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SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Plaintiff,

v..

CHRISTOPHER JOHN MONFORT,

Defendant.

FROM THE SUPERIOR COURT FOR KING COUNTY
THE HONORABLE RONALD KESSLER, JUDGE

**STATE'S REPLY TO MONFORT'S RESPONSE TO STATE'S
MOTION FOR DISCRETIONARY REVIEW**

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A. ARGUMENT IN REPLY

1. THE TRIAL COURT DECIDED THAT THE STATE'S INVESTIGATION OF MONFORT'S BACKGROUND WAS INADEQUATE AND BIASED WITHOUT EVER SEEING THE REPORT PREPARED BY THE INVESTIGATOR HIRED BY THE STATE.

In its Motion for Discretionary Review, the State pointed out that the trial court, like the defense, had compared an investigation into Monfort's background by a private investigator hired by the State with the mitigation investigation that the defense would be required to undertake in preparation for the penalty phase in a capital case. Motion for Discretionary Review ["State's Motion"] at 5. Measured by this standard, the trial court found that the State's investigation was inadequate; the court went even further, calling the State's investigation biased. Id. at 5-6. The State pointed out that the record did not show that the trial court had ever seen the report prepared by the State's investigator. Id. at 6 n.3.

In his response to the State's motion, Monfort has provided this Court with that investigator's report in a Supplemental Sealed Appendix. He asserts that "[t]he investigation was turned over to Judge Kessler and the defense in April, 2010," and that "Judge Kessler reviewed these materials in camera." Monfort's Response to State's Motion for Discretionary Review ["Monfort's Response"]

at 5. He relies on a letter from Senior Deputy Prosecuting Attorney Jeff Baird to Monfort's attorneys, dated April 2, 2010. Id.

Monfort's reliance is misplaced. In his letter to Monfort's attorneys, Baird referred to the investigative report and summaries of interviews conducted by Aimee Rachunok, the investigator retained by the State. Supplemental Sealed Appendix at 44. Baird noted that the State had already provided the defense with these items at discovery pages 1685-1727. Id. Baird further informed Monfort's attorneys that the State was providing counsel with copies of Rachunok's e-mails to the State because "it is *likely* that we will have to provide them to Judge Kessler for his in camera review of documents sought from us by the Seattle Times pursuant to the Public Records Act." Id. (italics added). Baird added that the State continued to assert that documents provided to the State by Rachunok are work product, and thus exempt from disclosure, but the State was nevertheless providing them to counsel "because I do not wish to submit these documents to Judge Kessler for in camera review without providing them to you." Id.

From this letter, Monfort appears to have concluded that the Rachunok report and related e-mails *were in fact* submitted to Judge Kessler. The record contradicts this assumption.

On April 5, 2010, the State filed in the trial court the "Prosecution's Proposed Resolution of Public Records Act Request." Appendix A. The State attached to this document a "Proposed Disclosure and Exemption Log" ["Log"]. Id. The State claimed that Rachunok's "Investigative Summary Report" (discovery pages 1685-1696), Rachunok's "Witness Interview Statements" (discovery pages 1697-1727), and Rachunok's e-mails to the State (discovery pages 1729-1746) were all exempt from disclosure under the Public Records Act because they represented attorney work product. Appendix A (Log at 32-33).

On April 13, 2010, the Seattle Times "agree[d] with the PAO's proposed resolution," subject to certain exceptions not relevant here. Appendix B.

On April 30, 2010, the trial court issued a "Public Records Order." Appendix C. In that order, the court noted that "[p]laintiff *has not provided the court* with documents that parties and intervenor agree are exempt or should otherwise not be disclosed." Id. at 1 (italics added). The court listed which documents should be disclosed, and which documents had not been provided to the court. The court listed discovery pages 1680-1727 (which include Rachunok's "Investigative Summary Report" and "Witness Interview

Statements”) as “not provided.” Id. at 11. The court also listed discovery pages 1729-1783 (which include Rachunok's e-mails to the Prosecuting Attorney's Office) as “not provided.” Id.

The record is thus clear – the trial court never saw the investigative materials that Rachunok provided to the State. The court nevertheless found those materials wanting, based on Monfort's attorneys' characterization of the State's investigation, and measured by the standards for a mitigation investigation that apply to *defense attorneys* in the *penalty phase* of a capital case. This was error, and merits this Court's review.

2. THE MITIGATION INVESTIGATION NECESSARY FOR THE PROSECUTOR'S PRELIMINARY DECISION WHETHER TO SEEK THE DEATH PENALTY IS NOT THE SAME AS THAT REQUIRED OF DEFENSE IN PREPARING FOR THE PENALTY PHASE OF A CAPITAL CASE.

Monfort persists in confusing pretrial mitigation investigation with the mitigation information that must be presented to the jury at the penalty phase of a capital case. This Court should not ignore the distinction between these two phases of the proceedings.

As the State pointed out in its Motion for Discretionary Review, Monfort's attorneys persuaded the trial court to measure

the mitigation that must be gathered for the prosecutor to make the preliminary decision *whether to seek* the death penalty by that which must be gathered for presentation to the jury in the penalty phase, where the jury is deciding *whether to impose* the death penalty. State's Motion at 4-6. Monfort persists in this approach in his briefing before this Court. Citing to Wiggins v. Smith, 539 U.S. 510, 123 S. Ct. 2527, 156 L. Ed.2d 471 (2003), he reiterates what a mitigation investigation must encompass. Monfort's Response at 6-7. But the Court did not address in Wiggins the standards for mitigating information to be presented to the prosecutor in aid of the preliminary decision whether to seek the death penalty; rather, Wiggins addressed the scope of the mitigation investigation required in preparation for the penalty phase of a capital case. 539 U.S. at 515-16, 519-20, 526.

The distinction between these two phases of the proceeding is a meaningful one. The prosecutor's decision *whether to seek* the death penalty, while it must be a considered one, does not cause the defendant to be sentenced to death. Before making the decision, the prosecutor must wait at least the statutorily-required 30 days, and must determine whether there is "reason to believe that there are not sufficient mitigating circumstances to merit

leniency.” RCW 10.95.040(1), (2). Should the prosecutor file a notice of special sentencing proceeding, this decision means only that *a jury* will decide whether the defendant will receive the death penalty, based on its own consideration of any mitigating factors.

The standards for an adequate mitigation investigation at these two phases are necessarily different. The mitigation information at each stage is for a different purpose, and the consequences at each stage are wholly disparate. This Court should not countenance Monfort’s attempt to conflate the two.

3. MONFORT’S REAL DISPUTE IS WITH THE PROSECUTOR’S DECISION TO SEEK THE DEATH PENALTY, A DECISION THAT THE LEGISLATURE HAS RESERVED TO THE PROSECUTOR ALONE.

While Monfort purports to object to the *process* by which the prosecutor reached his decision to seek the death penalty, it is clear that he is really asking the courts to second-guess the prosecutor’s decision. This is not the proper role of the courts.

Monfort made a tactical decision not to provide the prosecutor with *any* evidence in mitigation, despite being afforded almost nine months to do so prior to the prosecutor making his decision. See State’s Motion at 5. After the prosecutor made the

decision to file the death penalty notice, Monfort consistently argued that the prosecutor did not have sufficient information on which to base his decision, and that he should have waited (perhaps indefinitely) for a mitigation packet from the defense.

He now, somewhat anomalously, tries to persuade this Court of the "many mitigating factors" that are contained in the results of the investigation into his background conducted by the State. Monfort's Response at 7-8. For example, he points to witnesses who suggested that Monfort "must have had some sort of mental breakdown" because the alleged crimes were "so out of character for him."¹ Id.

