

I hope you are well.

I am just checking back in about our conversation and your follow up email below regarding the Public Safety Communications position for me at City Hall.

I am wondering if you may have any update. Is this still an option?

Thank you for your consideration.

Monique

Monique Cotton | Director of Communication & Public Information
509.363.8285 (desk) | 509.435.1866 (cell) | mcotton@spokanepolice.org

From: Sanders, Theresa
Sent: Friday, February 27, 2015 1:09 PM
To: Cotton, Monique
Subject: our chat

I have not had any time with the Mayor to discuss our conversation. Please bear with me while I discuss options with him. Will get back with you soonest!



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



EXHIBIT 14

Kris Cappel

From: Condon, David
Sent: Friday, April 10, 2015 2:13 PM
To: Sanders, Theresa; Isserlis, Nancy
Subject: Can we meet at 330

Follow Up Flag: Follow up
Flag Status: Flagged

Kris Cappel

From: Condon, David
Sent: Friday, April 10, 2015 3:23 PM
To: Isserlis, Nancy
Cc: Sanders, Theresa
Subject: Re: Can we meet at 330

Follow Up Flag: Follow up
Flag Status: Flagged

Could we meet at 430

> On Apr 10, 2015, at 2:13 PM, Isserlis, Nancy <nisserlis@spokanecity.org> wrote:

>
> Yes
>
> Nancy Isserlis
> City Attorney
> 808 W. Spokane Falls Blvd.
> Spokane, WA. 99201
> 509.625.6225

~ Sent from my iPhone
Confidential attorney client communication

>
>> On Apr 10, 2015, at 2:13 PM, "Condon, David" <dcondon@spokanecity.org> wrote:

>>
>>
>>
>>

EXHIBIT 15

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0620-15-09 LGL 2005-0042
TITLE: NEPOTISM EFFECTIVE DATE: JULY 15, 1986 REVISION EFFECTIVE DATE: July 3, 2015	

1.0 GENERAL

1.1 Employment decisions not only must be fair, they also must give the appearance of being fair. Even assuming that supervisors could objectively hire their relatives from a field of candidates, there would remain the appearance of a lack of objectivity. Likewise, even if supervisors believe they can supervise their relative objectively, experience has shown that supervisors tend to be either too lenient or too strict with their relatives compared with their other subordinates. Moreover, other employees may feel undue pressure to be more on guard around a co-worker who is related to the supervisor than around other co-workers. This policy is based upon a need to avoid actual or perceived conflicts of interest and improper influence or behavior.

1.2 TABLE OF CONTENTS

1.0	GENERAL
2.0	DEPARTMENTS/DIVISIONS AFFECTED
3.0	REFERENCES
4.0	DEFINITIONS
5.0	POLICY
6.0	PROCEDURE
7.0	RESPONSIBILITIES
8.0	APPENDICES

2.0 DEPARTMENTS/DIVISIONS AFFECTED

2.1 This policy shall apply to all City departments and divisions.

2.2 The provisions of this policy do not supersede the provisions of any collective bargaining agreements or Civil Service rules, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules will prevail.

3.0 REFERENCES

SMC 01.04A

4.0 DEFINITIONS

4.1 "Relative" includes spouse, grandparent, parent, stepparent, foster parent, brother, sister, half-brother, half-sister, stepbrother, stepsister, child, stepchild, foster child, uncle, aunt, nephew, niece, first cousin, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law.

5.0 POLICY

5.1 This policy applies to the appointment, supervision, direction, discipline or removal of permanent, project, seasonal and temporary employees and outside vendors. Inquiries about seasonal and temporary summer employment do not constitute a violation of this policy.

5.2 Managers, supervisors, forepersons and others with authority or practical authority shall not appoint, supervise, remove or discipline a relative, nor shall they advocate that their relative be appointed, disciplined or removed to one with authority.

6.0 PROCEDURE

6.1 If there is no supervisory responsibility involved, relatives may work in the same department. If the employee is a supervisor, but not an appointing officer, a relative may work in the same department, but not under the immediate supervision of the employee.

6.2 Appointing officers may not appoint their relatives, or have their relatives working under their jurisdiction, even if no direct supervision occurs or would occur. Requests for exceptions to this rule must be submitted to the Human Resources Department with final approval by the Mayor.

6.3 Employees who marry, have a romantic relationship with each other, or become members of the same household may continue in their present positions so long as there is not a direct or indirect supervisor/subordinate relationship between such employees or an actual conflict of interest or the appearance of a conflict of interest.

7.0 RESPONSIBILITIES

7.1 The Human Resources Department shall be responsible for administering this policy.

8.0 APPENDICES

None

APPROVED BY:



HR Director

6.10.15

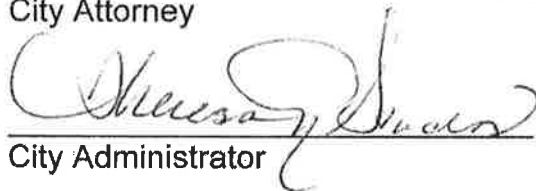
Date



City Attorney

6/10/15

Date



City Administrator

6/18/15

Date

EXHIBIT 16

4/13

Met w/ Monique informed her the Mayor put the matter in my hands to investigate.

She was distraught - retreated claim Frank Struble grabbed her and tried to kiss her. Stated she has ^{text} told her I would look into the matter and that she would have a job.

Asked her if she'd like to work in office here or from home. She wanted to work from home.

Called Monique. Asked for another day while we speak w/ Frank. She said she'd take another sick day.

Monique texted (will print & attach) concerns about looking into her allegation. Seems to perceive Frank will decide when she leaves. Will follow up with phone call.

4/14 text relates to setup of phone call. Monique asked if call is confidential.

4/14 phone call to Monique

"Cannot be party to a complaint regarding sexual harassment"

"This person has hurt me enough (Frank) I don't want to be part of him anymore"

Would weigh in on the complaint about Frank's abusive behavior.

"Don't want it to be just me"

Provides clarification that it was not Frank's would determine where she lands

Offered advice sponsor on 2nd floor

Monique characterized her conveying "confidential information" regarding sexual harassment was meant to provide "context" for Frank's recent outburst.

Call with 4/16 to "bring" to com to City Hall.

Offered Pikes-Dunne join description some pay, some level of reporting. Will do really positive messaging.

Said she'd think about it, as if there was opportunity for advancement. Said that would be up to Pikes-Dunne at some point in the future.

She will work w/Brian on this communication.

EXHIBIT 17

Phone: 509850 [REDACTED] (509850 [REDACTED])

Sent at Date: 04-13-2015 13:48:51

Do you have a moment for a quick call?

Received at Date: 04-13-2015 13:55:38

Yes I do

Received at Date: 04-13-2015 16:28:44

Theresa—Thank you for meeting with me this morning to discuss this situation. I truly appreciate it. But our meeting and subsequent phone call has left me unsettled based on how inconclusive things have been left. I never wanted to be in this situation of having to come forward to you or the the Mayor in strict confidence. I am not the one who did anything wrong. I don't understand how you can involve the party who engaged in misconduct regarding any decision about where I am to be re-assigned and if he can work with me. My transfer into a new position has to be viewed as advancement; without any hint that it is for any reason other than as a promotion for my past performance. I'm happy to participate in an investigation regarding the way I was berated on 3/31, and other times I was berated however cannot cooperate with any investigation regarding the matters I presented confidentially to the Mayor and you because of the inevitable publicity and disclosures that will impact me and my life in every way--physically, emotionally, and professionally. I never intended to assert a claim and did not do so specifically to avoid becoming part of any investigation into confidential matters and be victimized all over; I just wanted assistance to be placed in an environment free from that kind of conduct, while not impacting my career and drawing negative attention. I want and need this ugliness behind me. If the City is unable to accommodate my request for confidential assistance along the lines we discussed and to ensure future confidentiality without my privacy and reputation impacted, then I feel I'm left with few options. Please let me know how you can help me as soon as possible. Thank you, Theresa. Monique

Sent at Date: 04-13-2015 16:46:23

Will need to discuss in person. I'll ask Brandy to find a slot tomorrow soonest.

Received at Date: 04-13-2015 20:06:36

Ok thank you.

Received at Date: 04-14-2015 10:28:46

Hi Theresa. I'm confirming our phone conversation today at noon will be just you and me and confidential?

Sent at Date: 04-14-2015 11:06:12

Yes - want to reiterate some comments from yesterday as there seems to be some confusion.

Received at Date: 04-14-2015 11:16:27

Ok thank you

Sent at Date: 04-14-2015 12:00:58

Do you want me to call on personal or work phone?

Received at Date: 04-14-2015 12:01:25

Personal phone is great.

Received at Date: 04-14-2015 12:01:37

850 [REDACTED]

Received at Date: 04-14-2015 17:35:49

Hi Theresa,

Thank you for your phone call today.

I'm placing my trust in you to respect the confidential nature of the situation and your assurance it will remain confidential.

I'm still pretty concerned and distraught over these circumstances. Because of that I respectfully request to stay at home and work from home tomorrow.

I trust you will update me as soon as possible.

I want to make sure I am very clear that I do not want an investigation into harassment and do not feel an investigation into this subject is necessary because I have not filed a claim. I want my reassignment and advancement to be one based on merit.

I will assist in an investigation regarding yelling, berating of employees and berating of me.

Thank you for your ongoing support.

Sent at Date: 04-14-2015 17:38:15

Was just in the middle of a quick text to you. Yes please feel free to be at home tomorrow. Will follow up with you in the morning.

Received at Date: 04-14-2015 17:52:29

Thank you very much

Received at Date: 04-15-2015 15:36:13

Hi Theresa. I just responded to Brandy regarding a meeting at 10 am. That works for me. Thank you.

I am hoping you will consider meeting me someplace other than City Hall. I'm still pretty upset about this whole thing, having some issues sleeping and just exhausted. It would make me feel more comfortable to meet off site if you are open to that.

Sent at Date: 04-15-2015 17:28:06

Hi Monique - we need to meet here as I've asked Meghann from HR to join us. We need to talk about placing you. Make sense? See you in the morning. We have no Cabinet mtg. tomorrow if you're concerned about running into people. Should be quiet up here.

Received at Date: 04-15-2015 17:39:17

Hi Theresa. Please tell me Meghann doesn't know anything about the information I told you and the mayor in confidence.

Sent at Date: 04-15-2015 17:43:24

She does not.

Received at Date: 04-15-2015 17:55:03

Ok. I appreciate that. Theresa I'm not trying to be difficult but would it be possible for me to talk with you over the phone at 10? I'm still having a really hard time with this whole thing.

Sent at Date: 04-15-2015 18:17:01

That's fine. I'll call you at 10.

Received at Date: 04-15-2015 18:21:13

🙏 I appreciate it very much. Thank you.

EXHIBIT 18

Subject: FW: Overtime

Date: Wednesday, April 15, 2015 at 4:11:42 PM Pacific Daylight Time

From: Straub, Frank

To: Isserlis, Nancy, Jacobson, Erin

In light of yesterday's discussion, please see the email I sent following the discussion.

From: Straub, Frank

Sent: Tuesday, March 31, 2015 2:29 PM

To: Smith, Selby L.

Cc: Dobrow, Rick; Cotton, Monique; Olsen, Eric; Griffiths, Mark

Subject: Overtime

Selby:

I am in receipt of your email as well as the related documents. I have reviewed all them and reach the following conclusions:

- 1) It appears, according to the documentation provided by Lt. Griffiths that he made a series of phone calls, 17, regarding two major scenes on March 19, 2015. Lt. Griffiths is in my opinion entitled to an hour of overtime. If those phone calls extended beyond an hour, Lt. Griffiths should be compensated accordingly.
- 2) It appears, according to the documentation provided by Lt. Griffiths that he made, and received, a series of phone calls, 23, during two days (March 20-March 21, 2015). Lt. Griffiths requested one hour of overtime. In my opinion, Lt. Griffiths is entitled to an hour of overtime. If, in fact, those phone calls extended beyond an hour, Lt. Griffiths should be compensated accordingly.
- 3) Captain Olsen approved Lt. Griffiths' overtime for the days in question. Therefore, Captain Olsen owned his decision and should have conveyed his authorization to Captain Torok. Had he done so the issue would have been resolved or it could have been "bumped up" to Assistant Chiefs Smith and Dobrow for resolution.
- 4) Although individuals copied on this email were aware of the specific details regarding Lt. Griffiths' overtime request (eg. the number of calls and/or amount of time involved) the information was not conveyed to Assistant Chief Dobrow or me. Without this information, we made our decision to deny the hour of overtime as we believed it was one phone call, made on one day. We were totally in the dark about the number of calls, two instances, and multiple days, until we read the email from Assistant .

I consider this failure to bring all of the information that each of you had, in parts or in total, to my attention. Your failure to resolve the situation at the appropriate level as well as your failure to convey accurate information in a timely manner caused me to make an erroneous decision and contributed to several days of unnecessary and inappropriate bad feelings, comments and angst. It flies in the face of my repeated discussions with members of the department concerning "my open door policy, that things should not fester in the locker room, and that I can only fix what I know about." I expect more, and better, from all of you regarding the conveyance of information.

- 5) Regarding the conduct of the Association, and or officers thereof – it seems that this is a matter the Chief should not be engaged in. I am disappointed that this is one of several instances that I have become aware of where individual members feel inappropriately or improperly represented by their Association. I would hope that if the Association, or members thereof have current or unresolved issues with my leadership, that they bring them to my attention so that we can work through them.

I would hope that we have all learned some valuable lessons from this event and that it does not occur again. Please advise me of the final compensation to be given to Lt. Griffiths so that he is compensated appropriately for his time on March 19, 20 and 21st.

Frank

EXHIBIT 19

Kris Cappel

From: Jacobson, Erin
Sent: Monday, April 13, 2015 9:17 AM
To: Pfister, Terri
Subject: PRR

Follow Up Flag: Follow up
Flag Status: Flagged

Awhile back (months, maybe even a year or more) we had a PRR for Frank Straub's and Monique Cotton's texts (and maybe other phone records as well, I'm not sure). Could I please get a copy of the response that was provided to that request? May be relevant to another issue that I'm working on. Thanks very much!

Confidential & Privileged Legal Materials
[No Disclosure Authorized Without Express Consent of Client(s) & City Attorney]



Erin A. Jacobson | Assistant City Attorney
office 509.625.6889 | cell 509.710.8028



NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received. Thank you.

EXHIBIT 20

Kris Cappel

Subject: Theresa/Nancy/Erin
Location: Theresa's Office

Start: Tue 4/14/2015 8:00 AM
End: Tue 4/14/2015 8:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Jacobson, Erin
Required Attendees: tsanders@spokanecity.org; Isserlis, Nancy (nisserlis@spokanecity.org)

EXHIBIT 21

Kris Cappel

From: Condon, David
Sent: Monday, April 20, 2015 12:31 PM
To: Cote, Brandy
Cc: Theresa Sanders
Subject: Set up meeting

Please set up meeting with Chief Straub and Theresa tomorrow right after cabinet.

Kris Cappel

Subject: Chief Straub & Theresa
Location: Mayor's Office

Start: Tue 4/21/2015 10:00 AM
End: Tue 4/21/2015 10:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Condon, David
Required Attendees: Straub, Frank; Sanders, Theresa (tsanders@spokanecity.org)

EXHIBIT 22

April 17, 2015

Monique Cotton
[REDACTED]
[REDACTED]

Dear Monique,

Based on a unique set of needs, your position of Division Communications Manager will be moving to the Parks Department on April 27, 2015. You are a great asset to the City, and I believe that your skills and talents will complement the current staff of the Parks Department.

The details of your appointment remain the same. You are in an at-will, exempt position, represented by the Managerial and Professional Association – Exempt A. You are eligible for your annual step increase to Step 5 on May 25, 2015, however, you will receive an additional step increase at that time to Step 6 or \$89,533.44 annually. You will report directly to NAME, TITLE, DEPT.

In the capacity of this position, you will maintain your current benefits which include:

- Accrual of 3.7 hours of vacation per pay period.
- Accrual of 4.0 hours of illness leave per pay period.
- Forty (40) hours of personal leave to use during the 2015 calendar year (your existing balance is maintained)
- Forty (40) hours of floating holidays to use during the 2015 calendar year (your existing balance is maintained)
- Medical and dental benefits, long-term disability, life insurance, Section 125 healthcare reimbursement account.
- Participation in the Spokane Employee's Retirement System (SERS) with matching employee and employer contributions of 8.25% of the employees' salary earnings. Vesting in the SERS is after seven (7) years of service with the City.
- Option to participate in a 457 deferred compensation plan and receive a match of up to \$150/month from the City, if actively contributing.

