



# Seattle City Council

May 9, 2013

Deputy Chief Kimerer  
Seattle Police Department  
Justice Center  
Mail Stop JC-05-01

Dear Deputy Chief Kimerer,

We are writing to follow up on our verbal request for information from the April 17, 2013 Public Safety, Civil Rights and Technology (PSCRT) Committee.

If you recall, the topic of discussion that afternoon was regarding the "Independent Review and Report to the Chief of Police; Seattle Police Department Response to May Day 2012 Events." In particular we both inquired whether or not the requester of the Kessler memo was told that the deliberative process exemption under RCW 42.56.280 of the Public Records Act was the department's reason for withholding the documents.

We are not asking whether the use of that exemption was proper, rather, we are inquiring about the procedures used to communicate that decision to the requestor. RCW 42.56.210 (3) states that: "Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld."

At the PSCRT Committee you said that you did not know if this had occurred and that you would follow up with SPD's Chief Administrative Officer overseeing public disclosure requests to find out and let us know. We remain interested in your sharing what you have learned. We would further request information on who provided the advice on the decision to withhold the record.

Thank you for all that you do for the citizens of Seattle.

Sincerely,

Councilmember Nick Licata

Councilmember Jean Godden

CC: Councilmember Bruce Harrell, Chair PSCRT Committee  
Chief John Diaz