Having passed up several opportunities to present to the prosecutor *any* information that he had in mitigation, Monfort should not now be permitted to argue that the prosecutor made the *wrong* decision. The prosecutor's decision was based on information that was far more extensive than that available to the prosecutor in State v. Pirtle, 127 Wn.2d 628, 641-43, 904 P.2d 245 (1995). This

¹ One of the persons cited by Monfort for this proposition, Joe Boenis, also believed that Monfort "did not seem like the type to have an arsenal." Monfort's Sealed Supplemental Appendix at 18. Monfort's apartment in fact contained an AR-15 assault rifle, other firearms, and home-made explosives. Certification for Determination of Probable Cause (Detective Cloyd Steiger, p. 4 of 4), Appendix D to State's Motion for Discretionary Review.

Court should take review of, and reverse, the trial court's erroneous conclusion that the prosecutor abused or failed to exercise his discretion in filing the death penalty notice.²

4. THE WASHINGTON SUPREME COURT IS PROPERLY CONCERNED WITH THE REMEDY IF THE TRIAL COURT WAS CORRECT IN DISMISSING THE NOTICE OF INTENT TO SEEK THE DEATH PENALTY IN THIS CASE.

The State made it clear in its Motion for Discretionary Review that it believed that the trial court erred in finding that the prosecutor abused his discretion in filing the death notice. The State argued in the alternative that, should this Court disagree, the proper remedy would not be dismissal of the notice, but rather reopening the statutory period so that the defense could provide a mitigation packet for the prosecutor's consideration.

Monfort now contends that the State is judicially estopped from urging this remedy. He argues that the State has taken inconsistent positions, that the State has misled the courts, and that

² The suggestion that the prosecutor improperly based his decision on Monfort's political beliefs is offensive. Monfort's Response at 7 n.1. The fact that the investigation touched on Monfort's political beliefs is hardly surprising, given the notes left at the Charles Street arson scene and the corresponding flag-motif bandana left at the scene of Officer Brenton's murder. Certification for Determination of Probable Cause (Detective Rik Hall, p. 2 of 3), Appendix D to State's Motion for Discretionary Review.

the State's proposed remedy would be unfair to Monfort. These allegations are untrue.

In arguing for reopening the statutory period instead of striking the death notice, the State maintains its position that the prosecutor complied with the requirements for the exercise of his discretion under RCW 10.95.040 and Pirtle, *supra*. If this Court should now decide that more is required, the only equitable remedy – the only remedy that protects both the public's interest in seeing the death penalty imposed in a proper case and Monfort's interest in a fair hearing – is to find good cause to reopen the statutory period so that the prosecutor may make his decision in accordance with any newly imposed requirements or limitations.

B. CONCLUSION

For the reasons set forth above, the State reiterates its request that this Court grant discretionary review in accordance with RAP 2.3(b) (2) and (3), reverse the trial court's ruling

dismissing the notice of intent to seek the death penalty, and order
that this case proceed as a capital case.

DATED this 22nd day of March, 2013.

Respectfully submitted,

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APPENDIX A

FILED

The Honorable Ronald Kessler

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

CHRISTOPHER MONFORT,

Defendant.

No. 09-1-07187-6 SEA

PROSECUTION'S
PROPOSED RESOLUTION OF
PUBLIC RECORDS ACT REQUEST

1. Procedural History.

On November 12, 2009, Christopher Monfort was charged by information with arson in the first degree, three counts of attempted murder in the first degree, and one count of aggravated murder in the first degree. The King County Prosecuting Attorney's decision whether to file written notice pursuant to RCW 10.95.040 of a special sentencing proceeding to determine whether the death penalty should be imposed is currently pending.

On February 3, 2010, the prosecution received a request for records pursuant to the Public Records Act (PRA) from Jonathan Martin, a reporter for the Seattle Times. The requested materials amounted to the prosecution's entire investigative file in this case.

PROSECUTION'S PROPOSED RESOLUTION OF
PUBLIC RECORDS ACT REQUEST OF SEATTLE
TIMES - 1

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ORIGINAL

1 The prosecution promptly notified the defense of the request. On March 1, 2010, the
2 defense filed a motion to enjoin the prosecution from releasing any information from the file and
3 requesting that any order permitting disclosure be stayed pending its appeal. On March 2, 2010,
4 the prosecution sought an order finding the requested records exempt from disclosure under the
5 PRA, because the investigation into the charged crimes and into the defendant is ongoing, and
6 because the file was compiled in anticipation of litigation, and constitutes work product. The
7 Times, the defendant, and the prosecution have submitted numerous pleadings to the court in
8 support of their respective positions.

9 In a hearing on March 11, 2010, this Court indicated that an in camera review of the file
10 might be necessary, but did not enter an order for such review. In additional briefing filed March
11 19, 2010, the prosecution reiterated its position that all the requested records were exempt from
12 disclosure pursuant to the PRA, and that an in camera review was unnecessary.

13
14 2. Proposed Resolution.

15 The prosecution continues to believe that its entire investigative file in this case should be
16 exempt from disclosure under the PRA: disclosure would jeopardize continuing investigations
17 of the crimes and the defendant; nondisclosure promotes the defendant's right to a fair trial; the
18 file has been compiled in anticipation of criminal litigation and constitutes work product.

19 The prosecution is mindful, however of the competing interests that may favor disclosure
20 of some of the requested records. It can scarcely believe that the drafters of the PRA intended it
21 to compel full disclosure of a prosecutor's investigative file in a potentially capital case, before
22 trial and before a death penalty decision has been made. However, the prosecution respects the
23 PRA's mandate for open government. The prosecution is also concerned that the litigation

1 concerning the PRA request is entering its third month, and wishes to avoid any further
2 unnecessary delay in the investigation and prosecution of a case of great importance to our
3 community. In order to avoid such delay, the prosecution has recently conducted a meticulous,
4 line-by-line review of all the requested records, in an effort to determine which of them might be
5 released to the public without compromising the trial process or the integrity of the ongoing
6 investigations.

7 This review was conducted with particular attention to records meeting the following
8 criteria:

- 9
- 10 I. Records for which nondisclosure is essential to effective law enforcement:
- 11 A. Records for which non-disclosure is essential to protect the integrity of the
12 trial process:
- 13 1. Records describing or portraying evidence obtained pursuant to
14 search warrants or directly from the defendant.
- 15 2. Records describing or portraying critical evidence, the
16 admissibility of which seems reasonably likely to be contested.
- 17 3. Verbatim statements of critical witnesses (summaries of statements
18 of these witnesses, or statements attributed to them by others, are
19 not included in this category).
- 20 B. Records for which nondisclosure is essential to protect the integrity of
21 ongoing investigations of the crimes and of the defendant.
- 22
- 23
- 24

1 Using these criteria, and after careful review of all the records requested by the Times,
2 the prosecution has created the Proposed Disclosure and Exemption Log attached to this
3 pleading. This Log describes each requested record, proposes disclosure or non-disclosure, and,
4 where non-disclosure is proposed, indicates the criterion by which this decision was made.

5 Without waiving any claims to exemption from disclosure as to any requested record, the
6 prosecution is presenting this proposed resolution of the PRA request in the hopes that it will
7 satisfy the diverse interests of the involved parties, and to prevent further delay in a case of vital
8 importance to our community.

9 DATED this 5th day of April, 2010.

11 Respectfully submitted,

12 DANIEL T. SATTERBERG

13 King County Prosecuting Attorney

14
15 By: 

16 JEFF BAIRD, WSBA #11731

17 JOHN GERBERDING, WSBA #23157

COVER SHEET: PROPOSED DISCLOSURE AND EXEMPTION LOG

1) **Code:** In the explanation box of the log we have used a code to identify the basis for our redactions. Here is the key to the code:

I. Records for which nondisclosure is essential to effective law enforcement:

A. Records for which non-disclosure is essential to protect the integrity of the trial process:

1. Records describing or portraying evidence obtained pursuant to search warrants or directly from the defendant.
2. Records describing or portraying critical evidence, the admissibility of which seems reasonably likely to be contested.
3. Verbatim statements of critical witnesses (summaries of statements of these witnesses, or statements attributed to them by others, are not included in this category).