Please note that since your position is represented by the Managerial and Professional Association – Exempt A, the benefits listed above are subject to change as bargained benefits change.

As an at-will employee, you will be serving in this position at the pleasure of the current, sitting Mayor. If you accept this offer to transfer, please sign below and return to Heather Lowe, Human Resources Department, within ten working days from receipt.

Sincerely,

David A. Condon
Mayor

I hereby accept the position of Division Communications Manager with the City of Spokane Parks Department and agree to the terms, salary and benefits stated above.

I understand that this appointment is to an at-will, exempt position that serves at the pleasure of the current, sitting Mayor.

Monique Cotton

Date

Please return to: Heather Lowe
Human Resources Department
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3327

APPROVED BY:

TITLE – DEPT

Heather Lowe, Director of Human Resources

Kris Cappel

From: Coddington, Brian
Sent: Monday, April 20, 2015 9:42 AM
To: Steinolfson, Meghann
Cc: Sanders, Theresa
Subject: RE: Draft Offer Letter
Attachments: Cotton Monique V 2 - bc.docx

Follow Up Flag: Follow up
Flag Status: Flagged

What do you think about this approach?



Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



From: Steinolfson, Meghann
Sent: Friday, April 17, 2015 4:10 PM
To: Coddington, Brian
Subject: Draft Offer Letter

Hi Brian, this is what I'm working on right now. Let me know if it accurately describes the situation, and please send me your edits. Before presenting to the employee, I will need to review it to ensure it is compliant with our policies and practice.

We are going to try meet with Theresa on Monday to make sure we're covering all the issues with this, in regard to the position, etc.

Meghann

April 20, 2015

Monique Cotton


Dear Monique,

The Spokane Parks and Recreation Department has a unique opportunity to do something special as it reintroduces Riverfront Park, its showcase asset, to guests and the community. Telling that story as a part of a greater parks and recreation experience that includes classes, sports leagues, aquatics programs and other amenities requires a vision and coordinated strategy to bring the vision to life.

Based on that unique set of needs, I am pleased to offer you the position of Division Communications Manager for the Parks Department beginning on April 27, 2015. The considerable progress the Spokane Police Division has made in citizen engagement, branding and marketing while you have led that work makes me confident that your skills and talents will complement the current Parks Department staff to deliver outstanding results for an important City and citizen initiative.

The details of your appointment remain the same as your current position. You are in an at-will, exempt position, represented by the Managerial and Professional Association – Exempt A. You are eligible for your annual step increase to Step 5 on May 25, 2015, however, you will receive an additional step increase at that time to Step 6 or \$89,533.44 annually. You will report directly to Leroy Eadie, Director of the Spokane Parks Department.

In the capacity of this position, you will maintain your current benefits which include:

- Accrual of 3.7 hours of vacation per pay period.
- Accrual of 4.0 hours of illness leave per pay period.
- Forty (40) hours of personal leave to use during the 2015 calendar year (your existing balance is maintained)
- Forty (40) hours of floating holidays to use during the 2015 calendar year (your existing balance is maintained)
- Medical and dental benefits, long-term disability, life insurance, Section 125 healthcare reimbursement account.
- Participation in the Spokane Employee's Retirement System (SERS) with matching employee and employer contributions of 8.25% of the employees'

salary earnings. Vesting in the SERS is after **seven (7) years** of service with the City.

- Option to participate in a 457 deferred compensation plan and receive a match of up to \$150/month from the City, if actively contributing.

Please note that since your position is represented by the Managerial and Professional Association – Exempt A, the benefits listed above are subject to change as bargained benefits change.

As an at-will employee, you will be serving in this position at the pleasure of the current, sitting Mayor. If you accept this offer, please sign below and return to Heather Lowe, Human Resources Department, within ten working days from receipt.

Sincerely,

David A. Condon
Mayor

I hereby accept the position of Division Communications Manager with the City of Spokane Parks Department and agree to the terms, salary and benefits stated above.

I understand that this appointment is to an at-will, exempt position that serves at the pleasure of the current, sitting Mayor.

Monique Cotton

Date

Please return to: Heather Lowe
Human Resources Department
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3327

APPROVED BY:

TITLE – DEPT

Monique Cotton
Division Communications Manager – Parks Dept
Page 3

Heather Lowe, Director of Human Resources

Kris Cappel

From: Lowe, Heather
Sent: Tuesday, April 21, 2015 9:14 AM
To: Coddington, Brian; Steinolfson, Meghann
Cc: Sanders, Theresa
Subject: RE: Draft Offer Letter

Follow Up Flag: Follow up
Flag Status: Flagged

This feels like too much of an offer letter to me. While I like the language in the beginning, we need to tailor the end and remove all areas that make this an offer letter. I'll take a run at it and send a draft.



Heather L. Lowe | City of Spokane | Human Resources Director
509.625.6233 | fax 509.625.6379 | hlowe@spokanecity.org | spokanecity.org



From: Coddington, Brian
Sent: Tuesday, April 21, 2015 8:55 AM
To: Steinolfson, Meghann; Lowe, Heather
Cc: Sanders, Theresa
Subject: RE: Draft Offer Letter
Importance: High

All,

Here's a revised letter to consider. Look forward to your thoughts. I'm trying to get it in her hands today. Thanks.

Brian



Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



From: Coddington, Brian
Sent: Monday, April 20, 2015 9:42 AM
To: Steinolfson, Meghann
Cc: Sanders, Theresa
Subject: RE: Draft Offer Letter

What do you think about this approach?



Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



From: Steinolfson, Meghann
Sent: Friday, April 17, 2015 4:10 PM
To: Coddington, Brian
Subject: Draft Offer Letter

Hi Brian, this is what I'm working on right now. Let me know if it accurately describes the situation, and please send me your edits. Before presenting to the employee, I will need to review it to ensure it is compliant with our policies and practice.

We are going to try meet with Theresa on Monday to make sure we're covering all the issues with this, in regard to the position, etc.

Meghann

Kris Cappel

From: Coddington, Brian
Sent: Tuesday, April 21, 2015 8:55 AM
To: Steinolfson, Meghann; Lowe, Heather
Cc: Sanders, Theresa
Subject: RE: Draft Offer Letter
Attachments: Cotton Monique V 3 - bc.docx

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

All,

Here's a revised letter to consider. Look forward to your thoughts. I'm trying to get it in her hands today. Thanks.

Brian

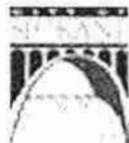


Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



From: Coddington, Brian
Sent: Monday, April 20, 2015 9:42 AM
To: Steinolfson, Meghann
Cc: Sanders, Theresa
Subject: RE: Draft Offer Letter

What do you think about this approach?



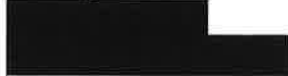
Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



From: Steinolfson, Meghann
Sent: Friday, April 17, 2015 4:10 PM
To: Coddington, Brian
Subject: Draft Offer Letter

April 21, 2015

Monique Cotton



Dear Monique,

The Spokane Parks Department has a unique opportunity to do something special as it reintroduces Riverfront Park, its showcase asset, to guests and the community. Telling that story as a part of the broader parks and recreation experience , which includes classes, sports leagues, aquatics programs, four of the top public golf courses in the region and other amenities, requires a vision and coordinated strategy to bring the vision to life.

Based on that unique set of needs, I am pleased to invite you to join the Parks Department as the Division Communications Manager. The Spokane Police Division has made considerable progress in citizen engagement, branding, marketing and other areas while you have led that work. Those same skills that reacquainted the Spokane Police Division to the community it serves combined with your successes working on behalf of the Hutton Settlement and the Inland Northwest Blood Center make this the right fit to lead this important citizen priority.

In your capacity as Division Communications Manager, you will report directly to Leroy Eadie, Division Director, and be paid \$89,533.44 annually. The Parks Department need is immediate, and you will move into that role beginning on April 27, 2015.

As you know, citizens signaled the importance of Riverfront Park as a community asset when voters overwhelming approved the \$64 million investment last fall, the first significant improvements in 40 years. The master-planning process, which is in the early stages, and subsequent construction phases will require considerable public engagement over the next few years as we remake a park that draws 2.2 million visitors annually all while hosting guests.

Time is short and the opportunity is tremendous. Investments range from a new promenade and central plaza that more seamlessly connects the park and river to the downtown core to enhanced security features. Your experience connecting community to services and public safety make you the right person to lead the Parks Department communications effort.

Additionally, the Parks Department is working to improve the marketing of the City's four golf courses, increase utilization of its sports leagues and facilities, and better draw people to classes. Those and other opportunities require distinctive strategies, energy and creativity to engage consumers and connect offerings to their interests.

I am excited to have you join the team to tell the great Parks Department story and lead our efforts to brand and market the region's premier tourist attraction and all of the other great amenities that surround it.

Sincerely,

David A. Condon
Mayor

I hereby accept the position of Division Communications Manager with the City of Spokane Parks Department and agree to the terms, salary and benefits stated above.

I understand that this appointment is to an at-will, exempt position that serves at the pleasure of the current, sitting Mayor.

Monique Cotton

Date

Please return to: Heather Lowe
Human Resources Department
808 W. Spokane Falls Blvd.
Spokane, WA 99201-3327

APPROVED BY:

TITLE – DEPT

Heather Lowe, Director of Human Resources

Kris Cappel

From: Lowe, Heather
Sent: Tuesday, April 21, 2015 4:14 PM
To: Coddington, Brian
Cc: Sanders, Theresa; Steinolfson, Meghann
Subject: Cotton Monique V 3 - bc
Attachments: Cotton Monique V 3 - bc.docx

Follow Up Flag: Follow up
Flag Status: Flagged

How about this?

April 21, 2015

Monique Cotton
[REDACTED]
[REDACTED]

Dear Monique,

The Spokane Parks Department has a unique opportunity to do something special as it reintroduces Riverfront Park, its showcase asset, to guests and the community. Telling that story as a part of the broader parks and recreation experience, which includes classes, sports leagues, aquatics programs, four of the top public golf courses in the region and other amenities, requires a vision and coordinated strategy to bring the vision to life.

Based on that unique set of needs, I am pleased to invite you to join the Parks Department as the Division Communications Manager. The Spokane Police Division has made considerable progress in citizen engagement, branding, marketing and other areas while you have led that work. Those same skills that reacquainted the Spokane Police Division to the community it serves combined with your successes working on behalf of the Hutton Settlement and the Inland Northwest Blood Center make this the right fit to lead this important citizen priority.

Beginning Monday, April 27, 2015, you will be assigned to the Parks & Recreation Department, reporting directly to Leroy Eadie. We will begin the process of creating a new position in the department and once that has been completed, will offer you the job officially in a formal offer letter. Until that time however, we will authorize an Add-To-Pay in the amount of \$3.30 per hour, or the difference between step 6 and step 4 of the Division Communications Manager pay plan. In your capacity as Division Communications Manager, you will report directly to Leroy Eadie, Division Director, and be paid \$89,533.44 annually. The Parks Department need is immediate, and you will move into that role beginning on April 27, 2015.

As you know, citizens signaled the importance of Riverfront Park as a community asset when voters overwhelmingly approved the \$64 million investment last fall, the first significant improvements in 40 years. The master-planning process, which is in the early stages, and subsequent construction phases will require considerable public engagement over the next few years as we remake a park that draws 2.2 million visitors annually all while hosting guests.

Time is short and the opportunity is tremendous. Investments range from a new promenade and central plaza that more seamlessly connects the park and river to the downtown core to enhanced security features. Your experience connecting community to services and public safety make you the right person to lead the Parks Department communications effort.

Additionally, the Parks Department is working to improve the marketing of the City's four golf courses, increase utilization of its sports leagues and facilities, and better draw people to classes. Those and other opportunities require distinctive strategies, energy and creativity to engage consumers and connect offerings to their interests.

I am excited to have you join the team to tell the great Parks Department story and lead our efforts to brand and market the region's premier tourist attraction and all of the other great amenities that surround it.

Sincerely,

David A. Condon
Mayor

~~I hereby accept the position of Division Communications Manager with the City of Spokane Parks Department and agree to the terms, salary and benefits stated above.~~

~~I understand that this appointment is to an at-will, exempt position that serves at the pleasure of the current, sitting Mayor.~~

Monique Cotton _____ Date


Please return to: _____ Heather Lowe
_____ Human Resources Department
_____ 808 W. Spokane Falls Blvd.
_____ Spokane, WA 99201-3327

APPROVED BY:

TITLE – DEPT

Heather Lowe, Director of Human Resources

April 21, 2015

Monique Cotton


Dear Monique,

The Spokane Parks and Recreation Division has a unique opportunity to do something special as it reintroduces Riverfront Park, its showcase asset, to guests and the community. Telling that story as a part of the broader parks and recreation experience, which includes classes, sports leagues, aquatics programs, four of the top public golf courses in the region and other amenities, requires a vision and coordinated strategy to bring the vision to life.

Based on that unique set of needs, I am pleased to invite you to join Parks and Recreation as the Division Communications Manager. The Spokane Police Division has made considerable progress in citizen engagement, branding, marketing and other areas while you have led that work. Those same skills that reacquainted the Spokane Police Division to the community it serves combined with your successes working on behalf of the Hutton Settlement and the Inland Northwest Blood Center make you the right fit to lead the communication of this important citizen priority.

Beginning Monday, April 27, 2015, you will be assigned to the Parks and Recreation Division, reporting directly to Leroy Eadie. We will begin the process of creating a new position in the division and, once that has been completed, will offer you the job officially in a formal offer letter. Until that time however, we will authorize an Add-To-Pay in the amount of \$3.30 per hour, or the difference between step 6 and step 4 of the Division Communications Manager pay plan.

As you know, citizens signaled the importance of Riverfront Park as a community asset when voters overwhelming approved the \$64 million investment last fall, the first significant improvements in 40 years. The master-planning process, which is in the early stages, and subsequent construction phases will require considerable public engagement over the next few years as we remake a park that draws 2.2 million visitors annually all while hosting guests.

Time is short and the opportunity is tremendous. Investments range from a new promenade and central plaza that more seamlessly connects the park and river to the downtown core to enhanced security features. Your experience connecting community

to services and public safety makes you the right person to lead the Riverfront Park communications effort.

Additionally, the Parks and Recreation Division is working to improve the marketing of the City's golf courses, increase utilization of its sports leagues and facilities, and better draw people to classes. The strategies, energy and creativity required to engage consumers and connect offerings to their interests make you uniquely qualified for the job.

I am excited to have you join the team to tell the great parks and recreation story and lead our efforts to brand and market the region's premier tourist attraction and the other great amenities that surround it.

Sincerely,

David A. Condon
Mayor

Kris Cappel

From: Coddington, Brian
Sent: Wednesday, April 22, 2015 2:11 PM
To: Sanders, Theresa
Subject: FW: Letter
Attachments: Cotton Monique letter 4-22-15.docx

Follow Up Flag: Follow up
Flag Status: Flagged



Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



From: Monique Cotton [<mailto:monique.cotton@hotmail.com>]
Sent: Wednesday, April 22, 2015 1:03 PM
To: Coddington, Brian
Subject: RE: Letter

Hi Brian,

Attached is the letter with my minor modifications. Thanks for your time working on this.

Additionally, I sent you a few questions in a prior email, which I assume you received, however please let me know if you did not and I will resend.

Thanks,

Monique

From: bcoddington@spokanecity.org
To: monique.cotton@hotmail.com
Subject: Letter
Date: Wed, 22 Apr 2015 00:41:35 +0000

Monique,

draft letter is attached. Please give me a call with questions. Thanks.

Brian



Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org



April 22, 2015

Monique Cotton

[REDACTED]
[REDACTED]

Dear Monique:

The Spokane Parks and Recreation Division has a new, important, and unique opportunity to facilitate outreach and communication for the Division and reintroduce Riverfront Park to the community and City guests.

