

HOWARD F. DELANEY
CITY ATTORNEY

ASSISTANTS:
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BARBARA A. BURNS
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OFFICE OF THE CITY ATTORNEY
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3526
(509) 625-6225
FAX (509) 625-6277

January 4, 2011

Mr. Ron Wright
8921 N. Indian Trail Road
Spokane, WA 99208-9157

Re: Your Public Records Request of December 15, 2010

Dear Mr. Wright:

In response to your public records request of December 15, 2010, attached please find the following item(s):

1. Your Public Records Request (two pages);
2. Two e-mail chains dated February 10-11, 2010 (four pages);
3. One e mail chain dated February 22, 2010 (one page); and
4. A one page print-out from the City's Spam/Virus Filter software.

On December 22, 2010, you sent an "addendum" to your public records request. In your addendum, you quote a passage from an e mail from Chief Nicks and then request: "I would infer from Chief Nicks' statement that someone briefed him on this issue. I want to know by whom and what Chief Nicks was told." You have made a request for information, not for identifiable public records. Consequently, there are no records to give to you. See WAC 44-14-04002(2) and RCW 42.56.080. If you can identify specific records, we will be happy to supply them to you.

With the production of these records, the City of Spokane will consider its records response complete and will close the particular request. I have reviewed your latest e-mails, and I would like to take this opportunity both to clarify your misconceptions relating to the letter from Pat Dalton to you dated December 13, 2010, and to bring some focus to the City's position with respect to you and other classes of e-mailers who are filtered by the City.

As Mr. Dalton indicated in his letter to you, your e-mail communications have been filtered by our Barracuda filter program based upon the following criteria:

1. The number of your e-mails;
2. The size of your e-mails, including the voluminous attachments to them; and
3. The large number of City employees on your recipient list. At various points, this number has appeared to increase with each of your new iterations.

In your e-mails in response to Mr. Dalton's letter, you question whether you were "automatically" picked up and filtered by the filtering system. The fact is, your e-mails were not "automatically" selected for processing through the City's e-mail filtering system -- although it does have that feature -- only that your e-mails were selected. To be absolutely clear, based upon the criteria identified above, I personally instructed our MIS department to add your e-mail address to our list of quarantined e-mail addresses.

Please understand that your being selected for filtering does not mean that your e-mails to elected officials or to public records officials were not delivered. Your e-mails from the account at issue were sent to a quarantined inbox where they were reviewed on a daily basis for embedded public records requests. They were then forwarded on to addressee elected officials, public records officials or other City employees responsible for fulfilling a legitimate request for service.

As a private citizen, you have the right to communicate with your elected officials. However, there is no obligation on the part of the City to make e-mail access instantaneous, or even to have an e-mail system. As a practical matter, any delay in having your e-mails routed from the quarantine inbox is not much different from the delay found in the City's mailroom's receipt and routing of mail, rather than the postman delivering it directly to the individual addressee.

While you may have an absolute right to contact your elected officials, the City of Spokane has absolutely no obligation to allow you to communicate via e-mail directly with other City employees, except in very limited circumstances related to public records inquiries, and legitimate requests for service. When you add nonelected City employees as cc's to e-mails filled with a wide range of "rants" unrelated to legitimate business with the City of Spokane, the City may filter or restrict these e-mail communications as may be appropriate under the individual circumstance.

In light of this information, please reconsider your latest set of supposition-filled e-mails that allege that Chief Kirkpatrick and/or the Spokane Police Department in some way were engaged in a conspiracy related to your e-mails. As with many of your e-mail threads, the conspiratorial allegations related to the SPD are simply not well grounded in fact or in reality.

Mr. Ron Wright
January 4, 2011
Page 3

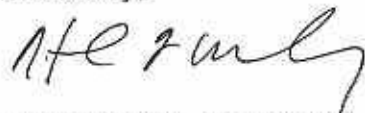
In the future, to avoid having your other e-mail accounts added to our e-mail filtering system, it would be prudent for you to consider the combination of number, size (including the use of hyperlinks) and City distribution addressees contained therein. If you can use the e-mail account that is presently being filtered in a manner consistent with the guidelines expressed above, it can be removed from the City's filtering system.