B. Records for which nondisclosure is essential to protect the integrity of ongoing investigations of the crimes and of the defendant.

2) **Work Product:** For all exemptions claimed in bates numbers 1-1684 we also claim work product. These records represent formal or written statements of fact, or other tangible facts, gathered by an attorney in preparation for or anticipation of litigation.

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1-17	Release	11/09/09-11/12/09	John Castleton Jon Holland, Rick Hall, Cloyd Steiger	Charging Documents		
18-21	Release	10/31/09	George Davisson	SPD General Offense Report (pg. 1-4 of 49)		
22-28	Release	11/01/09	Mark Hanf	SPD Property Report: items from scene		
29-54	Exempt	11/07/09	Lisa Haakenstad	SPD Property Report: items from Monfort's apartment	RCW 42.56.240 (1)	I.A.1. & 2.
55	Release	11/01/09	Det. Hanf to Det. Steiger, Det. Kasner	Email		
56	Release	11/04/09	Det. Steiger to WSP Crime Lab	Consumption Letter		
57-58	Release	11/11/09 & 11/13/09		Evidence Receipt: victim's duty belt (item 12)		
59-60	Release	11/04/09	Donald Ledbetter	SPD Property Report: items from victim		
61	Release	11/15/09		Release of Evidence Sheet: victim's personal property (item 14)		
62	Release	11/04/09	Det. O'Keefe	Evidence Receipt: victim's uniform and ballistic vest (items 19 & 11)		
63-64	Release	11/04/09	Delivered by Ofc. Hendry. Received by Det. Hanf	Evidence Receipts: .40 cal cartridge cases, bullet fragments, fired bullets, bandana & .40 cal glock (items 1-9, 11, 13-18 & 20)		
65	Release	11/04/09	Delivered by Ofc.	Evidence Receipt:		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
			Hendry. Received by Det. Hanf.	crime scene images & bullet fragments, victim's clothing & bullet fragments (items 1, 10 & 16)		
66	Release	11/04/09	Det. Hanf	Evidence Receipt: misc. uniform items and victim's ballistic vest (items 19 & 11)		
67	Release	11/04/09	Det. Mark Hanf	Letter to WSPCL		
68-73	Release			Summary of Evidence submitted to the lab		
74-80	Release	11/03/09	Det. Mark Hanf	WSPCL Requests		
81-82	Release	11/04/09	Lisa Haakenstad	Latent Print Requests		
83-84	Release	11/04/09	Donald Ledbetter	SPD Property Report Duplicate of 59-60		
85-89	Release	11/02/09	Det. Mark Hanf	SPD Property Report: autopsy evidence		
90-96	Release	11/01/09	Det. Mark Hanf	SPD Property Report: evidence from crime scene		
97-103	Release	11/01/09	Det. Mark Hanf	SPD Property Report: evidence from crime scene (pgs. 43-49 of 49)		
104-113	Exempt	11/08/09	Det. Mark Hanf	SPD Property Report: evidence from Monfort's Datsun	RCW 42.56.240 (1)	I. A. 1. & 2.
114-116	Exempt	11/09/09	Det. Mark Hanf	SPD Property Report: evidence from Monfort's Crown Victoria	RCW 42.56.240 (1)	I. A. 1. & 2.
117-118	Release	11/04/09	Donald Ledbetter	SPD Property Report: re-exam items from property		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
119	Release	11/03/09	Det. Brian Stampfl	SPD Property Report: fired bullet from sidewalk at 161-29 th avenue		
120-121	Release	11/05/09	Det. Donald Ledbetter	SPD Property Report: comparison of swabs		
122	Release	11/03/09	Det. Brian Stampfl	SPD Property Report: duplicate of pg. 119		
123-124	Release	11/06/09	Det. Donald Ledbetter	SPD Property Report: vehicle processing #40995D		
125-126	Release	11/06/09	Det. Mark Hanf	SPD Property Report: evidence from patrol vehicle		
127	Release	11/07/09	Ofc. Ryan Gallagher	SPD Property Report: cap or crown of tooth		
128	Exempt	11/09/09	Det. Kevin O'Keefe	SPD Property Report: Monfort's t-shirt and shoes	RCW 42.56.240 (1)	I. A. 1. & 2.
129-131	Release	10/31/09	Det. Mark Hanf	WSPCL Requests: bloodstain pattern analysis, DNA sample, trace reference sample		
132	Release	11/05/09	Det. Mark Hanf	Evidence Receipt: vinyl siding chips, wood splinters, gray paint scrapings, black plastic trim and aluminum tailgate		
133	Release	11/05/09	Det. Mark Hanf	Evidence Receipt: Ofc. Brenton's DNA		
134-135	Exempt	11/06/09	Sarah Atterbury	WSPCL DNA Report	RCW 42.56.240 (1)	I. A. 2.
136	Exempt	11/07/09	Sarah Atterbury	WSPCL DNA Report	RCW 42.56.240 (1)	I. A. 2.
137	Exempt	11/10/09	R.T. Wyant	WSPCL Firearm	RCW 42.56.240 (1)	I. A. 2.

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
				Report		
138	Release	11/09/09	Elizabeth Newlin to Lisa Haakenstad	Latent Print Request: .223 rifle round		
139-141	Exempt	11/06/09	Det. Brian Stampfl	SPD Property Report: items from Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2.
142-144	Exempt	11/07/09	Lisa Haakenstad	SPD Property Report: items from Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2.
145-148	Exempt	11/10/09	Lisa Haakenstad	SPD Property Report: items from Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2.
149	Exempt	11/05/09-11/08/09		Receipt for property found in Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2.
150	Release	11/10/09	Officer Britt J.	Release of Evidence Receipt: Ofc. Sweeney's personal property		
151-152	Exempt	11/07/09	Lisa Haakenstad	WSPCL Request: DNA, trace	RCW 42.56.240 (1)	I. A. 1. & 2.
153-157	Release, with redactions (SSN pg. 155)	11/09/09		Firearm trace detail for 9mm Glock	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
158-167	Release, with redactions (Social Security Numbers)	11/10/09		Comprehensive Report on Sean McNally (original owner of glock)	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
168-169	Release, with redactions (SSN pg. 168)			DOL Search: Sean McNally	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
170	Exempt	11/07/09	Lisa Haakenstad	Receipt for Release of Evidence: Monfort's property	RCW 42.56.240 (1)	I. A. 1. & 2.
171	Exempt	11/07/09	Lisa Haakenstad	Receipt for Release of Evidence: Monfort's property	RCW 42.56.240 (1)	I. A. 1. & 2.
172-174	Release	11/06/09	Det. Nate Janes	Evidence Receipt from Regional Computer Forensics Lab: hard drive from ofc. Brenton's car video		
175-177	Exempt	10/25/09-11/03/09		Receipts	RCW 42.56.240 (1)	I. A. 1. & 2.
178-180	Exempt	11/02/09	Dr. Harruff	Evidence Transfer from KCMEBO to Det. O'Keefe, duplicate portion of autopsy	RCW 68.50.108	Autopsy reports are exempt from disclosure.
181-191	Release, with Redactions (pg. 185)	10/31/09		Crime Scene Log	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992).	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
192	Release	10/31/09	Det. Kasner & Steiger	SPD Major Investigation Summary		
193-194	Release	11/07/09	Det. J. Cooper	Case Investigation Report		
195-196	Release	11/01/09	Sgt. Vallor	Case Investigation Report		
197	Release, with redactions (pg. 197)	11/01/09	Det. Paul Takemoto	Statement	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992).	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
198-201	Release, with redactions (SSN)	11/04/09	Det. D. Redemann	Follow-up Report	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(D).	Social Security numbers are exempt from disclosure. As such they have been redacted.