As you know, citizens signaled the importance of Riverfront Park as a community asset when voters overwhelmingly approved the \$64 million investment last fall, the first significant improvements in 40 years. The master-planning process, which is in the early stages, and subsequent construction phases, will require considerable public engagement and communication in the coming years as we remake a park that draws 2.2 million visitors annually all while hosting guests.

Effectively composing and communicating that story as a part of the broader parks and recreation experience, which includes classes, sports leagues, aquatics programs, four of the top public golf courses in the region and other amenities, requires vision, a coordinated media and outreach strategy, project management experience, and creativity to engage consumers and connect offerings to their interests.

Based on the unique set of needs before us, I have selected you to manage communication, media relations, and serve as a community outreach liaison for the Parks and Recreation Division and the \$64 million Riverfront Park Bond in the newly created position of Division Communications Manager.

The Spokane Police Division has made substantial positive progress in the areas of citizen engagement, media relations, re-branding, marketing, public relations, and social media during your time leading these efforts. Your exceptional talents and skills, along with tenacious work ethic have made a dramatic impact on rebuilding relationships between the Spokane Police Division and the community it serves. Additionally, your experience managing communications and public relations for corporate and non-profit organizations prior to your employment with the City of Spokane makes you the ideal choice to lead the efforts to help bring such an important citizen priority to fruition.

Beginning Monday, April 27, 2015, you will begin your new position at the Parks and Recreation Division, reporting directly to Leroy Eadie. We will begin the process of creating a new position in the division and, once that has been completed, will officially present it to you in a formal offer letter. Until that time however, we will authorize an Add-To-Pay in the amount of \$3.30 per hour, or the difference between step 6 and step 4 of the Division Communications Manager pay plan.

Monique Cotton
Division Communications Manager – Parks Dept
Page 2

I am excited to have you join the team to tell the great parks and recreation story and lead our efforts to brand and market the region's premier tourist attraction and the other great amenities that surround it.

Sincerely,

David A. Condon
Mayor



CITY OF SPOKANE
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3327
509.625.6250

April 22, 2015

[REDACTED]

Dear Monique,

The Spokane Parks and Recreation Division has a new, important, and unique opportunity to facilitate outreach and communication for the Division and reintroduce Riverfront Park to the community and City guests.

As you know, citizens signaled the importance of Riverfront Park as a community asset when voters overwhelmingly approved the \$64 million investment last fall, the first significant improvements in 40 years. The master-planning process, which is in the early stages, and subsequent construction phases, will require considerable public engagement and communication in the coming years as we remake a park that draws 2.2 million visitors annually all while hosting guests.

Effectively composing and communicating that story as a part of the broader parks and recreation experience, which includes classes, sports leagues, aquatics programs, four of the top public golf courses in the region and other amenities, requires vision, a coordinated media and outreach strategy, project management experience, and creativity to engage consumers and connect offerings to their interests.

Based on the unique set of needs before us, I have selected you to manage communication, media relations, and serve as a community outreach liaison for the Parks and Recreation Division and the \$64 million Riverfront Park Bond in the newly created position of Division Communications Manager.

The Spokane Police Division has made substantial positive progress in the areas of citizen engagement, media relations, re-branding, marketing, public relations, and social media during your time leading these efforts. Your exceptional talents and skills, along with tenacious work ethic have made a dramatic impact on rebuilding relationships between the Spokane Police Division and the community it serves. Additionally, your experience managing communications and public relations for corporate and non-profit organizations prior to your employment with the City of Spokane makes you the ideal choice to lead the efforts to help bring such an important citizen priority to fruition.

Monique Cotton
Division Communications Manager – Parks Dept
Page 2

Beginning Monday, April 27, 2015, you will begin your new position at the Parks and Recreation Division, reporting directly to Leroy Eadie. We will begin the process of creating a new position in the division and, once that has been completed, will officially present it to you in a formal offer letter. Until that time however, we will authorize an Add-To-Pay in the amount of \$3.30 per hour, or the difference between step 6 and step 4 of the Division Communications Manager pay plan.

I am excited to have you join the team to tell the great parks and recreation story and lead our efforts to brand and market the region's premier tourist attraction and the other great amenities that surround it.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Condon". The signature is written in a cursive style with a large, sweeping initial "D".

David A. Condon
Mayor

Kris Cappel

From: Coddington, Brian
Sent: Monday, May 04, 2015 10:55 AM
To: Lowe, Heather
Cc: Sanders, Theresa
Subject: Parks communications manager
Attachments: COSPRINT_7W-uniFLOW-Secure_3491_001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Heather,

Monique started in Parks this morning. The attached letter went to her as well, although the cover was updated to reflect today's date. Let me know if you have questions.

Brian



Brian Coddington | City of Spokane | Director of Communications and Marketing
509.625.6740 | fax 509.625.6563 | bcoddington@spokanecity.org | spokanecity.org

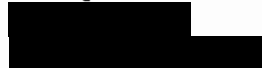




CITY OF SPOKANE
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3327
509.625.6250

April 22, 2015

Monique Cotton



Dear Monique,

The Spokane Parks and Recreation Division has a new, important, and unique opportunity to facilitate outreach and communication for the Division and reintroduce Riverfront Park to the community and City guests.

As you know, citizens signaled the importance of Riverfront Park as a community asset when voters overwhelmingly approved the \$64 million investment last fall, the first significant improvements in 40 years. The master-planning process, which is in the early stages, and subsequent construction phases, will require considerable public engagement and communication in the coming years as we remake a park that draws 2.2 million visitors annually all while hosting guests.

Effectively composing and communicating that story as a part of the broader parks and recreation experience, which includes classes, sports leagues, aquatics programs, four of the top public golf courses in the region and other amenities, requires vision, a coordinated media and outreach strategy, project management experience, and creativity to engage consumers and connect offerings to their interests.

Based on the unique set of needs before us, I have selected you to manage communication, media relations, and serve as a community outreach liaison for the Parks and Recreation Division and the \$64 million Riverfront Park Bond in the newly created position of Division Communications Manager.


The Spokane Police Division has made substantial positive progress in the areas of citizen engagement, media relations, re-branding, marketing, public relations, and social media during your time leading these efforts. Your exceptional talents and skills, along with tenacious work ethic have made a dramatic impact on rebuilding relationships between the Spokane Police Division and the community it serves. Additionally, your experience managing communications and public relations for corporate and non-profit organizations prior to your employment with the City of Spokane makes you the ideal choice to lead the efforts to help bring such an important citizen priority to fruition.

Monique Cotton
Division Communications Manager -- Parks Dept
Page 2

Beginning Monday, April 27, 2015, you will begin your new position at the Parks and Recreation Division, reporting directly to Leroy Eadie. We will begin the process of creating a new position in the division and, once that has been completed, will officially present it to you in a formal offer letter. Until that time however, we will authorize an Add-To-Pay in the amount of \$3.30 per hour, or the difference between step 6 and step 4 of the Division Communications Manager pay plan.

I am excited to have you join the team to tell the great parks and recreation story and lead our efforts to brand and market the region's premier tourist attraction and the other great amenities that surround it.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Condon". The signature is stylized with a large, sweeping initial "D" and a cursive "A." followed by "Condon".

David A. Condon
Mayor

EXHIBIT 23

Kris Cappel

From: Cotton, Monique
Sent: Monday, May 04, 2015 12:16 PM
Subject: FW: Cotton to lead Parks communications

It has been a true pleasure to highlight the hard work and dedication of the people of the Spokane Police Department to the community and the media. You are great people doing great work and I hope to see you around in the future.

Take care.

Monique

Monique Cotton
Director of Communication & Marketing
Spokane Parks & Recreation Division
509-435-1866
mcotton@spokanecity.org

From: Coddington, Brian
Sent: Monday, May 04, 2015 11:22 AM
To: Coddington, Brian
Subject: Cotton to lead Parks communications

Good morning everyone,

A \$64 million renovation of Riverfront Park, the City's most recognizable asset, is underway. This investment will require significant public engagement over the next few years with the opportunity for our Parks and Recreation Division to tell a much broader story that includes classes, sports leagues, the top public golf courses in the region and other amenities.

Mayor David Condon has appointed Monique Cotton to manage all outreach, marketing, community communications, and media relations critical to Riverfront Park's master planning process and subsequent renovation phases while telling the full Parks and Recreation story.

Monique has successfully led communications for the Spokane Police Division for the past three years. In her time with Spokane Police she has led major communication initiatives, including communication for the U.S. Department of Justice COPS Collaborative Reform Initiative, and she organized the Spokane Police Junior Police Academy, which attracted more than 1,000 participants.

Please join me in welcoming Monique to City Hall.

Brian



Brian Coddington | City of Spokane | Director of Communications and Marketing

EXHIBIT 24

MONDAY, MAY 4, 2015, 11:47 A.M.

Police communication director moving to parks department

By Rachel Alexander

rachela@spokesman.com

(509) 459-5406

You're viewing a free article. ✕

After three years at the Spokane police department, communications director Monique Cotton is leaving to manage outreach and public relations for the Riverfront Park redesign, as well as other parks initiatives.

Cotton began her new role Monday.

“We have a unique opportunity to do something special in Riverfront Park,” Mayor David Condon said in a news release. “Telling an engaging story requires someone experienced in bringing a vision to life. Monique has had great success doing that during her time with the Spokane Police Division.”

In addition to her work for Riverfront Park, Cotton will manage communications for the parks department, including information about classes, sports leagues and golf courses.

Cotton said as far as she knew, the police department would be finding another commissioned officer to share public information officer duties with Cpl. Jordan Ferguson.

Cotton said she's proud of the work she did for the police department, including managing communications about the Department of Justice's collaborative reform process and organizing the Junior Police Academy.

She especially enjoyed telling human-centered stories about the work officers were doing, she said.

“That was a really cool experience for me to be able to highlight those stories and tell them to the community,” she said.

This story is developing and will be updated.

UPDATED: MAY 4, 2015, 12:47 P.M.

Tags: Monique Cotton, Parks Department, Riverfront Park, Spokane Police Department

There are 26 comments on this story »

Powered by Google

**Former KREM anchor
sues, alleging
discrimination**

**Coffee stands' owner
defends baristas' attire**

**Rachel Dolezal told
student that ex-husband
for...**

**Missing ferry passeng
from Spokane found
near...**

© Copyright 2016, The Spokesman-Review

EXHIBIT 25

Kris Cappel

From: Sanders, Theresa
Sent: Monday, May 04, 2015 12:39 PM
To: Isserlis, Nancy
Subject: RE: question

Follow Up Flag: Follow up
Flag Status: Flagged

I'm reminded of the song in My Fair Lady, "with a little bit of bloomin' luck".....



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



From: Isserlis, Nancy
Sent: Monday, May 4, 2015 12:22 PM
To: Sanders, Theresa
Subject: Re: question

Will recheck. Excellent spokesman story on new parks employee

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA. 99201
509.625.6225
Sent from my iPhone
Confidential attorney client communication

On May 4, 2015, at 12:16 PM, Sanders, Theresa <tsanders@spokanecity.org> wrote:

No idea. Are we sure it's not just a random access issue? Let me know if you need me to dig.



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



<image007.png> <image008.png> <image009.png>

From: Isserlis, Nancy
Sent: Monday, May 4, 2015 12:08 PM
To: Sanders, Theresa
Subject: question

Adrian Dominguez city email has been disabled as of this morning. Any idea why?

<image010.jpg>

Nancy L. Isserlis | City of Spokane | Office of the City Attorney | City Attorney
509.625.6225 | 509.625.6277(fax) | nisserlis@spokanecity.org | spokanecity.org
808 W. Spokane Falls Boulevard Spokane WA 99201

<image011.png> <image012.png> 

Confidential & Privileged
Legal Materials

Your cooperation is requested; no disclosure authorized
without express consent of client(s) and City Attorney.

EXHIBIT 26

From: [Eadie, Leroy](#)
To: [Chris Wright](#); [Susan Traver](#)
Subject: Monique Cotton
Date: Thursday, April 30, 2015 4:37:14 PM

Hi Chris and Susan. I want to give you a heads up that I'm accepting an offer from the Spokane Police Department to loan us Monique Cotton as a Public Information Officer. We have been struggling not having a communications person with Nancy out. We need to be pushing more information out regarding RFP Bond Implementation and Monique has some skills in this area.

At this point I have no certainty when or if Nancy will return and I can't officially fill her position unless she officially vacates the position. This is a temporary reassignment for Monique and at least in the near future will not cost me any additional dollars.

Monique is going to start working with us on Monday. We'll be sending out a press release on that day as well.

Let me know if you have any questions.

Sincerely,

Leroy Eadie
Director Spokane Parks and Recreation
808 W Spokane Falls Boulevard
Spokane, WA 99201
leadie@spokanecity.org
www.spokaneparks.org
509-625-6204
Fax 509-625-6205

EXHIBIT 27

From: [Chris Wright](#)
To: [Andy Dunau](#); "[Eadie, Leroy](#)"
Cc: "[Susan Traver](#)"
Subject: RE: Media Advisory: Three Riverfront Park Finalist Design Teams to Visit Spokane Sites
Date: Friday, May 15, 2015 6:24:00 PM
Attachments: [image001.png](#)
[image003.png](#)

Just by way of clarification, the "Director" title is not Nancy's title. That's part of my concern....We'd be adding "Acting" to a title and position *that currently doesn't exist*. In my view we need a title that reflects the [ostensible] reality that she is on temporary re-assignment to Parks, and she keeps the title she had at PD.

Otherwise your comments are well put. She should not have to suffer if the final, funded arrangements do not include a new position for her.

CJW

From: Andy Dunau [mailto:andy@dunau.com]
Sent: Friday, May 15, 2015 6:09 PM
To: Chris Wright; 'Eadie, Leroy'
Cc: 'Susan Traver'
Subject: RE: Media Advisory: Three Riverfront Park Finalist Design Teams to Visit Spokane Sites

Sam Song has had the title acting director for well over a year and performed admirably. I see no reason Monique cannot simply put the word acting in front of Nancy's title. To me it's clean and I would be appreciative that the city is helping backfill. She would return to PD when Nancy comes back. The only way she stays beyond acting is if a) Nancy retires and she applies for the job, or b) the board creates a new, funded position that she applies for. If it's exempt, the board would do this knowing the mayor could hire at his discretion.

Currently, the only way Monique can be considered a new body in PR with new title is if there is paperwork saying she's on full time loan from Police Department (not different than if Avista provided a loaned executive to city hall, which was done way back when with Kim Pearman Gillman). Under those circumstances, there is typically a time period associated with it. If that's the desire of the administration, I suggest you create the paper trail and make sure the assignment takes you to end of year so Board can decide if it wants to adopt the position for 2016 and beyond through the budget process. If the board does not choose to create and fund the position, Monique should be assured return rights to Police Department.

At the end of the day, however, this needs to go through finance committee. It's not an RFP issue, and the chair cedes the floor fully to Chris and Susan.

Andy

From: Chris Wright [mailto:chris@cjwrightlaw.com]
Sent: Friday, May 15, 2015 5:38 PM
To: Eadie, Leroy
Cc: 'Susan Traver'; Andy Dunau
Subject: RE: Media Advisory: Three Riverfront Park Finalist Design Teams to Visit Spokane Sites

I will let others weigh in, but I am not comfortable with the title, "informal" or otherwise. No one out in the public sees her as temporary, she is not suggesting any interim character to her position and you are not introducing her as such. I think the better approach would have simply been to bring her in at a sub-director level before you wedded yourself to any title and position, and before the board has even agreed to fund a position at the director level. The real problem, as I see it, is if the 2016 budget is adopted in October and you have not persuaded the board to fund it. Then you are faced with an awkward personnel issue.

Andy, Susan?

CJW

From: Eadie, Leroy [mailto:LEadie@SpokaneCity.org]
Sent: Friday, May 15, 2015 4:03 PM
To: Chris Wright
Cc: 'Susan Traver'; Andy Dunau
Subject: RE: Media Advisory: Three Riverfront Park Finalist Design Teams to Visit Spokane Sites

Chris I agree that we need to move forward with a plan. Jason and I are in the process of putting together next steps and will be bringing forward a new position description. I'm inclined to look to create an except level Director of Communications and Marketing. I don't want to just sit and wait until PD quits paying the bill. We need a plan. That plan will not include elimination of Nancy's position. Nancy's position will be here when she gets back.