Should you not wish to follow these filtering system guidelines, I encourage you to use the U.S. Mail Service. That system will allow you a more direct and reasonably unfettered access to the City officials and employees with whom you wish to correspond.

This correspondence is the sole communication you will receive from the City on the issues expressed in your voluminous e-mails to date. The majority of which appear to merely endlessly reiterate your spurious allegations about various imagined conspiracies, or contain repeated reassertions of seemingly libelous accusations about City employees and officials. You should also be cognizant of the fact that your use of this correspondence to fuel continued blogging events, e-mail rants or hate mail campaigns will not have the effect of modifying the realities of this situation.

Of course, the City will continue to respond to your public records requests and legitimate requests for service. Similarly, it is always the prerogative our elected officials to communicate with you, or not, as they may deem fit.

Sincerely,



HOWARD F. DELANEY
City Attorney

HFD/mfs

enclosures

cc: clients
file

**PUBLIC RECORDS REQUEST**
(RCW 42.56)**RECEIVED**

DEC 15 2010

CITY CLERK'S OFFICE
SPOKANE WADEPARTMENT: CITY CLERK

NAME: RON WRIGHT DATE: 12-15-10
TELEPHONE: 951-233-0710 E-MAIL: NAR9350@GMAIL.COM
ADDRESS: 892 INDIAN TRAIL RD
CITY: SPOKANE STATE: WA ZIP: 92508

IDENTIFICATION/DESCRIPTION OF RECORD(S) SOUGHT:

Please be as specific as possible. We will be able to process your request faster if you clearly identify the records you are requesting to review. Note that pursuant to RCW 42.56.520, we have five (5) business days to respond to your request.

SEE ATTACHMENT A

- ☒ I wish to have copies made (prepayment may be required).
☐ I wish to review the records before copies are made.

- ☐ Mail records (prepayment required).
☒ Call me - will pick up records.

I certify that any lists of individuals obtained through this request will not be used for commercial purposes (RCW 42.56.070(9)).

Signature: *Ronald J. Wright***FOR DEPARTMENT USE ONLY:**

Date Received:	_____	Staff:	_____
Date Completed:	_____	Staff:	_____
Copies Provided:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Total:	\$ _____
Request Denied:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Reason:	_____

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

ATTACHMENT A

Please see the excerpt from my email to City Clerk Terri Pfister on 12-15-10:

Ms. Pfister I would expect you immediately act to preserve the computer forensic record of these MIS administrative system actions within the City's email server and all emails related to them to identify by terminal and operator ID those responsible for this blockage. Consider this an official notice of a PDR for this information. I will be sending the appropriate PDR form later today.

I seek the following computer forensic records:

The City computer server logging information regarding any administrative system actions within the City's email server identity by terminal and operator ID of those responsible for this blockage.

All emails related to the creation/maintaining/changing of this system block.

I further request this information be outputted in PDF format and or in hard copy.

Engeland, Cylas

From: Brakel, Garv
Sent: Thursday, February 11, 2010 9:14 AM
To: Engeland, Cylas
Subject: FW: PDR Requests re Gavin Cooley et al

From: rocketsbrain [mailto:nar9350@gmail.com]
Sent: Wednesday, February 10, 2010 4:20 PM
To: Pfister, Terri; Farnsworth, Laurie
Cc: Brakel, Garv; Danek, Thomas; Verner, Mary; Larry Shook; Tony Bamonte; Timothy J. Connor; Breann Treffry
Subject: PDR Requests re Gavin Cooley et al

Dear Ms. Pfister and Ms. Farnsworth,

I will be in on Friday to pick up my copies that Ms. Farnsworth said were ready. I will also file another PDR request for several items. If I can find a blank form I will fax this it to you in the meantime.

Since the cats out of the bag so to speak re my interests in Gavin Cooley's emails to Council, I would like to review any emails he sent to Council re his CPA status circa November 2007.

I would like to review all emails/memos/documents/letters related to this topic circa November 2007.