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
202-203	pg. 200) Exempt (For summaries of Norton's statements or statements attributed to Norton see pages: 396, 1366, 1368, 1369, 1374, 1379 & 1392)	11/08/09	Det. Rolf Norton	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
204-205	Release, with Redactions on page 205	11/09/09	Det. Nate. Janes	Investigation Report	RCW 42.56.240 (1)	I. A. 2. Opinion evidence redacted.
206	Release	11/05/09	Det. Dave Duty	Statement		
207-208	Release, with Redactions	11/01/09	Det. Dave Duty	Statement; Det. Dave Duty (11/01/09)	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
209-210	Exempt	11/06/09	Det. Timothy Renihan	Follow-up Report	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I). RCW 42.56.240(1)	I. A. 1. & 2. Social Security numbers are exempt from disclosure. As such they have been redacted.
211-212	Release, with redactions (SSN pg. 212)	10/30/08	Ofc. Christiansen	Bellevue PD Report: regarding stolen vehicle (pgs. 1-2 or 10)	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
213-215	Exempt	11/06/09	Sgt. M. Dunlap	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
216-217	Exempt	11/06/09	Ofc. D. Cruz	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
218	Release	11/06/09	Mark Dunlap to Alan Cruise	Fax Cover Sheet from Tukwila PD		
219-226	Release	08/29/08	Ofc. Halsted	Bellevue PD Report: regarding stolen vehicle		

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
				(pgs. 3-10 of 10-see 211-212)		
227-234	Release	07/24/09	Ofc. DeVries	Tukwila PD Report: stolen vehicle reported by Monfort		
235	Release	11/02/09	Det. Kilburg	Follow-up Report		
236	Release, with redactions	11/11/09	Ofc. J.D. Miller	Statement	RCW 42.56.240 (1)	I. A. 1. & 2.
237	Release	11/03/09	Deputy Tim Morgan	KCSO Statement		
238	Release	11/03/09	Ofc. G. Derezes	Statement		
239-240	Release	11/01/09	Ofc. George Davisson	Statement		
241-242	Release	11/01/09	Ofc. Kathryn Andre	Statement		
243	Release, with redactions	11/01/09	Ofc. Daniel Anderer	Statement	RCW 42.56.250(3)	Personal wireless telephone numbers, residential addresses and residential telephone numbers of public employees are exempt from public disclosure.
244	Release	11/01/09	Ofc. Casey Steiger	Statement		
245	Release	11/01/09	Ofc. Lauren Hill	Statement		
246	Release	11/01/09	Ofc. Scott Luckie	Statement		
247	Release	11/01/09	Ofc. Christopher Leyba	Statement		
248-249	Release	11/01/09	Ofc. Vanessa Flick	Statement		
250	Release	11/01/09	Ofc. Bradley Hammermaster	Statement		
251	Release	11/01/09	Ofc. Randy Ellis	Statement		
252	Release	11/01/09	Ofc. Kevin Jones	Statement		
253	Release	10/31/09	Ofc. Michele Letizia	Statement		
254	Release	11/01/09	Ofc. Richard Bell	Statement		
255	Release	11/01/09	Ofc. Ryan Levens	Statement		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
256	Release	10/31/09	Ofc. Benjamin Archer	Statement		
257	Release	11/01/09	Ofc. Nicolas Meyst	Statement		
258	Release	11/01/09	Ofc. Matthew Blackburn	Statement		
259	Release	11/01/09	Ofc. Schoenberg	Statement		
260	Release	11/01/09	Ofc. Jennifer Sherk	Statement		
261	Release	11/01/09	Ofc. Anh Hoang	Statement		
262	Release	11/01/09	Ofc. Corey Williams	Statement		
263-264	Release	11/01/09	Ofc. Stephanie Marks	Statement		
265	Release	10/31/09	Ofc. Clayton Powell	Statement		
266	Release	11/01/09	Ofc. Daina Boggs	Statement		
267-268	Release	11/01/09	Ofc. Clark Dickson	Statement		
269	Release	11/01/09	Ofc. Lindsay Brown	Statement		
270	Release	11/01/09	Ofc. Nathan Patterson	Statement		
271	Release	11/01/09	Ofc. Ernest Debella	Statement		
272-273	Release, with redactions (pg. 272)	11/01/09	Ofc. Aaron Johnson	Statement	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
274	Release	11/01/09	Ofc. Michael Bonet	Statement		
275	Release	11/01/09	Ofc. James Moran	Statement		
276	Release	11/01/09	Ofc. Kyle Galbraith	Statement		

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
277-278	Release	11/01/09	Ofc. Clark Dickson	Statement		
279	Release, with redactions	11/01/09	Ofc. William Waltz	Statement	RCW 42.56.250(3), 42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Personal wireless telephone numbers, residential addresses and residential telephone numbers of public employees are exempt from public disclosure. Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
280-281	Release	11/01/09	Ofc. Lindsay Brown	Statement		
282	Release	11/01/09	Ofc. Michael Bonet	Statement		
283-285	Release	11/01/09	Ofc. Stephanie Marks	Statement		
286-287	Release	11/01/09	Ofc. Clayton Powell	Statement		
288	Release	11/01/09	Ofc. Michael Bonet	Statement		
289	Release	11/01/09	Ofc. M.W. Lewis	Statement		
290-291	Release, with redactions (pg. 290)	11/01/09	Ofc. Aaron Johnson	Statement	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
292-294	Release	11/01/09	Ofc. Daina Boggs	Statement		
295-296	Release, with redactions (pg. 296)	11/01/09	Ofc. Michael Virgilio	Statement	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
297-	Release, with	11/01/09	Ofc. Joselito	Statement	42.56.240(1) and <i>City of</i>	Release of information that would identify a

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
298	redactions (pg. 298)		Banez		<i>Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
299-305	Release, with redactions	11/01/09	Ofc. Nathan Patterson	Statement	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
306	Release	11/01/09	Ofc. Mark James	Statement		
307-310	Release	11/01/09	Ofc. David Simmons	Statement		
311-313	Release	11/01/09	Ofc. Kathryn Andre	Statement		
314-316	Release, with redactions (pgs. 315 & 316)	11/01/09	Ofc. Daniel Auderer	Statement	RCW 42.56.250(3)	Personal wireless telephone numbers, residential addresses and residential telephone numbers of public employees are exempt from public disclosure.
317-319	Release	11/01/09	Ofc. Casey Steiger	Statement		
320-322	Release	11/01/09	Ofc. Lauren Hill	Statement		
323	Release	11/01/09	Ofc. Krista Bair	Submission Information		
324-325	Release	11/01/09	Ofc. Scott Luckie	Statement		
326	Release	11/01/09	Ofc. Dale Johnson	Submission Information		
327-330	Release	11/01/09	Ofc. Christopher Leyba	Statement		
331-332	Release	11/01/09	Ofc. Vanessa Flick	Statement		
333-335	Release	11/01/09	Ofc. Bradley Hammermaster	Statement		
336	Release	11/01/09	Ofc. Dale Johnson	Submission		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
				Information		
337-338	Release	11/01/09	Ofc. Randy Ellis	Statement		
339	Release	11/01/09	Ofc. Bryan Clenna	Submission Information		
340-341	Release	11/01/09	Ofc. Kevin Jones	Statement		
342	Release	11/01/09	Ofc. Dale Johnson	Submission Information		
343-344	Release	10/31/09	Ofc. Michele Letizia	Statement		
345	Release	11/01/09	Ofc. Dale Johnson	Submission Information		
346-347	Release	11/01/09	Ofc. Richard Bell	Statement		
348	Release	11/01/09	Ofc. Krista Bair	Submission Information		
349-350	Release	11/01/09	Ofc. Ryan Levens	Statements		
351-353	Release	11/01/09	Ofc. Benjamin Archer	Statement		
354-356	Release	11/01/09	Ofc. Nicolas Meyst	Statement		
357-361	Release, with redactions (SSN pg. 361)	11/01/09	Ofc. Matthew Blackburn	Statement	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
362-364	Release	11/01/09	Ofc. Brett Schoenberg	Statement		
365-367	Release	11/01/09	Ofc. Jennifer Sherk	Statement		
368-370	Release	11/01/09	Ofc. Anh Hoang	Statement		
371	Release	11/01/09	Ofc. Bryan Clenna	Submission Information		
372-	Release	11/01/09	Ofc. Corey	Statement		