That being said, I'm completely comfortable with Monique using the title of Director of Communications and Marketing. She needs a title to be successful in the work she is doing. I'm asking her to do work at the same level as Julie Happy and Marlene Feist. I'm not looking at this as a formal Parks and Recreation title until the position is approved but I will continue to ask her to use it as an informal title.

I have been looking for someone over the past two months to do communication and marketing work for us. We were completely deficient in this area and the system doesn't allow me to fill Nancy's position no matter how long she is out. I had to be creative. Theresa helped us find a person with good skills and at least initially doesn't cost me anything. Theresa is not trying to force anything on the Park Board, she was only being helpful. I interviewed Monique and had complete control on either agreeing or not agreeing to bring her to Parks.

I'm hoping you can accept her using this informal title until I ask the Board to consider a new position.

Sincerely,

Leroy Eadie
Director Spokane Parks and Recreation
808 W Spokane Falls Boulevard
Spokane, WA 99201
leadie@spokanecity.org
www.spokaneparks.org
509-625-6204
Fax 509-625-6205

From: Chris Wright [<mailto:chris@cjwrightlaw.com>]
Sent: Friday, May 15, 2015 8:46 AM
To: Eadie, Leroy
Cc: 'Susan Traver'; Andy Dunau
Subject: FW: Media Advisory: Three Riverfront Park Finalist Design Teams to Visit Spokane Sites
Importance: High

Leroy, we need to discuss the plan with Monique's position. I fully understand the need to (a) cover Nancy G's workload and (b) coordinate the Riverfront Park outreach, but I am *not* comfortable with Monique using the title of "Director of Communications & Marketing," a position that is neither funded within our budget nor formally recognized, so far as I know. It suggests a Division-level position has been created without consultation with the board. While the Mayor has great latitude to *hire* positions within the department, he does not have latitude to *create* a position at park fund expense without the board's consent. I realize the position is currently paid for by the police department – a separate issue in and of itself – but this is a mere technicality at the moment and, as you told me yourself, there is no clarity as to whether that funding will continue through the end of 2015.

Let's get this under control as soon as possible with a written proposal and position description that gets to Finance Committee and, if Andy so desires, is considered by RFP Comm as well. We need the scope of this position fully understood by the board before we allow Monique to assume any formal position titles.

CJW
Christopher J. Wright
Attorney at Law
522 W Riverside, Suite 601
Spokane, WA 99201
(T) (509) 279-2793

(e) chris@cjwrightlaw.com

From: Cotton, Monique [<mailto:mcotton@spokanecity.org>]

Sent: Thursday, May 14, 2015 5:30 PM

To: Cotton, Monique

Subject: Media Advisory: Three Riverfront Park Finalist Design Teams to Visit Spokane Sites

MEDIA ADVISORY: May 14, 2015

Three Finalist Design Teams to Visit Spokane Sites as Part of Final Riverfront Park Design Team Selection Process

****Media Invited to participate in site visits on May 19th with a news conference to be held at 11:00 am at Riverfront Park's Rotary Fountain****

The three "Design of Public Spaces and Park Grounds" finalist design teams, comprised of multi-disciplinary local and national professionals, will visit sites representing Spokane's landscape on Tuesday, May 19th. The purpose of the visits is to give design teams a better understanding of Spokane's natural landscape to guide their vision and ultimately their design of the new Riverfront Park, which combines both urban and natural elements.

A news conference, where the three teams will deliver remarks about their approach and past design experience, will be held at 11:00 am at Riverfront Park's Rotary Fountain (located just north of the intersection of W. Spokane Falls Blvd. and N. Howard Street). Additionally, members of the Parks and Recreation Division will be on hand to speak to the importance of the site visits in the overall selection process.

Members of the media are invited to go along with the design teams as they visit and analyze sites immediately following the news conference.

Detailed directions to each location will be provided to media attending the 11:00 am news conference. A news release regarding the site visits will be forthcoming.

Monique Cotton

Director of Communications & Marketing

Spokane Parks & Recreation and the Riverfront Park Renovation

509.625.6297 | 509.435.1866 (cell) | mcotton@spokanecity.org

SpokaneParks.org | RiverfrontParkMasterPlan.org



This email has been checked for viruses by Avast antivirus software.

www.avast.com

EXHIBIT 28

Kris Cappel

From: Sanders, Theresa
Sent: Wednesday, May 27, 2015 4:45 PM
To: Isserlis, Nancy
Subject: RE: we need to discuss the request for reimbursement of expenses

Follow Up Flag: Follow up
Flag Status: Flagged

Can we chat a few minutes before or after Cabinet?

Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org

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

From: Isserlis, Nancy
Sent: Wednesday, May 27, 2015 9:55 AM
To: Sanders, Theresa
Subject: we need to discuss the request for reimbursement of expenses

I can't speak with her because she is represented, but you can. i have an outline of what you need to say, and what we can, and cannot do.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

EXHIBIT 29

Kris Cappel

Subject: Monique & Theresa
Location: Theresa's Office

Start: Tue 6/2/2015 1:00 PM
End: Tue 6/2/2015 1:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Sanders, Theresa
Required Attendees: Cotton, Monique

EXHIBIT 30

June 8, 2015

RECEIVED

JUN 08 2015

MAYOR'S OFFICE

Mayor David Condon
Spokane City Hall
808 W. Spokane Falls Blvd.,
Spokane, WA 99201

Via Hand Delivery

Ms. Theresa Sanders
City Administrator
Spokane City Hall
808 W. Spokane Falls Blvd.,
Spokane, WA 99201

Via Hand Delivery

Re: Reimbursement Claim/Agreement

Dear Mayor Condon and Ms. Sanders:

As you know, you recently accommodated our client concerning a City employment matter. As part of that process the City agreed and promised to reimburse our client for certain fees and expenses incurred relating to that accommodation.

The total amount of those fees and expenses to be reimbursed is \$13,276.89. We understand that the bills and documentation have been previously provided to Ms. Sanders. This letter is to formalize our client's claim/request for payment pursuant to the contractual agreement reached. Thank you in advance for facilitating this. If you have any questions, feel free to contact me.

Very truly yours,

DUNN BLACK & ROBERTS, P.S.


ROBERT A. DUNN

cc: Client

EXHIBIT 31

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:53 PM
To: Isserlis, Nancy
Subject: FW: I hesitate to ask

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

From: Isserlis, Nancy
Sent: Monday, June 08, 2015 3:15 PM
To: Imus, Roxanne
Subject: I hesitate to ask

But I need a phone appt with bob Dunn to discuss his recent correspondence to the mayor. This week will be tough.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:52 PM
To: Isserlis, Nancy
Subject: FW: No subject
Attachments: image003.png

From: Isserlis, Nancy
Sent: Tuesday, June 09, 2015 4:42 PM
To: Bob Dunn
Subject: Re: No subject

You might want want to read th city ethics code.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

On Jun 9, 2015, at 12:25 PM, Bob Dunn <bdunn@dunnandblack.com> wrote:

Nancy- So what about a **Reimbursement Agreement** to our firm from the legal department (or Risk management) for the legal services rendered. We have examples that theCity has routinely generated for law firms, lawyers, mediators etc. covered by attorney client privilege approved by City Legal. Bob



Bob Dunn | Dunn Black & Roberts, P.S.
111 N Post, Suite 300 | Spokane, WA 99201
Tel: (509) 455-8711 | Fax: (509) 455-8734
Email: bdunn@dunnandblack.com
Website: www.DunnandBlack.com

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:51 PM
To: Isserlis, Nancy
Subject: FW: No subject
Attachments: image003.png

From: Isserlis, Nancy
Sent: Tuesday, June 09, 2015 7:44 PM
To: Isserlis, Nancy
Subject: Fwd: No subject

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA. 99201
509.625.6225
Sent from my iPhone
Confidential attorney client communication

Begin forwarded message:

From: Bob Dunn <bdunn@dunnandblack.com>
Date: June 9, 2015 at 12:25:27 PM PDT
To: "Isserlis, Nancy (nisserlis@spokanecity.org)" <nisserlis@spokanecity.org>
Subject: No subject

Nancy- So what about a **Reimbursement Agreement** to our firm from the legal department (or Risk management) for the legal services rendered. We have examples that theCity has routinely generated for law firms, lawyers, mediators etc. covered by attorney client privilege approved by City Legal. Bob

Bob Dunn | Dunn Black & Roberts, P.S.
111 N Post, Suite 300 | Spokane, WA 99201
Tel: (509) 455-8711 | Fax: (509) 455-8734
Email: bdunn@dunnandblack.com
Website: www.DunnandBlack.com



Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:51 PM
To: Isserlis, Nancy
Subject: FW: No subject

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

From: Bob Dunn [<mailto:bdunn@dunnandblack.com>]
Sent: Wednesday, June 10, 2015 7:46 AM
To: Isserlis, Nancy
Subject: RE: No subject

Thanks, but I suspect I read it long before you became City employed.

Bob Dunn | Dunn Black & Roberts, P.S.
111 N Post, Suite 300 | Spokane, WA 99201
Tel: (509) 455-8711 | Fax: (509) 455-8734
Email: bdunn@dunnandblack.com
Website: www.DunnandBlack.com

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

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

From: Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]
Sent: Tuesday, June 09, 2015 4:42 PM
To: Bob Dunn
Subject: Re: No subject

You might want want to read th city ethics code.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

On Jun 9, 2015, at 12:25 PM, Bob Dunn <bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>> wrote:

Nancy- So what about a Reimbursement Agreement to our firm from the legal department (or Risk management) for the legal services rendered. We have examples that theCity has routinely generated for law firms, lawyers, mediators etc. covered by attorney client privilege approved by City Legal. Bob

[<http://dunnandblack.com/email/new.png>]

Bob Dunn | Dunn Black & Roberts, P.S.

111 N Post, Suite 300 | Spokane, WA

99201<<http://maps.google.com/maps?q=111+N+post+spokane+wa+99201&hl=en&sl=37.0625,-95.677068&sspn=37.598824,43.769531&hnear=111+N+Post+St,+Spokane,+Washington+99201&t=m&z=16>>

Tel: (509) 455-8711 | Fax: (509) 455-8734

Email: bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>

Website: www.DunnandBlack.com<<http://www.dunnandblack.com/>>

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:50 PM
To: Isserlis, Nancy
Subject: FW: No subject

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

From: Isserlis, Nancy
Sent: Wednesday, June 10, 2015 7:57 AM
To: Bob Dunn
Subject: Re: No subject

I was referring to city code of ethics which I drafted and was just adopted by the council earlier this year.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

> On Jun 10, 2015, at 7:46 AM, Bob Dunn <bdunn@dunnandblack.com> wrote:

>
> Thanks, but I suspect I read it long before you became City employed.
>
>
> Bob Dunn | Dunn Black & Roberts, P.S.
> 111 N Post, Suite 300 | Spokane, WA 99201
> Tel: (509) 455-8711 | Fax: (509) 455-8734
> Email: bdunn@dunnandblack.com
> Website: www.DunnandBlack.com

> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

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

> **From:** Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]
> **Sent:** Tuesday, June 09, 2015 4:42 PM
> **To:** Bob Dunn
> **Subject:** Re: No subject

>
> You might want want to read th city ethics code.
>
> Nancy Isserlis
> City Attorney
> 808 W. Spokane Falls Blvd.
> Spokane, WA 99201

> 509.625.6225

> Sent from my iPad

> Confidential Attorney Client Communication

>

> On Jun 9, 2015, at 12:25 PM, Bob Dunn <bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>> wrote:

>

> Nancy- So what about a Reimbursement Agreement to our firm from the legal department (or Risk management) for the legal services rendered. We have examples that theCity has routinely generated for law firms, lawyers, mediators etc. covered by attorney client privilege approved by City Legal. Bob

>

> [<http://dunnandblack.com/email/new.png>]

>

> Bob Dunn | Dunn Black & Roberts, P.S.

> 111 N Post, Suite 300 | Spokane, WA

> 99201<<http://maps.google.com/maps?q=111+N+post+spokane+wa+99201&hl=en&sll=37.0625,->

> [95.677068&sspn=37.598824,43.769531&hnear=111+N+Post+St,+Spokane,+Washington+99201&t=m&z=16](http://maps.google.com/maps?q=111+N+post+spokane+wa+99201&hl=en&sll=37.0625,-95.677068&sspn=37.598824,43.769531&hnear=111+N+Post+St,+Spokane,+Washington+99201&t=m&z=16)>

> Tel: (509) 455-8711 | Fax: (509) 455-8734

> Email: bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>

> Website: www.DunnandBlack.com<<http://www.dunnandblack.com/>>

>

>

>

> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

>

>

>

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:50 PM
To: Isserlis, Nancy
Subject: FW: No subject

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

From: Bob Dunn [<mailto:bdunn@dunnandblack.com>]
Sent: Wednesday, June 10, 2015 12:56 PM
To: Isserlis, Nancy
Subject: RE: No subject

Perfect, then it should be easy for us to get where we need to be.

Bob Dunn | Dunn Black & Roberts, P.S.
111 N Post, Suite 300 | Spokane, WA 99201
Tel: (509) 455-8711 | Fax: (509) 455-8734
Email: bdunn@dunnandblack.com
Website: www.DunnandBlack.com

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

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

From: Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]
Sent: Wednesday, June 10, 2015 7:57 AM
To: Bob Dunn
Subject: Re: No subject

I was referring to city code of ethics which I drafted and was just adopted by the council earlier this year.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

> On Jun 10, 2015, at 7:46 AM, Bob Dunn <bdunn@dunnandblack.com> wrote:
>
> Thanks, but I suspect I read it long before you became City employed.
>
>
> Bob Dunn | Dunn Black & Roberts, P.S.
> 111 N Post, Suite 300 | Spokane, WA 99201
> Tel: (509) 455-8711 | Fax: (509) 455-8734

> Email: bdunn@dunnandblack.com

> Website: www.DunnandBlack.com

> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

>
>
>

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

> From: Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]

> Sent: Tuesday, June 09, 2015 4:42 PM

> To: Bob Dunn

> Subject: Re: No subject

>

> You might want want to read th city ethics code.

>

> Nancy Isserlis

> City Attorney

> 808 W. Spokane Falls Blvd.

> Spokane, WA 99201

> 509.625.6225

> Sent from my iPad

> Confidential Attorney Client Communication

>

> On Jun 9, 2015, at 12:25 PM, Bob Dunn <bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>> wrote:

>

> Nancy- So what about a Reimbursement Agreement to our firm from the legal department (or Risk management) for the legal services rendered. We have examples that theCity has routinely generated for law firms, lawyers, mediators etc. covered by attorney client privilege approved by City Legal. Bob

>

> [<http://dunnandblack.com/email/new.png>]

>

> Bob Dunn | Dunn Black & Roberts, P.S.

> 111 N Post, Suite 300 | Spokane, WA

99201<<http://maps.google.com/maps?q=111+N+post+spokane+wa+99201&hl=en&sil=37.0625,->

[95.677068&sspn=37.598824,43.769531&hnear=111+N+Post+St,+Spokane,+Washington+99201&t=m&z=16](http://maps.google.com/maps?q=111+N+post+spokane+wa+99201&hl=en&sil=37.0625,-95.677068&sspn=37.598824,43.769531&hnear=111+N+Post+St,+Spokane,+Washington+99201&t=m&z=16)>

> Tel: (509) 455-8711 | Fax: (509) 455-8734

> Email: bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>

> Website: www.DunnandBlack.com<<http://www.dunnandblack.com/>>

>

>

>

> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

>

>

>

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:48 PM
To: Isserlis, Nancy
Subject: FW: No subject

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

From: Bob Dunn [<mailto:bdunn@dunnandblack.com>]
Sent: Thursday, June 11, 2015 1:28 PM
To: Isserlis, Nancy
Subject: RE: No subject

Nancy--so where are we on our issue please? Obviously we want this addressed before it turns into a Police Ombudsman headline, right?