I would like to review all emails related to this topic since last Monday when I notified you of my concerns for the safety and integrity of City documents and emails. You can disregard my emails or duplicates that have no additional comments by other persons or City staff.

As you know the Treasurer's webpage has been "scrubbed". I notified Mr. Brakel of this yesterday and requested he preserve all forensic server information regarding this deletion. Specifically what computer/computer user made this modification of the City's webpage.

I would like to review the federal 2008 audit report where there were four "findings" re lax accounting/auditing practices.

And finally and this will take some times all statements, documents, emails and/or other city correspondence where Mr. Cooley has used CPA after his name or signed to that effect.

Yours,

Ron Wright

--

RBT

AKA Ron the Cop

<http://friendsofmarkfuhrman.org/blog/>

Engeland, Cylas

From: Engeland, Cylas
Sent: Thursday, February 11, 2010 9:36 AM
To: Brakel, Garv
Cc: Williams, Dan; Sloon, Michael
Subject: RE: PDR Requests re Gavin Cooley et al

Garv,
All email from nar9350@gmail.com to the City will be quarantined and delivered to hdelaney@spokanecity.org. The text '[QUAR]' will be inserted into the subject line of the messages delivered to Howard.

City Clerks and others should be made aware of this as they will no longer receive messages or replies from nar9350@gmail.com.

Cylas Engeland
MIS Servers
X6494

From: Brakel, Garv
Sent: Thursday, February 11, 2010 9:14 AM
To: Engeland, Cylas
Subject: FW: PDR Requests re Gavin Cooley et al

From: rocketsbrain [<mailto:nar9350@gmail.com>]
Sent: Wednesday, February 10, 2010 4:20 PM
To: Pfister, Terri; Farnsworth, Laurie
Cc: Brakel, Garv; Danek, Thomas; Verner, Mary; Larry Shook; Tony Bamonte; Timothy J. Connor; Breann Treffry
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Yours,

Ron Wright

--

RBT

AKA Ron the Cop

<http://friendsofmarkfuhrman.org/blog/>

Engeland, Cylas

From: Engeland, Cylas
Sent: Monday, February 22, 2010 4:35 PM
To: Farnsworth, Laurie
Subject: RE: Barracuda Quarantine Mailbox

Laurie,
I assisted Laurie with this.
Cylas

From: Farnsworth, Laurie
Sent: Monday, February 22, 2010 4:25 PM
To: Engeland, Cylas
Subject: Barracuda Quarantine Mailbox

Cylas, given my poor memory retention for this kind of thing, could you set Terri up with quarantine mailbox at your earliest convenience? Thanks so much.

Laurie A. Farnsworth
Deputy City Clerk/Public Records Coordinator
City of Spokane
808 W. Spokane Falls Blvd.
Spokane, WA 99201
(509) 625-6319
lfarnsworth@spokanecity.org

Blocked Email Addresses

Save Changes

Help

Email Address	Block	Quarantine	Tag	Comment	Bulk Edit
	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>		
admin@intelink.gov	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	potential malware attack	
ak10001@lycos.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	(HR) Chris Cavanaugh request, offensive msg to former spouse	
fbj.report@washingtondc.usa.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Pam Schroeder request	
form@irs.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Accounting Dept - bwright request	
forms@irs.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Accounting Dept - bwright request	
help@netvigator.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>		
imu@spokane-citypubdef.org	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	spam to Internet Mail Users	
info@pricedeep.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Dan Davis Request, email scam	
management@recruitment.org	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Clyde Cutter request, email scam	
marie.rosenthal@planetbeach.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	SPD Admin Request, Gill Moberly	
mar9350@gmail.com	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	will deliver to Barracuda Quarantine Mailbox	
nic@nsa.gov	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	potential malware attack	
nobody@sh16.ruskyhost.ru	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	potential malware attack	
operations@bbb.org	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Marlen Fiess request	
utouahoj4806@orange.es	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Elise Robertson request	
wirelessspike1@yahoo.com	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Gav Brakel request	
yukio_murekam@sufglobal.net	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>		

Email senders from which you want to block, tag or quarantine messages.