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
374			Williams			
375	Release	10/31/09	Ofc. Michele Lefizia	Statement		
376	Release	11/01/09	Sgt. Dale Johnson	Statement		
377-378	Exempt (For summaries of Norton's statements, or statements attributed to Norton see pages: 396, 1366, 1368, 1369, 1374, 1379 & 1392)	11/08/09	Det. Rolf Norton	Statement duplicate of 202-203	RCW 42.56.240 (1)	I. A. 2. & 3.
379	Release	11/03/09	Ofc. James Arata	Statement		
380	Release	11/05/09	Russell Weklych to Kasner, Steiger and Vallor	Email		
381-382	Exempt (For summaries of Sweeney's statements, or statements attributed to Sweeney see pages: 247, 293, 322, 327, 329, 340, 376, 390, 391)	11/01/09	Ofc. Britt Sweeney	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
383-388	Release, with redactions	11/06/09	Ofc. Wortman	FYPD Report	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
389-401	Release, with redactions	10/31/09-11/23/09	Det. Kasner and Det. Steiger	Follow-up Report	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I). RCW 42.56.240(1)	I. A. 2. 3. & B. Statements about defendant and statements attributed to him have been redacted. Descriptions of defendant's residence and property have been redacted. Ongoing investigation. Social Security numbers are exempt from disclosure. As such they have been redacted.
402-405	Exempt	10/31/09	James Booker	Statement	RCW 42.56.240 (1)	I. A. 2. 3. & B.
406-409	Exempt	10/31/09	Jamie Hendrix	Statement	RCW 42.56.240 (1)	I. A. 2. 3. & B.
410-411	Exempt	11/02/09	Jane Pennell	Statement	RCW 42.56.240 (1)	I. A. 2. 3. & B.
412-420	Exempt	11/01/09	James Tatum	Statement	RCW 42.56.240 (1)	I. A. 2. 3. & B.
421-426	Exempt	11/12/09	Michael Thompson	Statement	RCW 42.56.240 (1)	I. A. 2. 3. & B.
427-429	Release	10/31/09		Superform: Christopher Monfort		
430-455	Release some photos, redact others	10/31/09		Photos: outdoor crime scene on 10/31/09, including patrol car	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
456-458	Release	10/31/09		Photos: Ofc. Sweeney's attire		
459-460	Release some photos, redact others	10/31/09		Photos: interior of patrol car	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
460-471	Release	10/31/09		Photos: outside crime scene bullet recovery		
472-476	Exempt	10/31/09		Photos: aerial photos	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
476-480	Release	10/31/09		Photos: outside crime scene, bandana, flash		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
				light, bullets and uniform		
481-503	Release some photos, redact others	10/31/09		Photos: outside crime scene photos	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
504-525	Release some photos, redact others	10/31/09		Photos: outside crime scene photos	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
526-533	Release some photos, redact others	10/31/09		Photos: crime scene and evidence recovery	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
534-553	Exempt			Photos: evidence seized from defendants apartment	RCW 42.56.240 (1)	I. A. 1. & 2. B.
554-578	Release some photos, redact others			Photos: patrol vehicle	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
579-607	Exempt			Photos: Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2. B.
608-640	Release some photos, redact others			Photos: police Crown Victoria	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
641-643	Release			Photos: Ofc. Gear		
644-655	Exempt			Photos: Monfort's vehicle	RCW 42.56.240 (1)	I. A. 1. & 2.
656-686	Release some photos, redact others			Photos: crime scene	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to privacy.
687-707	Exempt			Photos: Monfort's vehicle	RCW 42.56.240 (1)	I. A. 1. & 2.
708-712	Release			Photos: Ofc. Brenton's items		
713-760	Release some photos, redact	10/31/09		Photos: scene photos and vehicle	42.56.240(1)	These are graphic photos of the 10/31/09 crime scene. Release would violate the victims' right to

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
	others					privacy.
761-771	Exempt			Photos: Monfort's vehicle	RCW 42.56.240 (1)	I. A. 1. & 2.
772-778	Exempt			Photos: Monfort's papers	RCW 42.56.240 (1)	I. A. 1. & 2.
779-781	Exempt			Photos: Monfort's vehicle	RCW 42.56.240 (1)	I. A. 1. & 2.
782-785	Release			Photos: Ofc. Brenton's items		
786-791	Exempt			Photos: Monfort's Property	RCW 42.56.240 (1)	I. A. 1. & 2.
792-793	Release			Photos: outside photos of Monfort's apartment		
794-802	Exempt			Photos: Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2. B.
803	Release			Photo of Monfort Photo: Monfort DOL		
804	Release		Seattle City Light	Residential Electric Service Application		
805	Exempt	06/14/06		Landlord Protection Service Report	RCW 42.56.240 (1)	I. B.
806	Exempt	06/12/06		Financial Aid	RCW 42.56.240 (1)	I. B.
807	Release	06/13/06	Kim Karns	Move-in Information		
808-810	Exempt	06/13/06		Landlord Protection Services	RCW 42.56.240 (1)	I. B.
811	Release	07/15/06	The Terrace	Vehicle Registration		
812-813	Exempt	06/12/06		Financial Aid	RCW 42.56.240 (1)	I. B.
814	Exempt	05/22/06	Chris Monfort to Terrace Apartments	Rent.com Lead	RCW 42.56.240 (1)	I. B.
815	Release	05/22/06	The Terrace	Welcome Card		
816	Release	06/19/06	The Terrace	Application Checklist		
817	Release		DOL	Monfort's Driver License		

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
818	Exempt	06/14/06		Landlord Protection Service	RCW 42.56.240 (1), RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	I. B. Social Security numbers are exempt from disclosure. As such they have been redacted.
819	Release	05/22/06	The Terrace	Welcome Card		
820	Exempt	01/05/07	Kim Karns	Incident Report	RCW 42.56.240 (1)	I. B.
821-824	Exempt			Washington State Employment Security Department	RCW 42.56.240 (1)	I. B.
825-826	Exempt	11/09/09		Port of Seattle ID Access	RCW 42.56.240 (1)	I. B.
827-829	Release, with redactions (SSN pg. 827)			DOL Data	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
830-831	Exempt	01/06/06		Call for Service: Port of Seattle	RCW 42.56.240 (1)	I. B.
832-841	Exempt	08/21/06		Unsolved Case	RCW 42.56.240 (1)	The records relate to an open Port of Seattle criminal investigation.
842-844	Exempt	10/16/04		Call for Service Report: Port of Seattle	RCW 42.56.240 (1)	I. A. 2. B.
845	Release	07/15/06		Tecton Corporation Lease Agreement		
846	Exempt			Landlord Protection Service	RCW 42.56.240 (1), RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	I. A. 2. B. Social Security numbers are exempt from disclosure. As such they have been redacted.
847-867	Exempt			Autopsy Report	RCW 68.50.108	Autopsy reports are exempt from disclosure
868-1054	Exempt			Documents and writings recovered from Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2. B.
1055-1067	Release, with Redactions	10/31/09-11/18/09	Det. Al Cruise	Case Report	RCW 42.56.240 (1), 42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992),	I. A. 2. & 3. B. Statements of critical witness redacted. Statements about defendant and statements attributed to him are redacted.