Bob Dunn | Dunn Black & Roberts, P.S.
111 N Post, Suite 300 | Spokane, WA 99201
Tel: (509) 455-8711 | Fax: (509) 455-8734
Email: bdunn@dunnandblack.com
Website: www.DunnandBlack.com

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

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

From: Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]
Sent: Wednesday, June 10, 2015 7:57 AM
To: Bob Dunn
Subject: Re: No subject

I was referring to city code of ethics which I drafted and was just adopted by the council earlier this year.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

> On Jun 10, 2015, at 7:46 AM, Bob Dunn <bdunn@dunnandblack.com> wrote:
>
> Thanks, but I suspect I read it long before you became City employed.
>
>
> Bob Dunn | Dunn Black & Roberts, P.S.
> 111 N Post, Suite 300 | Spokane, WA 99201
> Tel: (509) 455-8711 | Fax: (509) 455-8734

> Email: bdunn@dunnandblack.com
> Website: www.DunnandBlack.com
> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

>
>
>

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

> From: Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]
> Sent: Tuesday, June 09, 2015 4:42 PM
> To: Bob Dunn
> Subject: Re: No subject

>

> You might want want to read th city ethics code.

>

> Nancy Isserlis
> City Attorney
> 808 W. Spokane Falls Blvd.
> Spokane, WA 99201
> 509.625.6225
> Sent from my iPad
> Confidential Attorney Client Communication

>

> On Jun 9, 2015, at 12:25 PM, Bob Dunn <bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>> wrote:

>

> Nancy- So what about a Reimbursement Agreement to our firm from the legal department (or Risk management) for the legal services rendered. We have examples that theCity has routinely generated for law firms, lawyers, mediators etc. covered by attorney client privilege approved by City Legal. Bob

>

> [<http://dunnandblack.com/email/new.png>]

>

> Bob Dunn | Dunn Black & Roberts, P.S.
> 111 N Post, Suite 300 | Spokane, WA
99201<<http://maps.google.com/maps?q=111+N+post+spokane+wa+99201&hl=en&sl=37.0625,-95.677068&sspn=37.598824,43.769531&hnear=111+N+Post+St,+Spokane,+Washington+99201&t=m&z=16>>

> Tel: (509) 455-8711 | Fax: (509) 455-8734

> Email: bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>

> Website: www.DunnandBlack.com<<http://www.dunnandblack.com/>>

>

>

>

> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

>

>

>

Pfister, Terri

From: Isserlis, Nancy
Sent: Wednesday, November 11, 2015 12:47 PM
To: Isserlis, Nancy
Subject: FW: No subject

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

From: Bob Dunn [<mailto:bdunn@dunnandblack.com>]
Sent: Wednesday, June 10, 2015 12:56 PM
To: Isserlis, Nancy
Subject: RE: No subject

Perfect, then it should be easy for us to get where we need to be.

Bob Dunn | Dunn Black & Roberts, P.S.
111 N Post, Suite 300 | Spokane, WA 99201
Tel: (509) 455-8711 | Fax: (509) 455-8734
Email: bdunn@dunnandblack.com
Website: www.DunnandBlack.com

Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

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

From: Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]
Sent: Wednesday, June 10, 2015 7:57 AM
To: Bob Dunn
Subject: Re: No subject

I was referring to city code of ethics which I drafted and was just adopted by the council earlier this year.

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

> On Jun 10, 2015, at 7:46 AM, Bob Dunn <bdunn@dunnandblack.com> wrote:
>
> Thanks, but I suspect I read it long before you became City employed.
>
>
> Bob Dunn | Dunn Black & Roberts, P.S.
> 111 N Post, Suite 300 | Spokane, WA 99201
> Tel: (509) 455-8711 | Fax: (509) 455-8734

> Email: bdunn@dunnandblack.com
> Website: www.DunnandBlack.com
> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

>
>
>

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

> From: Isserlis, Nancy [<mailto:nisserlis@spokanecity.org>]
> Sent: Tuesday, June 09, 2015 4:42 PM
> To: Bob Dunn
> Subject: Re: No subject

>

> You might want want to read th city ethics code.

>

> Nancy Isserlis
> City Attorney
> 808 W. Spokane Falls Blvd.
> Spokane, WA 99201

> 509.625.6225

> Sent from my iPad

> Confidential Attorney Client Communication

>

> On Jun 9, 2015, at 12:25 PM, Bob Dunn <bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>> wrote:

>

> Nancy- So what about a Reimbursement Agreement to our firm from the legal department (or Risk management) for the legal services rendered. We have examples that theCity has routinely generated for law firms, lawyers, mediators etc. covered by attorney client privilege approved by City Legal. Bob

>

> [<http://dunnandblack.com/email/new.png>]

>

> Bob Dunn | Dunn Black & Roberts, P.S.

> 111 N Post, Suite 300 | Spokane, WA

99201<<http://maps.google.com/maps?q=111+N+post+spokane+wa+99201&hl=en&sl=37.0625,-95.677068&sspn=37.598824,43.769531&hnear=111+N+Post+St,+Spokane,+Washington+99201&t=m&z=16>>

> Tel: (509) 455-8711 | Fax: (509) 455-8734

> Email: bdunn@dunnandblack.com<<mailto:bdunn@dunnandblack.com>>

> Website: www.DunnandBlack.com<<http://www.dunnandblack.com/>>

>

>

>

> Disclaimer: This message may contain confidential communications protected by the attorney client privilege. If you received this message in error, please delete it and notify the sender.

>

>

>

EXHIBIT 32

Kris Cappel

From: Sanders, Theresa
Sent: Friday, June 12, 2015 12:57 PM
To: Isserlis, Nancy
Subject: RE: Have you spoken with Monique?

Follow Up Flag: Follow up
Flag Status: Flagged

She's on my calendar Monday.

Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org

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

From: Isserlis, Nancy
Sent: Friday, June 12, 2015 12:45 PM
To: Sanders, Theresa
Subject: Have you spoken with Monique?

Nancy Isserlis
City Attorney
808 W. Spokane Falls Blvd.
Spokane, WA 99201
509.625.6225
Sent from my iPad
Confidential Attorney Client Communication

Kris Cappel

Subject: Monique & Theresa
Location: Theresa's Office

Start: Mon 6/15/2015 9:30 AM
End: Mon 6/15/2015 10:00 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Sanders, Theresa
Required Attendees: Cotton, Monique

Kris Cappel

From: Sanders, Theresa
Sent: Monday, June 15, 2015 10:26 AM
To: Eadie, Leroy

Follow Up Flag: Follow up
Flag Status: Flagged

Chris met with Monique and told her the board does not support her position??? Seems contrary to what some board members have said to me.



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



EXHIBIT 33

June 17, 2015

Mayor David Condon
Spokane City Hall
808 W. Spokane Falls Blvd.,
Spokane, WA 99201

Via Hand Delivery

Ms. Theresa Sanders
City Administrator
Spokane City Hall
808 W. Spokane Falls Blvd.,
Spokane, WA 99201

Via Hand Delivery

Re: Reimbursement Claim/Agreement

Dear Mayor Condon and Ms. Sanders:

The City is continuing to balk at paying the agreed and promised reimbursement to our client for certain fees and expenses incurred relating to her involvement in the City employment matter at issue.

Despite my prior request dated June 8, 2015, you have again advised my client, (and City Attorney Isserlis has since informed me) that a formal claim supposedly needs to be submitted for the previously promised reimbursement. This is despite the fact that the Mayor's office has authority to approve minor contract claims, which is what this is. A promise was made for services rendered, my client relied on those promises, and then performed as requested. Thus, insistence upon a formal tort claim is not only unnecessary, but counterproductive to all concerned. The City should know by now that I have absolutely no problem filing tort claims against it. However in this situation, that was not the course my client wanted to pursue, nor was it the agreement. But if you are adamant that a formal claim is really required to process the reimbursement that was promised, I submit that it will be something along the following lines:

"... that the City and specifically Mayor Condon knew or should have known about the candidate's personal relationship improprieties with female subordinates, yet nonetheless intentionally ignored such information while personally choosing to recruit

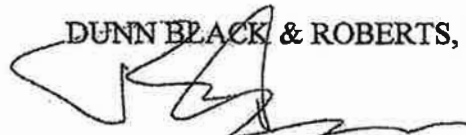
Mayor David Condon
Ms. Theresa Sanders
June 17, 2015
Page 2

and hire that person into a high level City Department Head position, and then despite such notice, did absolutely nothing to supervise or monitor that hire's subsequent predatory and sexually inappropriate misconduct and outrageous interactions, including physical and emotional assaults with and against subordinate female City employees; causing and creating a work environment so sexually charged and hostile that it caused the constructive discharge of my client who suffered significant emotional injury and upset such that it required health counseling, etc. Thus the claimed amount against the City and the above named City officials for such tortious and unlawful misconduct is an amount not less than \$500,000."

Of course, we all understand that any such claim will necessarily become public record, with no assurance that it will not be discovered and aggressively pursued by the media. If front page, above the fold exposure is really what you are wanting us to experience because of an unwillingness to simply address the reimbursement request that was previously promised, then that is precisely what we will be encountering as a result of unreasonably insisting upon a formal Claim Notice. The City has until Friday, noon, to acknowledge its obligation and to reimburse the requested amounts, or I will proceed accordingly just as you have insisted.

Very truly yours,

DUNN BLACK & ROBERTS, P.S.



ROBERT A. DUNN

cc: Nancy Isserlis, City Attorney

EXHIBIT 34



OFFICE OF THE CITY ATTORNEY
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3326
509.625.6225
509.625.6277 FAX

NANCY L. ISSERLIS
CITY ATTORNEY

PAT J. DALTON
SENIOR ASSISTANT CITY ATTORNEY

ASSISTANT CITY ATTORNEYS

SALVATORE J. FAGGIANO	MICHAEL J. PICCOLO
MATTHEW M. FOLSOM	JAMES A. RICHMAN
ERIN A. JACOBSON	ELIZABETH L. SCHOEDEL
ASHLEY C. MARSHALL	TIMOTHY E. SZAMBELAN
MARY F. MURAMATSU	HUNT M. WHALEY
NATHANIEL J. ODLE	

RECEIVED

June 18, 2015

JUN 19 2015

DUNN, BLACK
& ROBERTS

Robert A. Dunn
Dunn, Black & Roberts, P.S.
111 N. Post St., Ste. 300
Spokane, WA 99201

Dear Bob:

I am responding to your letter addressed to the Mayor and Theresa Sanders received yesterday.

Your client has repeatedly informed Ms. Sanders that she does not want any publicity. She also adamantly resisted any investigation into the type of alleged conduct that you referenced in your hypothetical claim language. The City immediately accommodated her request for reassignment, and it appears that she is doing well in her new role.

As you and I have previously discussed, it will be necessary for your client or you to file a claim to reimburse her for the costs she has incurred, and for which she is seeking reimbursement. Absent a court order allowing her to file a claim as "Jane Doe," we are forbidden by state law from paying for these expenses absent a claim being filed. We have received copies of the expenses for which your client is seeking reimbursement. Ms. Sanders has informed your client that the expenses will be paid *if* a claim is filed. No other agreement has been made. Your client has also been advised that, while the City would take no affirmative action to publicize the filing of the claim, the City routinely receives public records requests for all claims submitted to and paid by the City.

To circumvent this process would require me to violate the Rules of Professional Conduct, the City Code of Ethics and state law – none of which I intend to do.

I enclose a copy of the claim form.

Very truly yours,

Nancy L. Isserlis
City Attorney

Encl.

CLAIM FOR DAMAGES
CITY OF SPOKANE, WASHINGTON

PLEASE PRINT
IN BLACK INK

See page 10 of attached form

1. Claimant's Name: _____
Residence: _____

(List full address: Street, City, State, Zip Code)

Phone #: Home _____ Work _____ Birthdate: _____

2. Residence of claimant for six months prior to the time the claim of damages accrued (if different): _____

3. Name, address and telephone of owner of any damaged property if not given above: _____
TOTAL CLAIM: \$ _____

4. CLAIM INCIDENT DATE: _____ TIME: _____ PLACE: _____

DESCRIPTION OF INCIDENT: (Give full account: describe how the City was at fault. List defects causing loss and City acts or omissions) _____

Attachments (Attach additional sheets if necessary.)

5. Give an itemization of your claim, listing specific losses actually sustained or expected: _____

Attachments (Attach bills, statements, estimates or other proof of your specific items of loss.)

6. Were any other persons involved in the incident? Give details with name, address and telephone: _____

7. Name, address and telephone of witnesses or persons with further information: _____

8. Is claimant willing to settle or compromise? If so, state amount acceptable as full settlement: \$ _____

NOTE: Please see Spokane Municipal Code 4.02.030 for further information on claim requirements.

MEDICAL INFORMATION DISCLAIMER: Per chapter 42.56 RCW (Public Records Act), a filed Claim for Damages and its attachments are subject to public disclosure. If you have any attachments to this claim containing medical information, please enclose those attachments in a sealed envelope marked with your name and the phrase "Medical Contents."

STATE OF WASHINGTON)
County of Spokane)

I, _____ (print name), being first duly sworn, on oath, depose and say: That I have read the foregoing claim, know the matter therein contained, and the same is true to the best of my knowledge.

Claimant
SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.

FILE COMPLETED FORM WITH:
Spokane City Clerk's Office
Fifth Floor, Municipal Bldg.
808 W. Spokane Falls Blvd.
Spokane WA 99201-3342
509-625-6350

Notary Public in and for the State of Washington,
Residing at _____
My commission expires _____

EXHIBIT 35

Peg Benson

From: Cote, Brandy <bcote@spokanecity.org>
Sent: Friday, August 28, 2015 5:14 PM
To: McCabe, David E.; Griffiths, Mark
Cc: Lowe, Heather; Jacobson, Erin
Subject: Meeting with Mayor Condon

Good afternoon,

Following up on the Union Leadership meeting with Mayor Condon last quarter and the request that the next meetings be held individually, I would like to schedule a time for you to meet with the Mayor for an hour in the coming weeks. The discussion would be focused around a review the City's 2016 budget and any other areas of interest. We would like to **invite the executive board, as well as all PD Lieutenants & Captains.**

Would you be available to meet on September 8th at 2:00 PM in City Hall? I will follow with a meeting location once I know an estimate of the number of attendees.

Thank you,



Brandy Cote | City of Spokane | Director, Office of the Mayor
509.625.6774 | bcote@spokanecity.org | spokanecity.org



Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

Peg Benson

From: Cote, Brandy <bcote@spokanecity.org>
Sent: Thursday, September 03, 2015 2:25 PM
To: Griffiths, Mark; McCabe, David E.
Cc: Lowe, Heather; Jacobson, Erin
Subject: RE: Meeting with Mayor Condon

I should have mentioned, we will go ahead and meet in the Mayor's conference room on the 7th floor of City Hall.



Brandy Cote | City of Spokane | Director, Office of the Mayor
509.625.6774 | bcote@spokanecity.org | spokanecity.org



Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

From: Cote, Brandy
Sent: Thursday, September 03, 2015 2:19 PM
To: Griffiths, Mark; McCabe, David E.
Cc: Lowe, Heather; Jacobson, Erin
Subject: RE: Meeting with Mayor Condon

Great, thanks Mark. We look forward to it.



Brandy Cote | City of Spokane | Director, Office of the Mayor
509.625.6774 | bcote@spokanecity.org | spokanecity.org



Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

From: Griffiths, Mark
Sent: Thursday, September 03, 2015 8:47 AM
To: Cote, Brandy; McCabe, David E.
Cc: Lowe, Heather; Jacobson, Erin
Subject: RE: Meeting with Mayor Condon

Looks like you can expect about 10-12 of us for Tuesdays meeting. Thanks again for the invite.

Lt. Mark Griffiths
Major Crimes Unit | Special Victims Unit | Domestic Violence Unit
Spokane Police Department | 1100 W. Mallon Ave. | Spokane WA 99260
(509) 625-4214 | mgriffiths@spokanepolice.org

From: Cote, Brandy
Sent: Friday, August 28, 2015 5:14 PM
To: McCabe, David E.; Griffiths, Mark
Cc: Lowe, Heather; Jacobson, Erin
Subject: Meeting with Mayor Condon

Good afternoon,

Following up on the Union Leadership meeting with Mayor Condon last quarter and the request that the next meetings be held individually, I would like to schedule a time for you to meet with the Mayor for an hour in the coming weeks. The discussion would be focused around a review the City's 2016 budget and any other areas of interest. We would like to **invite the executive board, as well as all PD Lieutenants & Captains.**

Would you be available to meet on September 8th at 2:00 PM in City Hall? I will follow with a meeting location once I know an estimate of the number of attendees.

Thank you,



Brandy Cote | City of Spokane | Director, Office of the Mayor
509.625.6774 | bcote@spokanecity.org | spokanecity.org



Emails and attachments sent to or from the City, including personal information, are presumptively public records that are subject to disclosure. - Chapter 42.56 RCW

File Meeting Insert Format Text Review

Cancel Meeting Copy to My Calendar Forward OneNote Appointment Scheduling Assistant Tracking Contact Attendees Busy Recurrence Time Zones Room Finder Categorize Tags Zoom

1 attendee accepted, 0 tentatively accepted, 0 declined.

To... Lowe, Heather; Sanders, Theresa (tsanders@spokanecity.org)

Subject: PD Lieutenants & Captains

Location: Mayor's Conference Room Rooms...

Start time: Tue 9/8/2015 2:00 PM All day event

End time: Tue 9/8/2015 3:00 PM

Contact: Mark Griffiths mgriffiths@spokanepolice.org

Staff:

Also Attending: Executive board and all lieutenants & captains have been invited to attend. 10-12 have confirmed attendance

Media:

Origin:

Expected Outcome: Meeting confirmed to review 2016 Program budget and other items of interest.

Background:

Message Points:

Special Instructions:

Agenda:

Room Finder

September, 2015

Su	Mo	Tu	We	Th	Fr	Sa
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3
4	5	6	7	8	9	10

Good Fair Poor

Choose an available room:

None

Suggested times:

Suggestions are not provided for dates that occur in the past.

EXHIBIT 36

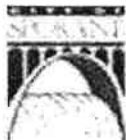
Kris Cappel

From: Sanders, Theresa
Sent: Tuesday, September 08, 2015 5:31 PM
To: SPD Captains and Lieutenants
Cc: Condon, David
Subject: Thanks

Follow Up Flag: Follow up
Flag Status: Flagged

All – Just wanted to say thanks for taking time with Mayor and I today and for your candid input. Also thanks for doing all you do to move this great city forward.

Door is open.



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



EXHIBIT 37

CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS

To: Nancy Isserlis, City Attorney's Office

From: Assistant Chief Rick Dobrow, Assistant Chief Selby Smith, Director Tim Schwering,
and Deputy Director Sarah Lynds

RE: Confidential Attorney-Client Privileged material

Date: September 18, 2015

This confidential communication is to advise you that on September 17, 2015, we had a Labor Management meeting with the Lieutenants and Captains Association and the Police Guild. There were many issues brought up, mainly concerns regarding treatment of members. Please see attached notes.

In addition to this meeting, we met with the Mayor and City Administrator on September 10, 2015 at their request. We spoke about the budget but we were also asked additional questions as a result of a meeting that the Mayor and City Administrator had with the Lieutenants and Captains Association and Police Guild on September 8, 2015.

The Mayor and City Administrator sought clarification surrounding topics discussed at the meeting with the Lieutenants and Captains Association, involving Chief Frank Straub's behavior. We confirmed the validity of some of the issues that had been raised by the lieutenants and captains and expressed our own concerns regarding the behavior. We have witnessed multiple instances of communication and management tactics that could constitute a hostile work environment. We believe there is a pattern and practice of inappropriate behavior and we confirmed the concerns of the members of the Lieutenants and Captains Association.

We have witnessed and/or experienced:

- Unreasonable emotional outbursts
- Personal attacks
- Threats regarding our employment and position
- Scare tactics
- Retaliation
- Degradation of character
- Demeaning and condescending treatment
- Profane and highly inappropriate language

Donna
Selby
Schwartz
1...
computer
Griffiths
Lundgren
Ottmar
Griffin
Snider
Richards
Reiner
Armstrong

M. Steinolfson

SPD Labor Meeting

Guild/Lts + Cpts Assoc

9/17/15

MG: Employee treatment; met w/Mayer, expressed concerns about interactions w/the chief. Affecting ability to have open interactions w/members. Hostile, profanity, members felt threatened. Notified legal. What's happened, happened. Wants to move forward openly. NOT looking towards vote on no confidence right now.

PD: Talking on CEO, is there immediate action that needs to take place?

MG: We've talked to Theresa - its fine for now.

JL: Lack of involvement @ Capt level in decisions making. Staff reassigned to Cop shops w/no phones, computers, etc. Lack of communication.

PD: All take resp. - It was a financial move to get the Cop shops up & running.

MG: Command / Exec Staff Mtgs - re-institute?
Lts + Cpts training (leadership), make priority

SS: We're going to work w/the budget to id funds specifically for training. Will not be done in a vacuum. Mandatory v. prof devel, etc.

RD: Working towards a formalized mentorship program.

MG: We want to help you achieve ^{your} ~~the~~ -in from our membership & the Guild.

Guild - no topics

JG: We've not been directly involved in what was discussed earlier, but there are standards and we echo that they need to be enforced & respected.

Homicide Training - cohosting, trainers from KY.

Detective Training - Dec 7

JL: Membership was requested to meet w/ Mayor & Theresa to speak about treatment. We are dedicated to moving SPD forward. But the pattern of behavior will not be tolerated. Retaliation not tolerated.

End

**CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED
COMMUNICATIONS**

To: City Attorney's Office
From: The Executive Board of the Lieutenants and Captains Association
RE: Confidential Attorney-Client Privileged material
Date: September 18th, 2015

On September 8th, 2015 several members of the Spokane Police Department Lieutenants and Captains Association met with City Administrator Theresa Sanders and Mayor David Condon. This meeting was at the invitation of the Mayor to discuss the 2016 City Budget and any other "areas of interest."

During the meeting many members discussed their concerns with the performance of Police Chief Frank Straub. Members of this Association reported several specific examples of unprofessional and even hostile behavior directed toward themselves or other members by Chief Straub. These actions taken by the Chief of Police, in his official capacity, against subordinate members of this agency constituted a pattern of behavior dating back over two years. It often included profanity, personal degradation, or other behavior not becoming the office of the Spokane Police Chief. His behavior has created a workplace environment inconsistent with collaboration and contrary to effective leadership.

Several other concerns were shared about the lack of communication by Chief Straub to the members of his Command and Senior Staff tasked with carrying out the daily operations of the Spokane Police Department. This behavior has resulted in inefficient resource allocation, duplication of efforts, wasted time, unnecessary overtime, and general frustration. When the Chief fails in these initiatives he often blames the result on the very people he failed to include in the planning process.

During the meeting, our membership provided full support in continuing to move the Spokane Police Department forward. We also avowed it was our interest and intention to avoid any embarrassment or negative publicity directed toward the Spokane Police Department as a result of the Chief's actions.

On September 17th, 2015, members of the Lieutenants and Captains Association executive board met with Assistant Chief Rick Dobrow, Assistant Chief Selby Smith, Director Tim

Schwering, Deputy Director Sarah Lynds, members of the Spokane Police Guild, and Human Resources Representative Meghann Steinolfson for a scheduled Labor-Management meeting. During that meeting, members of the Executive Board summarized the concerns of the Lieutenants and Captains Association with the behavior of the Chief of Police as discussed at the September 8th meeting with the Mayor and City Administrator. We respectfully advised those present of the issues discussed and to advise we, as an Association, would not tolerate any further unprofessional behavior by the Chief of Police directed at our members or other members of the agency. We also reiterated our commitment to the future success of the Spokane Police Department.

Respectfully Submitted,

out of town
Dave McCabe, President

Eric Olsen
Eric Olsen, Conductor

Mark Griffiths
Mark Griffiths, Vice President

Justin Lundgren
Justin Lundgren, Member at Large

Dave Richards
Dave Richards, Treasurer-Secretary

EXHIBIT 38

Kris Cappel

From: Sanders, Theresa
Sent: Friday, September 11, 2015 4:54 PM
To: Condon, David

Follow Up Flag: Follow up
Flag Status: Flagged

<http://www.wlwt.com/news/cincinnati-police-chief-fired/35176976>



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



FIND US



LIKE US



FOLLOW US

Kris Cappel

From: Sanders, Theresa
Sent: Friday, September 11, 2015 4:58 PM
To: Coddington, Brian

Follow Up Flag: Follow up
Flag Status: Flagged

<http://www.wlwt.com/news/cincinnati-police-chief-fired/35176976>



Theresa Sanders | City of Spokane | City Administrator
509.625.6250 | fax 509.625.6563 | tsanders@spokanecity.org | spokanecity.org



SEARCH

Log In

Alerts

Mobile

Submit a Tip

84°

Like 222K

Follow



New Homes & Cozy Cottages

NOW SELLING NOW RENTING Ocean Shores, WA

ONLINE TOUR

NOWCAST Watch WLWT News On Demand

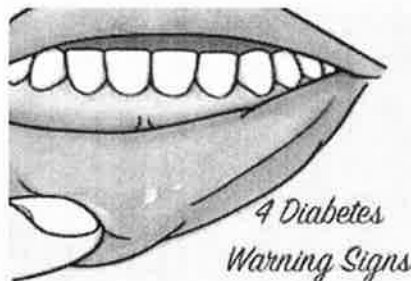
TRAFFIC:



Road reopens, traffic restricted after Mt.... 8min

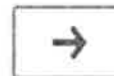
FULL COVERAGE Get Alerts »

Home / Local News



Alternative Treatment Taking Down Diabetes (By Storm)

lfb.org



By John in BIO

Cincinnati Police Chief Jeffrey Blackwell fired, city cites leadership concerns

Black: Morale ranked 2.29 out of 10, level Black said was lower than after 2001 riots

UPDATED 11:57 PM EDT Sep 09, 2015



By Todd in BIO

Share 4.6K

Tweet

G+ 5

NEXT STORY Shoppers beware: Police warn of uptick in purse snatchings in parking lots

Text Size: A A A

Advertising



0:02 / 3:23

SHOW TRANSCRIPT

CINCINNATI — Cincinnati's police chief has been fired by the city manager.

SPECIALIST SCOTTY JOHNSON TALKS ABOUT DEPARTMENT UNDER...

One of the officers whose report was cited in



Now that former Chief Jeffrey Blackwell has been fired, the Fraternal Order of Police and the Sentinel Police Association said the focus now is to heal the Cincinnati Police Department and move forward.

For months, there have been reports of strife within the department and at around 11 a.m. Wednesday, CPD Chief Jeffrey Blackwell was

Chief Jeffrey Blackwell's firing speaks to City Council.
MORE

FORMER CHIEF JEFFREY BLACKWELL SAYS HE'S PLANNING LAWSUIT...

The ousted chief of Cincinnati's police force says he will sue the city over his firing.
MORE



PHOTOS: ELIOT ISAAC SWORN IN AS INTERIM CPD POLICE CHIEF



MORE

GROUP THREATENS TO CANCEL CONFERENCES IN SUPPORT OF CPD...

A criminal justice organization that was planning to hold two conferences in Cincinnati says it is threatening to cancel those plans as a show of support for Cincinnati Police Chief Jeffrey Blackwell.
MORE



CITY LEADERS DISCUSS FUTURE OF CINCINNATI POLICE CHIEF...

The future of Cincinnati's embattled police chief could be on the line this week.
MORE



BLACKWELL: 'I'VE DONE A GOOD JOB. I'M NOT GOING TO BUY...

Cincinnati Police Chief Jeffrey Blackwell said he's staying focused despite his critics.
MORE



called to City Hall and told he was terminated with cause.

Watch this report

City Manager Harry Black released a memo with a scathing assessment of Blackwell's leadership.

Memo: Blackwell 'fostered a hostile work environment and verbally abused subordinates'

In the memo released Wednesday, Black stated, "A culture of hostility and retaliation instituted by Mr. Blackwell has put the integrity of the police department at risk."

Read: Memo | Climate assessment report

"The formal and informal feedback solicited from a variety of sources indicates that Mr. Blackwell uses verbal abuse and insult to convey authority. This is one of the more troubling conclusions I have reached. It is important to note that the incidents that have been relayed to me span the spectrum of rank, gender, and race. Individuals have been threatened and berated, in the presence of subordinate officers, superior officers, and members of the public. This tactic has served to damage morale and has caused a number of officers and CPD civilian employees to seek treatment for anxiety and stress caused by this environment," Black wrote.

"In reaction to the recent story regarding Mr. Blackwell's use of overtime, which chronicled the use of taxpayer money, Mr. Blackwell engaged in several documented and corroborated acts of retaliation. He illegally threatened Assistant Chief (David) Bailey with termination because Mr. Blackwell believed the Assistant Chief was responsible for the story. Mr. Blackwell separately accused Tiffany Hardy of the same offense and ordered an 'investigation' into Ms. Hardy's actions. These are textbook acts of retaliation," Black wrote.

Black said that a recent electronic survey of nearly 500 people in the department found morale was ranked at 2.29 out of 10, a level Black said was lower than after the 2001 riots.

"Based on my investigation and the climate assessment report, I have concluded that Mr. Blackwell is the primary reason for the low morale," Black wrote.

Black wrote that "Mr. Blackwell has an unprofessional obsession with publicity and self-promotion, even at the expense of management and the morale of the police department. A particularly egregious and insensitive example is Mr. Blackwell taking 'selfies' along the

procession route of slain officer Sonny Kim. Mr. Blackwell was in a car that was traveling the procession route, from which he took 'selfies,' and then later walked along the procession route taking 'selfies' with citizens along the route, in a manner that was more reflective of a parade rather than a funeral procession."

Used Cars, Trucks, Vans & SUVs	
	2014 Kia Sorento Limited 35,894 miles \$28,000
2014 Dodge Ram 1500 Trademan 26,060 miles \$18,000	2015 Kia Soul 42,932 miles \$14,230
2014 Chrysler Town & Country 34,200 miles \$24,181	2015 Kia Sorento Limited 32,662 miles \$28,000
2014 Kia Sorento LX 42,589 miles \$17,389	2010 Chevrolet Camaro SS 86,826 miles \$18,000
2013 Chrysler Town & Country 45,767 miles \$18,000	2016 Chevrolet Cruze Limited 1LT 5,169 miles \$19,000
2008 Volkswagen GTI 89,757 miles \$9,890	2006 Cadillac DTS 134,805 miles \$7,000
2014 Kia Sorento LX 34,079 miles \$17,000	2011 Lexus RX 350 46,233 miles \$24,500

MOST POPULAR

SLIDESHOWS | STORIES | VIDEOS |

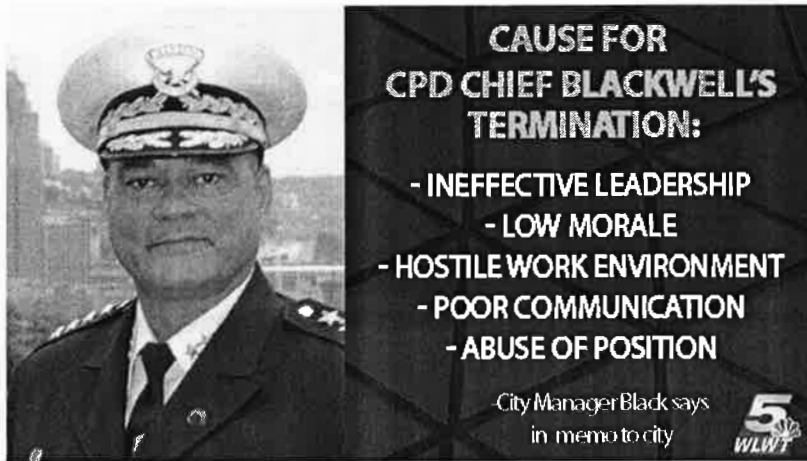
1. 10 Common "Facts" that are incorrect



- 2. Uber's top 10 Cincinnati destinations
 - 3. Where do wedding superstitions come from?
 - 4. Photos: Suspect arrested after terrorism threats
 - 5. Photos: Hillary Clinton rallies at Union Terminal
 - 6. Cincinnati Pride 2016
- Sponsored Stories**
- We Stand With Hillary! Add Your Name to Join the 2016 Campaign (Paid for by Hillary Victory Fund, hillaryclinton.com/go)
 - Robert Shapiro reveals what O.J. Simpson said after his court verdict was read (Los Angeles Times)
 - Bill Clinton Affair with Vice President's Daughter: REVEALED (LifeDaily)

Recommended by

FOLLOW US ON GOOGLE+



In a supporting document, Lt. Barbara Young, commander of the inspections unit, wrote that four days after her unit moved into District 1 and she made some requests for paint and locks, she was called into a meeting with Blackwell.