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
					RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public. Social Security numbers are exempt from disclosure. As such they have been redacted.
1068-1069	Release	11/06/09		DOL Vehicle Search: Monfort		
1070-1073	Release	08/12/02-3/29/03		DOL Printout		
1074-1089	Release, with redactions			Photos of Monfort's Vehicle: night of incident with handwritten notes by SPD	RCW 42.56.240 (1)	I. A. 2. B. Hand written notes redacted.
1090-1092	Release	11/05/09		Photos of a Datsun 210		
1093	Release	10/31/09	Ofc. Shroeder	Vehicle Report: 2005 Ford Crown Victoria		
1094	Release	11/07/09	Det. O'Keefe	Vehicle Report: 1980 Datsun 210		
1095	Release	11/07/09	Det. O'Keefe	Vehicle Report: 2003 Ford Crown Victoria		
1096	Exempt			Photo of Monfort's Datsun	RCW 42.56.240 (1)	I. A. 1.& 2.
1097	Release	11/07/09		SPD Report: vehicle hold		
1098	Exempt	09/12/08		Vehicle Registration: 1980 Datsun	RCW 42.56.240 (1)	I. A. 1. & 2.
1099	Exempt	03/14/09		Vehicle Registration: 2003 Crown Victoria	RCW 42.56.240 (1)	I. A. 1. & 2.
1100-1101	Release	11/17/09	Det. Cloyd Steiger	Affidavit for Search Warrant		
1102-	Release	11/07/09		Search Warrant		

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1103						
1104-1106	Release	11/07/09	Det. Cloyd Steiger	Affidavit for Search Warrant		
1107-1112	Release	11/06/09	John Castleton	Affidavit for Search Warrant		
1113-1114	Release	11/17/09		Search Warrant		
1115-1116	Release		Det. Cloyd Steiger	Affidavit for Search Warrant		
1117-1118	Release			Search Warrant		
1119	Release	11/17/09		ATF Firearm Trace		
1120-1123	Release, with redactions	11/07/09	Sgt. James Hansen	Inventory and Return of Search Warrant	RCW 42.56.240 (1)	I. A. 1. & 2.
1124-1129	Release	11/06/09	John Castleton	Affidavit for Search Warrant		
1130-1131	Release	11/07/09		Search Warrant		
1132-1134	Release	11/07/09	Det. Cloyd Steiger	Affidavit for Search Warrant		
1135-1136	Release	11/07/09		Search Warrant		
1137-1138	Exempt	11/09/09	Det. Mark Hanf	SPD Property Report: evidence from Monfort's Datsun	RCW 42.56.240 (1)	I. A. 1. & 2.
1139-1140	Exempt (For summaries of Norton's statements, or statements attributed to Norton see pages: 396, 1366, 1368, 1369, 1374, 1379	11/08/09	Det. Rolf Norton	Draft Statement: Det. Rolf Norton (11/08/09)	RCW 42.56.240 (1)	I. A. 2. & 3.

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
	& 1392)					
1141-1148	Release	11/06/09	Det. Cloyd Steiger	Search Warrants		
1149	Release	11/01/09	Greg Schmidt to SPDSustainment	Email: request for AVL data		
1150-1151	Release	11/01/09	Ray Pedrosa, Dean Shirey, David Duty	Email: request for video		
1152	Release	11/02/09	Lt. Wilske	Notice of Law Enforcement: procedure for tips		
1153	Release	11/01/09	Len carver, David Thorp	Email: request for assistance		
1154	Release	11/04/09	Robert Casey	Request for National Broadcast to law enforcement regarding incident		
1155-1156	Release	11/01/09		SPD News Release (11/01/09)		
1157	Exempt		Charles D. Gill	Seattle Fire Department: summary of response at 714 S. Charles Street	RCW 42.56.240 (1)	I. B.
1158-1164	Release	11/01/09-11/02/09		Media Reports		
1165	Release	11/03/09		Crime Alert Bulletin: damage to vehicle		
1166-1167	Release	11/09/09		SPD News Release: regarding incident		
1168	Release	11/18/09	Concerned Citizen to Tukwila PD	Letter		
1169-1185	Release, with Redactions	10/31/09		Call Log: Ofc. Brenton and Ofc. Sweeney (10/31/09)	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to

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PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
						the public.
1186-1188	Release	10/31/09		Query Log: Ofc. Brenton and Ofc. Sweeney		
1189-1198	Exempt	11/08/09	SA Nathan Lee	SPD Electronic Crime Task Force Report: contacts on Monfort's phone	RCW 42.56.240 (1)	I. A. 1. & 2. B.
1199-1219	Exempt	11/08/09	SA Nathan Lee	SPD Electronic Crime Task Force Report: text messages, photos and audio on Monfort's LG phone	RCW 42.56.240 (1)	I. A. 1. & 2. B.
1220-1223	Release	10/31/09		911 Calls		
1224-1262	Release, with redactions	10/31/09-11/01/09		CAD Printouts	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
1263-1280	Release, with redactions	10/31/09-11/01/09		BOLO/CAD Printout	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992), RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public. Social Security numbers are exempt from disclosure. As such they have been redacted
1281-1284	Release, with redactions	10/31/09-11/01/09		Radio Log	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
1285-1287	Release	10/31/09		Call Log		
1288-	Release			Crime Scene Log		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1294						
1295-1303	Release			CSI Schedule Log		
1304-1306	Exempt		Christopher Monfort	Writings of Monfort	RCW 42.56.240 (1)	I. A. 1. & 2. B.
1307-1311	Release	11/16/09		Academy Brochure		
1312-1324	Exempt			Writings and Documents from the Defendant	RCW 42.56.240 (1)	I. A. 1. & 2. B.
1325-1326	Release, with redactions	11/07/09	Lisa Haakenstad	Inventory and Return of Search Warrant	RCW 42.56.240 (1)	I. A. 1. & 2. We have redacted the items seized from Mr. Monfort.
1327-1328	Release, with redactions	11/07/09	Lisa Haakenstad	Inventory and Return of Search Warrant	RCW 42.56.240 (1)	I. A. 1. & 2. We have redacted the items seized from Mr. Monfort.
1329-1330	Release, with redactions	11/09/09	Det. Hanf	Inventory and Return of Search Warrant	RCW 42.56.240 (1)	I. A. 1. & 2. We have redacted the items seized from Mr. Monfort.
1331-1332	Release, with redactions	11/08/09	Det. Hanf	Inventory and Return of Search Warrant	RCW 42.56.240 (1)	I. A. 1. & 2. We have redacted the items seized from Mr. Monfort.
1333-1334	Release, with redactions	11/09/09	Det. Hanf	Inventory and Return of Search Warrant	RCW 42.56.240 (1)	I. A. 1. & 2. We have redacted the items seized from Mr. Monfort.
1335-1337	Release, with redactions	11/09/09	Lisa Haakenstad	Inventory and Return of Search Warrant	RCW 42.56.240 (1)	I. A. 1. & 2. We have redacted the items seized from Mr. Monfort.
1338-1339	Release	10/31/09	Det. Ledbetter	CSI Report: Ofc. Brenton Scene		
1340-1345	Release	10/31/09	Det. Ledbetter	CSI Report: 2005 Ford Crown Victoria		
1346-1356	Release, with redaction (pg.1350)	10/31/09	Det. M. Hanf	CSI Report: Ofc. Brenton Scene	42.56.240(1)	We have redacted a photograph of the 10/31/09 crime scene. Release would violate the victims' right to privacy.