"As we were taking our seats, Chief Blackwell turned to me in front of my 3 subordinate sergeants and started to personally attack me for 45 minutes. He started out with saying how he had heard I was unhappy about the move and that if that was the case he would transfer me immediately. Chief stated that I had personally brought down the morale with negativity for the entire 2nd floor," Young wrote.

"This is definitely the most unprofessional meeting I have ever been involved in over the last 24 years with the Department. I felt I was personally attacked and degraded by Chief Blackwell without cause and in front of the sergeants I supervise." She said Blackwell did not consult her immediate superior or the assistant chief.

In another document, Capt. Paul Broxterman wrote, "I know Police Chief Jeffrey Blackwell to be a good man. As the Cincinnati police chief, I think he had the best of intentions to serve the city well. However, I believe there were times where his conduct was unprofessional, and overall, his management style did not foster a healthy environment within the Cincinnati Police Department."

In his statement, Assistant Chief David Bailey wrote, "In most functional police agencies business is conducted through regular collaboration with the Department's top commanders. From the onset, Chief Blackwell essentially ignored recommendations from his command staff and instead set up an alternative advisory team who he considered as 'loyal'. This group would regularly meet behind closed doors and make determinations regarding a myriad of operational issues. Once these decisions were made, they were sometimes never even so much presented as at least general information to the senior command staff."

Supporters of both sides speak out at City Council meeting; Blackwell in attendance

Blackwell was in the audience at Cincinnati's City Council meeting Wednesday afternoon as several members of the public spoke in his support.

"City manager, he is coming after you next, you don't understand that? It is going to go line by line until we get the politics that you want which is cronyism, it is completely inappropriate how you are behaving in the city," community activist Alexander Shelton said.

Some members of the community gave Blackwell a standing ovation as he walked into council chambers, prompting Mayor John Cranley to demand order.

Supporters made it clear they were upset about the chief's firing and would continue to support Blackwell.

Watch: Former chief Blackwell receives standing ovation as he enters City Council meeting

City Council members appeared divided about the way it all played out, but many expressed concern about the findings in the report, saying they would need time to digest it.

WLWT

google.com/+wlwt

WLWT.com is your top source for Cincinnati breaking news, weather and daily local news cov...

G+ Follow +1

+ 6,074

Advertising

Oz's Affordable Wrinkle Trick



America's favorite doctor finally reveals the low-cost secret to a smooth face. His fans were shocked when he... [continued here]



Among those who spoke on Blackwell's behalf was City Councilwoman Yvette Simpson, who complained about the speed at which Blackwell's firing occurred.

"We move on too fast, we don't allow wounds to heal," Simpson said. "The problem ... is the process by which this happened. There are things in this assessment, outdated technology and fleet vehicles. The chief has no control over that."

Cranley acknowledged letting Blackwell go is not popular in parts of the community. Cranley and Black were taking the brunt of the blame on Wednesday, not only for the firing, but for the way it was handled.

"He verbally abused and insulted staff. He disregarded the chain of command which negatively effected communications inside the department. While the department is hurt, the wounds are not fatal, we know what needs to be done to fix the problems that exist," Black said.

Cranley was interrupted several times by audience members, whom he asked officers to remove.

"It is clear that the manager made the right decision," Cranley said. "The decision was difficult, but the evidence was clear."

"As much as I like Chief Jeffrey Blackwell, I know he is not perfect but I never served under a perfect chief. And let's be fair, I wasn't a perfect cop," Councilman Wendell Young, a fellow Democrat, told Cranley. "The atmosphere that Jeffrey Blackwell served under made it clear to me that we would get to this point today and now we're here."

"My fear now is true, not only is he no longer the chief in the city of Cincinnati he's got a report tied around his neck that if people want to believe this says, he's not fit to be a chief anywhere," Young said. "This has been bad theatre here today Mr. Mayor, this could have been handled a lot better. We could have shown a lot more respect, we could have had a transition that is meaningful and not tainted."

"This could have been handled a lot better," Young said. "You created this atmosphere. Deny it all you want. This is on you."

Critics say the Cranley administration didn't want Blackwell from the get-go.

And some blasted the mayor and manager for petty politics and poor process.

But others took pause when police department specialist Scotty Johnson, who worked closely with Blackwell, told lawmakers about the environment he witnessed. **Mobile users, click here to watch Johnson speak about department under Blackwell**

Scotty Johnson spoke to the council on Wednesday. A statement from Johnson was also one of several cited in Black's memo.

"The ladies that were being intimidated, that were being belittled, that were being disrespected ... time and time again, watching my colleagues endure disrespect, watching my colleagues break down at work, not wanting to come to work. That's the environment we were dealing with on the second floor at 310," Johnson said.



0:00 / 2:06

Johnson said it was painful to talk in public about the internal problems, but felt it necessary to give people an understanding of what he says he saw firsthand.

He agrees with the change at the top, wants citizens to know it has nothing to do with race as alleged by some and that the department under Blackwell was hanging on by the skin of its teeth.

Johnson, a 29-year officer, wrote that "I have never witnessed such hostility and lack of respect for employees."

"Watching my colleagues breaking down at work, not wanting to come to work," Johnson told City Council. "I believe the city of Cincinnati deserves better."

City manager names interim replacements

Black announced **Eliot Isaac** will be interim chief of police. Bailey will be interim executive assistant chief of police and Douglas Wiesman, will be interim assistant chief of police.

Photos: Isaac sworn in as interim police chief

PHOTOS: ELIOT ISAAC SWORN IN AS INTERIM CPD POLICE CHIEF



1 of 7



Isaac was hired by Cincinnati police in 1988 and is a 26-year veteran of the force.

His experience spans virtually every aspect of policing, including administration, patrol command,

internal investigations, and problem solving and community engagement.

Isaac became a police captain in 2004. From 2007 to 2012, he served as District 4 commander.

He also served as the internal investigations section commander and department night chief.

In July, Isaac was sworn in as an assistant chief.

Isaac spoke publicly at Wednesday's City Council meeting for the first time since being sworn in as interim police chief Wednesday morning.

"The Cincinnati Police Department will not go backwards during my time as interim chief. I can not only talk about it, I lived it. I've been a part of it, I've implemented it, I've worked on it, I embrace it, I believe in it," Isaac said.

Mobile users, click here to watch.



Blackwell says he plans to file lawsuit over termination

After leaving the council meeting, Blackwell spoke briefly with media, stating both the mayor and manager never wanted him to begin with.

"Because I've never had their support, ever, I was never able to command the department the way it should've been led. I've never had an opportunity to read the report, it was not given to me for some reason. You all have it. I have not seen it," Blackwell said.

Blackwell said Black and Cranley had it in for him, before getting in a car and leaving. Blackwell told WLWT he planned to **file a lawsuit over his termination**.

Blackwell had come under increasing criticism in recent months. The Fraternal Order of Police had scheduled a special meeting for Sept. 14 where a no-confidence vote was expected to be taken by union members, and a city councilman had said last week that it was time for Blackwell to step aside.

The violence in Cincinnati this summer included the **death of veteran Cincinnati police Officer Sonny Kim, who died June 19** after responding to a 911 call made by a gunman in an apparent attempt at suicide by cop.

Cranley said in an emailed statement Wednesday that the firing of Blackwell was made based on an independent assessment of conditions within the police department. He said the findings of a report conducted by a consulting firm "revealed an untenable situation and a change had to be made."

Climate assessment

In a memo to Cranley and council members, City Manager Harry Black detailed the results of the climate assessment.

View: Climate Assessment

The assessment of morale among officers was launched earlier this summer when police started dealing with a spike in gun violence.

Based on the survey of officers, even if Blackwell had not been fired, he would have faced an uphill climb trying to improve the climate at the police department.

On a scale of 1 to 10, with 10 being being excellent, officers who took part in the climate assessment of the police department rated morale at 2.29.

A major complaint of many captains, commanders and even assistant chiefs was that Blackwell and his leadership circle did a poor job communicating with them, which made it tough to keep the streets of the Queen City safe.

According to the survey, "76.8 percent of respondents disagreed and strongly disagreed that the Cincinnati Police Department leadership communicates organizational priorities to its members and aligns operational activities to support those priorities."

In a section labeled Key Findings, the outside consulting group that conducted the survey, Make It Plain Consulting, writes, "staff have become increasingly reluctant to accept, respect and act upon the Police Chief's leadership" and added, "There is a perception among staff that the Police Chief projects a 'me mentality' that often 'outshines' the work and efforts of department, as a whole. Staff also noted that everyone in the organization should be held accountable for creating a more collaborative, functional, and high performing department."

Make It Plain Consulting, based in Cincinnati, used executive interviews, focus groups, interviews, site observations, demographic reviews, police ride-alongs and an electronic survey.

About 500 of the police department's 1,100 officers took part in the survey.

Blackwell's background with the city

Blackwell was first named as a finalist for the job more than two years ago. On Sept. 17, 2013, he was first introduced to the Cincinnati as the next top cop and he was sworn in by Sept. 30. He had previously served as deputy chief in the Columbus Police Department.

Cranley said there will be a national search for Blackwell's replacement, but said he hopes Isaac will apply.

Share 4.6K Tweet G+ 5

Copyright 2015 by WLWT.com. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

TAGS Jeffrey Blackwell Fired Cincinnati Police Chief Employment Police Harry Black City Manager Cincinnati Police Chief Fired

SPONSORED CONTENT ON WLWT

This Race Will Keep You on the Edge of Your Seat [Watch]

Sponsored by Castrol

Head-to-head with a world class pro driver, a world class automobile and the best performance oil.

Comments

Print

RECOMMENDED

FROM WLWT

Milford teen struck standing on roadside dies days later
WLWT.com

Police: Thrift shop finds rape photos in bag; Ohio man

FROM AROUND THE WEB



Let's take on the NRA and prevent gun violence in America.
Paid for by Hillary Victory Fund, hillaryclinton.com/go

EXHIBIT 39

Martha Norberg

From: Pfister, Terri <tpfister@spokanecity.org>
Sent: Tuesday, August 18, 2015 12:39 PM
To: Coddington, Brian; Eadie, Leroy; Cote, Brandy; Straub, Frank; Cotton, Monique; Lowe, Heather; George-Hatcher, Gita; Sloon, Michael; Chan-Palmer, May; Conley, Jason K.; Dobrow, Rick; Schwering, Tim; Armstrong, Kathy; Napolitano, Angie
Cc: IT Enterprise Administration; Farnsworth, Laurie; Williams, Stephen; Dalton, Pat; Muramatsu, Mary; Sanders, Theresa
Subject: FW: Spokesman-Review Public Records Request August 18, 2015
Attachments: SR FOIA PRR 8-18-2015.pdf; Your telephone inquiry

See email below and first attachment which is a public records request from Nick Deshais of Spokesman. Prior to submitting his request, Nick contacted me by telephone and inquired about a prior public records request - see second attachment. Except for item No. 7, there were no time frames specified in the request so I contacted Nick and he provided the time frames reflected below.

Time frames within which to search for responsive records, if any:

Item No 1: 6 months before transfer to Parks and one month after transfer to Parks.

Item No. 2, 3, 4 and 5: for period of entire employment Item No. 6: past year Item No. 7: As stated - three years Item No. 8: Same time frame as the February 19, 2014, Naccarato PRR.

Please advise of the timeframe you will need in order to perform a diligent search and to compile responsive records, if any, that you or your department may have. Do not destroy any records in your possession pertaining to this public records request. To do so would be a violation of State law. If you know of any other employees or departments that may have responsive records to this request, let me know. In addition, if you have any questions or feel additional clarification of the request is needed before you can proceed, please advise.

Nick indicated he would like responsive records as they become available for each of the respective items.

IT, as soon as I know employment dates, I will pass along to you so you can proceed with a search for emails.

The Office of the City Clerk's deadline to provide an initial response on this request is August 25, 2015. Please get back to me before that date.

Thank you,

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: Nicholas Deshais [<mailto:nickd@SPOKESMAN.com>]
Sent: Tuesday, August 18, 2015 11:15 AM
To: Pfister, Terri
Subject: Spokesman-Review Public Records Request August 18, 2015

Hi Terri,

Here's a request for some records. Let me know if you have any questions.

Thanks,

Nicholas Deshais
City Hall reporter
The Spokesman-Review
509-459-5440
@NickDeshais

THE SPOKESMAN-REVIEW

SPOKANE, WASHINGTON

Nicholas Deshais
City Hall reporter

August 18, 2015

Ms. Terri Pfister
City Clerk
Spokane City Hall
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Dear Ms. Pfister:

Under RCW 42.56, the state public records law, I am requesting the following information:

1. Any and all records, documents or emails related to or discussing the transfer of Monique Cotton from the Spokane Police Department to the city's Parks and Recreation Division.
2. Any and all records, documents or emails related to complaints made by Monique Cotton.
3. Any and all records, documents or emails related to complaints made against Chief Frank Straub.
4. Any and all records, documents or emails related to salary increases for Monique Cotton during her employment at the city of Spokane.
5. Any and all records, documents or emails related to what city department or division is paying Monique Cotton's salary.
6. Any and all records, documents or emails related to the compensation of spokespeople, communications staff, marketing staff, outreach staff or other people involved in relaying information regarding the Parks and Recreation Division to the general public or media.
7. Any and all records, documents or emails related to the budget for the Parks and Recreation Division's communications for the past three years, including most current information and details.
8. Monthly records showing phone records for Police Chief Frank Straub's phone number, 509-220-0291, and Monique Cotton's phone number, 509-435-1866, showing phone numbers called and received, with dates and times and length of calls, as well as text messages to and from stated phone numbers with dates and times.

Please provide the records as they are available.

State law gives agencies five days to respond to such requests. If you are unable to release portions of the above information, please provide the legal justification in writing, citing the appropriate RCWs.

If the cost of this request is expected to be more than \$100, I request that I receive a warning prior to the request being fulfilled.

If you have any questions about this request, or if I can expedite a response, please call me at 459-5440. Documents can be sent to me at the above address, e-mailed to me at nickd@spokesman.com, or I can pick them up at your office.

Thanks for your assistance,

Nick Deshais
Reporter

Martha Norberg

From: Pfister, Terri <tpfister@spokanecity.org>
Sent: Tuesday, August 18, 2015 11:04 AM
To: S/R Nick
Subject: Your telephone inquiry
Attachments: CPR 2014-0020 - 02/19/2014 - CLOSED - BRIAN NACCARATO CELL PHONE RECORDS CHIEF STRAUB AND MONIQUE COTTON.pdf

Nick:

In response to your telephone inquiry, see attached records request.

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

Stratton, Karen

From: City of Spokane [webmaster@spokanecity.org]
Sent: Wednesday, February 19, 2014 12:39 PM
To: City Clerks (Web email)
Subject: Public Records Request: Brian Naccarato (2/19/2014)

City of Spokane

Wednesday, February 19, 2014 - 12:39 PM

The following public records request has been submitted online:

Public Records Request: Brian Naccarato (2/19/2014)

Requestor's name

Brian Naccarato

Requestor's email address

theindflyer@mail.com

Requestor's phone number

509-290-4144

Requestor's address

932 Wind Drift
Carlsbad, CA 92011

Request

I am making a public records request for cell phone records. I would like the cell phone records of Police Chief Frank Straub cell # 509 220-0291 and Communications Director Monique Cotton cell # 509-435-1866. I am looking for the monthly records showing phone numbers called and received with dates and times and length of calls as well as text messages to and received phone numbers with dates and times. The monthly bills should contain this information. I would like the records from Feb 2013 through Jan 2014. A scanned pdf file of these records emailed to me would be great. thank you

808 W. Spokane Falls Blvd.
Spokane, WA 99201

accounts@spokanecity.org

RECEIVED

FEB 19 2014

**CITY CLERK'S OFFICE
SPOKANE, WA**

EXHIBIT 40



PUBLIC RECORDS REQUEST
(RCW 42.56)

DEPARTMENT: Office of Mayor/Spokane Police/Human Resources

NAME: Brian R. Breen DATE: September 5, 2015
TELEPHONE: 509-701-2382 E-MAIL: emb4949@msn.com
ADDRESS: 723 E 40th Ave.
CITY: Spokane STATE: WA ZIP: 99203

IDENTIFICATION/DESCRIPTION OF RECORD(S) SOUGHT: Please be as specific as possible when completing your public records request. We will be better able to process your request if you clearly identify the record(s) you are seeking. Your description of the record(s) must be reasonably and sufficiently identifiable to enable us to locate the record(s) you seek. If you can identify specific dates, locations, buildings, premises, topics, departments, or people involved, it will better assist us in the search for your requested record(s).