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1357	Release	12/08/09	Det. Stampfl	CSI diagram of Ofc. Brenton scene		
1358	Exerupt	11/10/09	R.T. Wyant	WSPCL Report: Firearms	RCW 42.56.240 (1)	I. A. 1. & 2.
1359-1360	Release	11/08/09	Sgt. Gates	KCSO Incident Report		
1361-1362	Release	11/08/09	Trooper T. Zielinski	WSP Report		
1363-1371	Release	11/06/09-12/15/09	Det. Jon Holland	KCSO Follow-up Report		
1372-1375	Release, with redactions (SSN pg. 1372)	11/06/09-11/10/09	Det. James Allen	KCSO Follow-up Report: Det. Jim Allen (11/06/09)	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1376	Release	11/06/09	Deputy Antonio Garza	KCSO Follow-up Report		
1377-1380	Release, with redactions (SSN pg. 1377)	11/06/09-11/08/09	Det. Jesse Anderson	KCSO Follow-up Report	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1381-1383	Release	11/06/09-11/08/09	Det. Malcolm Chang	KCSO Follow-up Report		
1384-1385	Release	11/07/09	Det. Ron Corrigan	Tukwila PD Follow-up Report		
1386-1394	Release, with redactions (SSN pg 1386)	11/06/09-11/08/09	Det. Raphael Crenshaw	KCSO Follow-up Report	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1395-1399	Release, with redactions	11/06/09-11/10/09	Det. Thien Do	KCSO Follow-up Report	RCW 42.56.240 (1) RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	I. A. 1. & 2. We have redacted the description of items found in Monfort's apartment. Social Security numbers are exempt from disclosure. As such they have been redacted.
1400-1406	Release, with redactions (pg. 1404)	11/06/09-11/12/09	Det. D.B. Gates	KCSO Follow-up Report	RCW 42.56.240 (1), RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	I. A. 1. & 2. We have redacted the description of items found in Monfort's apartment. Social Security numbers are exempt from

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1407-1409	Release, with redactions	11/06/09	Det. Sue Peters	KCSO Follow-up Report	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	disclosure. As such they have been redacted Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
1410-1414	Release			DOL Photos: Monfort		
1415	Release	11/09/09		Garrity advisement to Sgt. Nelson by Lt. Wilkse		
1416-1417	Exempt (For summaries of Nelson's statements or statements attributed to Nelson see pages: 396, 1366, 1368, 1369, 1374, 1379, 1392)	11/08/09	Sgt. Gary Nelson	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
1418	Release	11/07/09		Garrity advisement to Det. Norton by Cpt. Meehan		
1419-1420	Exempt (For summaries of Norton's statements or statements attributed to Norton see pages: 396, 1366, 1368, 1369, 1374, 1379 & 1392)	11/08/09	Det. Rolf Norton	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1421	Release	11/09/09		Garrity advisement to Sgt. Vallor by Lt. Wilkse		
1422-1424	Exempt (For summaries of Vallor's statements or statements attributed to Vallor see pages: 396, 1366, 1368, 1369, 1374, 1379, 1392)	11/09/09	Sgt. Vallor	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
1425	Release			Cover Sheet: Tukwila PD statements		
1426-1427	Release	11/07/09	Det. Ron Corrigan	Tukwila PD Follow-up Report		
1428-1429	Exempt	11/06/09	Officer D. Cruz	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
1430-1433	Exempt	11/06/09	Sgt. M. Dunlap	Statement	RCW 42.56.240 (1)	I. A. 2. & 3.
1434-1441	Release	11/06/09	Officer Kerin	Tukwila PD Statement		
1442	Release, with redactions	11/24/09	Officer Timothy Reniban	Statement	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1443	Release			Cover Sheet: KCSO HMC guards response to crime scene		
1444-1445	Release	11/08/09	Deputy Christopher Adams	KCSO Follow-up Report		
1446-1447	Release	11/06/09	Deputy Jonathan Akiona	KCSO Supplemental Report		
1448-1450	Release, with redactions (pg.	11/10/09	Deputy Richard Barton	KCSO Statement	RCW 42.56.240 (1)	I. A. 2. B. Statements of the defendant have been

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
	1450)					redacted.
1451-1452	Release	11/07/09	Deputy Calvin Beringer	KCSO Incident Report		
1453	Release	11/06/09	Deputy Stephen Boggess	KCSO Statement		
1454	Release	11/07/09	Deputy Timothy Brewer	KCSO Statement		
1455	Release	11/06/09	Deputy William Bridges	KCSO Statement		
1456	Release	11/06/09	Deputy Mark Brown	KCSO Statement		
1457-1459	Release	11/09/09	Det. Travis Brunner	KCSO Follow-up Reports		
1460	Release	11/08/09	Deputy Benjamin Callahan	KCSO Statement		
1461-1464	Release, with redactions	11/09/09	Deputy Cary Coblantz	KCSO Statement	RCW 42.56.240 (1)	I. A. 2. B. Statements of the defendant have been redacted.
1465-1466	Release	11/06/09-11/07/09	Deputy Sammel Copeland	KCSO Statement		
1467	Release	11/07/09	Deputy Tobin Corlis	KCSO Statement		
1468	Release	11/09/09	Deputy Donald Davis	KCSO Statement		
1469	Release	11/06/09	Deputy Christopher Dearth	KCSO Statement		
1470-1472	Release, with redaction (SSN pg 1471)	11/07/09	Deputy Adam Easterbrook	KCSO Statement	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1473	Release	11/12/09	Deputy Thomas Flanagan	KCSO Statement		
1474	Release	11/06/09	Deputy Robell Ghirmai	KCSO Statement		
1475-	Release	11/09/09-	Deputy Michael	KCSO Statement		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1476		11/10/09	Glasgow			
1477-1478	Release	11/06/09	Deputy David Graf	KCSO Statement		
1479-1480	Release	11/10/09	Deputy Timothy Gillette	KCSO Statement		
1481	Release	11/11/09	Deputy Michael Glasgow	KCSO Statement		
1482-1483	Release	11/07/09	Det. Steven Hager	KCSO Statement		
1484	Release	11/07/09	Deputy Jeff Hancock	KCSO Statement		
1485	Release	11/09/09	Deputy John Hawkins	KCSO Statement		
1486	Release	11/07/09	Deputy Jesse Herrera	KCSO Statement		
1487-1488	Release	11/07/09	Deputy Luke Hillman	KCSO Statement		
1489	Release	11/06/09	Deputy Hansen Hsu	KCSO Statement		
1490	Release	11/07/09	Deputy Kevin Joyce	KCSO Statement		
1491	Release	11/08/09	Deputy Robert Knight	KCSO Statement		
1492	Release	11/06/09	Deputy David Keller	KCSO Statement		
1493-1496	Release	11/08/09	Deputy Beth Lavin	KCSO Statement		
1497-1498	Release	11/13/09	Deputy Beth Lavin	KCSO Follow-up Report		
1499	Release	11/07/09	Deputy Raingsey Lim	KCSO Statement: Deputy Raingsey Lim (11/07/09)		
1500	Release	11/06/09	Deputy Robert Lurry	KCSO Statement		
1501	Release	11/11/09	Deputy Corey	KCSO Statement		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
			Marcotte			
1502	Release	11/09/09	Deputy Graydon Matheson	KCSO Statement		
1503	Release	11/13/09	Deputy Graydon Matheson	KCSO Follow-up Report		
1504	Release	11/07/09	Deputy Michael McDonald	KCSO Statement		
1505-1506	Release	11/09/09	Deputy Scott McDonald	KCSO Follow-up Report		
1507-1508	Release, with redactions (pg. 1508)	11/11/09	Deputy Scott McDonald	KCSO Supplemental Report	RCW 42.56.240 (1)	I. A. 2. B. Statements of the defendant have been redacted.
1509-1510	Release	11/11/09	Deputy Scott McDonald	KCSO Supplemental Report		
1511	Release	11/11/09	Deputy Joseph McNaughton	KCSO Statement		
1512-1513	Release	11/06/09	Deputy David Mendez	KCSO Statement		
1514	Release	11/06/09	Deputy Gerald Meyer	KCSO Statement		
1515-1516	Release	11/06/09-11/10/09	Deputy Ryan Mikulcik	KCSO Supplemental Report		
1517-1518	Release	11/08/09-11/09/09	Deputy Michael Minor	KCSO Supplemental Report		
1519-1520	Release	11/08/09-11/09/09	Deputy Michael Minor	KCSO Supplemental Report		
1521	Release	11/09/09	Det. Jay Moloney	KCSO Statement		
1522-1523	Release	11/09/09	Deputy Michael Minor	KCSO Supplemental Report		
1524-1525	Release	11/10/09	Deputy Michael Minor	KCSO Supplemental Report		
1526	Release	11/09/09	Det. Jay Moloney	KCSO Statement duplicate 1521		
1527	Release	11/06/09	Deputy Eric Muller	KCSO Supplemental Report		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1528-1529	Release, with redactions	11/07/09	Deputy James Nelson	KCSO Statement	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
1530	Release	11/06/09	Deputy Matthew Olmstead	KCSO Statement		
1531	Release	11/06/09	Deputy Randal Potter	KCSO Statement		
1532-1533	Release, with redactions (pg. 1533)	11/09/09	Deputy Clifford Sether	KCSO Statement	42.56.240(1)	L A. 2. B. Statements of the defendant have been redacted.
1534	Release	11/07/09	Deputy Andrew Skaar	KCSO Statement: Deputy Andrew Skaar (11/07/09)		
1535	Release	11/09/09	Deputy Richard Torres	KCSO Statement: Deputy Richard Torres (11/09/09)		
1536-1537	Release	11/06/09	Deputy Robert Smith	KCSO Statement: Deputy Robert Smith (11/06/09)		
1538-1539	Release, with redactions (SSN pg 1538)	11/09/09	Deputy Cory Stanton	KCSO Follow-up Report	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1540-1541	Release	11/07/09	Deputy Marcus Williams	KCSO Follow-up Report		
1542	Release	11/10/09	Deputy Marcus Williams	KCSO Supplemental Report		
1543	Release	11/07/09	Deputy Joseph Winters	KCSO Statement		
1544	Release	11/07/09	Deputy Jonathan Youngblood	KCSO Statement		
1545	Release	11/09/09	Deputy Larry Zydek	KCSO Statement		