The City has no duty to create a record, nor is the City obligated to compile information from various records so that the information is in a form that is more useful to the requestor.

Any and all documents to include emails and text messages sent or received on any and all public or private cell phones
computers utilized in any way to conduct any public business of the City of Spokane relating to any and all complaints
or allegations, sustained, not sustained, or categorized as inquiries made against Frank G. Straub, or Monique Cotton

(See attached document in Word format)
I understand that the City may not legally provide a list of individuals pursuant to this public records request if the request is for commercial purposes. Therefore, I certify that any list of individuals obtained through this request will not be used for commercial purposes. (RCW 42.56.070(9))

Signature: Brian R. Breen

DEPARTMENTAL NOTES/COMMENTS:

SUBMIT COMPLETED FORM TO: City Clerk's Office
5th Floor City Hall
808 W. Spokane Falls Blvd.
Spokane, WA 99201
(509) 625-6350
FAX: (509) 625-6217

Pfister, Terri

From: Brian Breen <emb4949@msn.com>
Sent: Saturday, September 05, 2015 1:15 PM
To: City Clerks (Web email)
Subject: Public Records Request
Attachments: PRR Request Cotton and Straub.pdf; PRR Word Attachment.docx

Please find Attached the Public Records Request of Brain R Breen dated September 5, 2015.

The Official City of Spokane PRR form is attached in PDF format, and as the form did not contain enough room further specifics of the request are attached in Word Format.

Attachment: City of Spokane Public Records Request of Brian R. Breen dated September 5, 2015 regarding Frank G Straub and Monique Cotton.

CONTINUED from page 1 of City of Spokane Public Records Request form.

As well as any and all documents from third parties relating to the transfer of Monique Cotton from the Spokane Police Department to the City of Spokane Parks Department and or concerning formal or informal complaints made by or against Frank G. Straub or Monique Cotton. I further request any and all formal or informal public records request documents made by the Spokesman Review Newspaper regarding complaints or allegations against any and all employees of the City of Spokane including any and all elected officials, such documents to included email or text messages received by or sent from computers or cell phones public or private used to transact public business.

The specific time frame of my request is from January 1, 2015 through September 5, 2015.

I further request that the Public Records Officer of the City of Spokane pursuant to their responsibilities documented in RCW 42.56.580 immediately take the necessary steps to protect and maintain any and all public documents transmitted or contained on public or private computers or cell phones used at any time or by any method for conducting public business with special attention given to but not limited to the following City of Spokane Employees or Elected Officials; David Condon, Theresa Sanders, Nancy Isserlis, Brian Coddington, Heather Lowe, Frank G Straub, Monique Cotton, and Leroy Eadie.

RCW 42.56.580

Public records officers.

(1) Each state and local agency shall appoint and publicly identify a public records officer whose responsibility is to serve as a point of contact for members of the public in requesting disclosure of public records and to oversee the agency's compliance with the public records disclosure requirements of this chapter. A state or local agency's public records officer may appoint an employee or official of another agency as its public records officer.

(2) For state agencies, the name and contact information of the agency's public records officer to whom members of the public may direct requests for disclosure of public records and who will oversee the agency's compliance with the public records disclosure requirements of this chapter shall be published in the state register at the time of designation and maintained thereafter on the code reviser web site for the duration of the designation.

(3) For local agencies, the name and contact information of the agency's public records officer to whom members of the public may direct requests for disclosure of public records and who will oversee the agency's compliance within the public records disclosure requirements of this chapter shall be made in a way reasonably calculated to provide notice to the public, including posting at the local agency's place of business, posting on its internet site, or including in its publications.

Pfister, Terri

From: Brian Breen <emb4949@msn.com>
Sent: Tuesday, September 15, 2015 5:57 PM
To: Pfister, Terri
Subject: RE: Public Records Request

Ms. Pfister,

Thank you for your response. I do however want to be clear that my request includes both City of Spokane owned and privately owned email, text messaging, or any other communications systems or methods used at any time for conducting public business. I also want to be clear that a search should be done of any and all independent server or storage systems beyond the Enterprise Vault System, and that the records search complies with the recent Washington State Supreme Court Decision concerning Nissen v Pierce County. Please also understand that my request is for any public information concerning the movement of Monique Cotton from Director of Communications at the Spokane Police to the City of Spokane Park Department.

Sincerely,

Brian R. Breen

From: tpfister@spokanecity.org
To: emb4949@msn.com
CC: lfarnsworth@spokanecity.org; swilliams@spokanecity.org
Subject: FW: Public Records Request
Date: Tue, 15 Sep 2015 23:54:47 +0000

Mr. Breen:

This is to acknowledge receipt of your email below and accompanying public records request. Your request has been forwarded to the following departments for review and for searching for and compiling responsive records, if any: Police, Human Resources, My Spokane, Parks, and Mayor's Office. In addition, the City Clerk's Office has located the attached document (see third attachment). We are in the process of performing a further search of City Clerk records to see what if any additional records can be located. In addition, your request has been forwarded to the City's IT Department to perform a search for emails in the City's Enterprise Vault System (email storage system) based on the information provided in your request.

We anticipate following up with you in two weeks, or on or about September 29, to advise as to what if any additional records have been located. In addition, at that time, we anticipate advising you of the number of hits returned from the email search. Any returned hits from the email search will need to be reviewed for responsive to your request and for any exempt information. Once we know the number of returned hits from the email search, we will be in a better position to advise as to the time frame needed to conclude your request. As we proceed on your request, if clarification is needed, we will let you know.

If you have any questions or concerns regarding your request in the meantime, please advise.

Sincerely,

Pfister, Terri

From: City of Spokane <webmaster@spokanecity.org>
Sent: Wednesday, September 23, 2015 11:59 AM
To: City Clerks (Web email)
Subject: Public Records Request: Mitch Ryals (9/23/2015)

The following public records request has been submitted online:

Public Records Request: Mitch Ryals (9/23/2015)

Requestor's name

Mitch Ryals

Requestor's email address

mitchr@inlander.com

Requestor's phone number

5093250634

Requestor's address

1227 West Summit Parkway, Spokane, WA 99201

Request

Please make available to me all records requests made by Nick DeShais regarding Frank Straub and/or Monique Cotton from January 2015 to present. If possible, I'd like the records emailed to mitchr@inlander.com. Please contact me with any questions. Thank you

Williams, Stephen

From: Patrick Erickson <patrick.erickson@khq.com>
Sent: Tuesday, September 22, 2015 7:12 PM
To: City Clerks (Web email)
Subject: Public Records Request

RECEIVED
SEP 23 2015
CITY CLERK'S OFFICE

Follow Up Flag: Follow up
Flag Status: Flagged

I am requesting records involving Spokane Police Chief Frank Straub including any complaints made about him, internal investigations involving Chief Straub as well as any text messages or emails between Chief Straub and Monique Dugaw (Cotton) and any text messages or email between Chief Straub and Mayor Condon

If you need anything else from me please let me know!

Patrick Erickson
Reporter

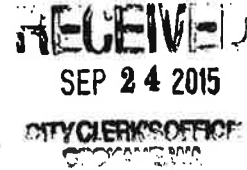


Patrick.Erickson@khq.com
Facebook: KHQ Patrick Erickson
Twitter: patrickerrickson
(509) 448-4656 Work
(509) 714-3003 Cell

Williams, Stephen

From: Pfister, Terri
Sent: Thursday, September 24, 2015 1:49 PM
To: SPD Command Staff; Straub, Frank; Cotton, Monique; Coddington, Brian; Sloon, Michael; Chan-Palmer, May; Armstrong, Kathy
Cc: IT Enterprise Administration; Farnsworth, Laurie; Williams, Stephen; Dalton, Pat; Muramatsu, Mary; Sanders, Theresa; Isserlis, Nancy
Subject: FW: Telephone request
Attachments: OB2550.pdf

Follow Up Flag: Follow up
Flag Status: Flagged



FYI, see below and attached. Ms. Nadrich called this morning inquiring about KHQ's records request, which is a copycat of Spokesman request, and Ms. Nadrich requested the same except through the same time period as KHQ, which is September 23.



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

From: Nadrich, Lindsay [<mailto:lnadrich@krem.com>]
Sent: Thursday, September 24, 2015 10:01 AM
To: Pfister, Terri
Subject: Re: Telephone request

Morning!

Thank you so much for your help. I would like to make the same request. I would also like to add a request for the emails dating up until September 23rd as well.

Thank you,

Lindsay Nadrich
KREM 2 News Reporter
Cell: 253-344-9311

From: Pfister, Terri <tpfister@spokanecity.org>
Sent: Thursday, September 24, 2015 9:57 AM
To: Nadrich, Lindsay
Subject: Telephone request

Ms. Nadrich:

In follow up to your telephone call, see attached request. My understanding is that you would like the same records as what is provided under the attached Spokesman records request (as subsequently clarified), except that you wish to extend the time frame through September 23, 2015. Please confirm that my understanding is correct, or provide any clarification.

Thank you,



Terrl 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

Farnsworth, Laurie

From: Mary Schultz <MSchultz@MSchultz.com>
Sent: Tuesday, October 20, 2015 4:37 PM
To: Dalton, Pat; Pfister, Terri; Farnsworth, Laurie
Cc: Jacobson, Erin
Subject: RE: Straub v City REQUEST FOR INFORMATION

All,

Per the below, I obviously need to correct to "Monique" Cotton and not Monica.

Regards,

Mary Schultz

Mary Schultz Law P.S.
Ph.(509) 245-3522, ext 306
Cell (509) 999-2639

Mary@MSchultz.com

www.MarySchultzLaw.com

This message is confidential and may be legally privileged or otherwise protected from disclosure. Mary Schultz Law P.S. is a legal practice. see www.MarySchultzLaw.com. If you are not the intended recipient, please email the sender of this message by return email, and delete this message and any attachment from your system; you must not copy or disclose the contents of this message or any attachment to any other person.

From: Mary Schultz
Sent: Tuesday, October 20, 2015 2:50 PM
To: 'Dalton, Pat' <pdalton@spokanecity.org>; Pfister, Terri <tpfister@spokanecity.org>; Farnsworth, Laurie <lfarnsworth@spokanecity.org>
Cc: Jacobson, Erin <ejacobson@spokanecity.org>
Subject: RE: Straub v City REQUEST FOR INFORMATION

Pat,

Thanks for the note.

Based on the below, I'd like a copy of Frank's entire personnel file, but I would also request that if this specific requested information exists and is not in Franks' file, I need to know that:

"Any and all information in the City's possession related to any complaint made or filed at any time by Monica Cotton against Frank Straub, including any letter(s) the City received from any attorney on her behalf, and any correspondence back from the City or resolution to such."

Please let me know.

From: Dalton, Pat [<mailto:pdalton@spokanecity.org>]
Sent: Tuesday, October 20, 2015 2:20 PM
To: Mary Schultz <MSchultz@MSchultz.com>; Pfister, Terri <tpfister@spokanecity.org>; Farnsworth, Laurie <lfarnsworth@spokanecity.org>
Cc: Jacobson, Erin <ejacobson@spokanecity.org>
Subject: RE: Straub v City REQUEST FOR INFORMATION

Mary,

I'm happy to make you a copy of Frank Straub's personnel file, but I assumed that you wanted all documents that might be relevant to your request and did not want us to limit our search to just Mr. Straub's personnel file. Our standard practice is to have the City's Public Records Officer do a comprehensive search of records from across the City to make certain we haven't missed any relevant records. You have asked for a fairly discrete set of records, so such a search should not take a long time and would be more comprehensive than I could do.

If you would prefer that I just give you a copy of Mr. Straub's personnel file, I am happy to make that copy for you. Otherwise, I will assume you would like us to perform a search of our public records for "any and all information in the City's possession related to any complaint made or filed at any time by Monica Cotton against Frank Straub, including any letter(s) the City received from any attorney on her behalf, and any correspondence back from the City or resolution to such."

Further, I am not making any representation about whether there is anything in Mr. Straub's personnel file relating to a claim against Mr. Straub by Ms Cotton, as I have not looked at the file.

Pat

From: Mary Schultz [<mailto:MSchultz@MSchultz.com>]
Sent: Tuesday, October 20, 2015 11:54 AM
To: Dalton, Pat; Pfister, Terri; Farnsworth, Laurie
Cc: Jacobson, Erin
Subject: RE: Straub v City REQUEST FOR INFORMATION

Pat, This is a request by an employee for information held in his own employee file, not a public records request.

Is the below saying that there is nothing in his file about such a claim?

From: Dalton, Pat [<mailto:pdalton@spokanecity.org>]
Sent: Tuesday, October 20, 2015 11:49 AM
To: Pfister, Terri <tpfister@spokanecity.org>; Farnsworth, Laurie <lfarnsworth@spokanecity.org>
Cc: Mary Schultz <MSchultz@MSchultz.com>; Jacobson, Erin <ejacobson@spokanecity.org>
Subject: FW: Straub v City REQUEST FOR INFORMATION

Terri or Laurie,

We received this e mail today from Mary Schultz. It appears to be a public records request.

Pat

From: Mary Schultz [<mailto:MSchultz@MSchultz.com>]
Sent: Tuesday, October 20, 2015 11:45 AM
To: Dalton, Pat; Jacobson, Erin
Subject: RE: Straub v City REQUEST FOR INFORMATION

Mr. Dalton and/or Ms. Jacobson,

On behalf of Frank Straub, I request any and all information in the City's possession related to any complaint made or filed at any time by Monica Cotton against Frank Straub, including any letter(s) the City received from any attorney on her behalf, and any correspondence back from the City or resolution to such.

Information from city sources suggest that some claim may have been made, even if such perhaps went nowhere. I need this information.

Please advise.

Mary Schultz
Mary Schultz Law P.S.
Ph.(509) 245-3522, ext 306
Cell (509) 999-2639
Mary@MSchultz.com
www.MarySchultzLaw.com

This message is confidential and may be legally privileged or otherwise protected from disclosure. Mary Schultz Law P.S. is a legal practice, see www.MarySchultzLaw.com. If you are not the intended recipient, please email the sender of this message by return email, and delete this message and any attachment from your system; you must not copy or disclose the contents of this message or any attachment to any other person.

From: Ochoa-Bruck, Glória [<mailto:gochoabruck@spokanecity.org>]
Sent: Monday, October 19, 2015 11:07 AM
To: Dalton, Pat <pdalton@spokanecity.org>; Jacobson, Erin <ejacobson@spokanecity.org>
Cc: Mary Schultz <MSchultz@MSchultz.com>
Subject: FW: Straub v City FW: Public Records Requests and dates

Mary,

I am solely involved in overseeing work projects assigned to Frank. Please direct all inquiries regarding Public Records requests to Pat Dalton and anything else related to Frank's employment or his pending claim to Erin Jacobson.

I have copied both of them on this message.

Sincerely,

Gloria



Gloria Ochoa-Bruck | City of Spokane | Director of Local Government and Multi-Cultural Affairs.
509.625.6326 | fax 509.625.6563 | gochoabruck@spokanecity.org | www.spokanecity.org

Kris Cappel

From: Pfister, Terri
Sent: Wednesday, September 16, 2015 3:55 PM
To: Snyder, Jon; Stum, Blaine
Subject: FW: Public Records Request
Attachments: FW: Public Records Request

Follow Up Flag: Follow up
Flag Status: Completed

Yes. There has been one record provided so far. See attached. I anticipate following up with Mr. Breen by on or about September 29 so I would anticipate getting back to you around that same time.



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

From: Stum, Blaine
Sent: Wednesday, September 16, 2015 3:46 PM
To: Pfister, Terri
Subject: RE: Public Records Request

Hi Terri,

CM Snyder asked if he would be able to receive a copy of what responsive records are sent to Brian Breen.

Thanks,
Blaine

Blaine Stum

Office of the Spokane City Council
Legislative Aide to Council Member Jon Snyder
509-625-6714
bstum@SpokaneCity.org

Follow Jon on his - [Blog](#) - [Twitter](#) - [Facebook](#)

ADVISORY: Please be advised the City of Spokane is required to comply with the Public Records Act Chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the City via email, including personal information, may ultimately be subject to disclosure as a public record.