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1546	Release			Cover Sheet: WSP O.W.S.		
1547	Release	11/10/09	Sgt. Tom Anderson	WSP Case Report		
1548	Release	11/09/09	Willie Boxhom to Doug Geltz	WSP Email Statement		
1549	Release	11/08/09	Trooper S.G. Bjorkman	WSP Statement		
1550	Release	11/10/09	Sgt. JoAnn Buetner	WSP Statement		
1551	Release	11/09/09	Trooper D. Drout	WSP Statement		
1552	Release	11/06/09	Trooper Englebright	WSP Statement		
1553	Release	11/12/09	Trooper Fremstad	WSP Statement		
1554	Release	11/08/09	Trooper Geltz	WSP Statement		
1555	Release	11/06/09	Trooper Gonzalez	WSP Statement		
1556	Release	11/06/09	Trooper Langdon	WSP Statement		
1557	Release	11/09/09	Trooper McDonald	WSP Statement		
1558	Release	11/10/09	Trooper J. McKinly	WSP Statement		
1559	Release	11/06/09	Trooper Eric Purcell	WSP Statement		
1560	Release	11/08/09	Trooper B.D. Salyer	WSP Statement		
1561	Release	11/06/09	Trooper M.W. Sommer	WSP Statement		
1562	Release	11/12/09	Trooper T. Taylor	WSP Statement		
1563	Release	11/07/09	Trooper J.D. Zimmer	WSP Statement		
1564	Release	11/06/09	David Graf	KCSO Evidence Sheet: DJG1		
1565	Release	11/10/09	Det. Thien Do	KCSO Evidence Sheet: TD1		
1566	Release	11/07/09	Det. Malcolm	KCSO Evidence Sheet:		

4/5/10/10

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
			Chang	MACI		
1567-1570	Release	11/07/09	Det. Raphael Crenshaw	KCSO Evidence Sheets: RNC1-33		
1571-1574	Exempt	11/06/09	Det. Brian Stampfl	SPD Property Report	RCW 42.56.240 (1)	I. A. 1. & 2.
1575	Release			Aerial photo of Tukwila scene		
1576-1583	Release, with redactions (pg. 1582 exempt)			Scene Diagrams: Tukwila scene	RCW 42.56.240 (1)	I. A. 2. & 3. Opinion evidence exempted.
1584-1588	Release	11/06/09	Moloney	Total Station Report		
1589	Release	11/07/09		Consent to Search: MacKerae Weiland		
1590	Release	11/07/09		Consent to Search: Kim Karns		
1591-1592	Release	12/08/09	Julie Lawry	Defense Pleading		
1593	Release	10/09/09	Cpt. Hunter to Lt. Wilkse	Letter		
1594	Release	11/09/09	Lt. Steve Wilske to Gates	Email		
1595-1596	Release	11/18/09	Chief Michael Sanford to Chief John Diaz	Memo Regarding the Firearm Review Board		
1597-1603	Release, with redactions	11/06/09		CAD Printout: Tukwila shooting	42.56.240(1) and <i>City of Tacoma v. Tacoma News</i> , 65 Wn. App. 140 (1992)	Release of information that would identify a suspect who was not charged with a crime related to the crimes charged in this case would be highly offensive and not of legitimate concern to the public.
1604-1610	Release	11/09/09		WSP CAD Printout: Tukwila shooting		
1611	Release			Tow Truck Log		
1612	Release	11/06/09	Det. Jim Allen	911 Request Form		
1613-	Release	11/16/09		Transcript of 911 call		

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Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
1616						
1617	Release			Blank Page		
1618-1626	Release	11/17/09	Det. Holland	KCSO Radio		
1627-1631	Release, with redactions	11/10/09		ATF E-Trace Report	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1632	Release, with redactions	11/10/09		ATF Firearms Trace Summary	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1633-1639	Release			King 5 photos of Monfort and scene		
1640	Release	11/8/09	Det. James Allen to Linda Spromberg	Email		
1641	Release	11/06/09		Radio Broadcasts		
1642-1664	Release	11/06/09-11/07/09		SPD Radio Traffic		
1665	Release some photos, redact others			CD: Photos from video of outside scene in Tukwila Will provide in paper form.	RCW 42.56.240 (1)	I. A. 1. & 2.
1666	Release			CD: Phone and radio traffic after shots fired in Tukwila		
1667	Release some photos, redact others		Det. Thien Do	CD: Photos of Tukwila Scene Will provide in paper form.	RCW 42.56.240 (1)	I. A. 1. & 2.
1668	Release some photos, redact others		Det. Crenshaw and Det. Do	DVD: Photos of Tukwila scene. Will provide in paper form.	RCW 42.56.240 (1)	I. A. 1. & 2.
1669	Exempt	11/07/09	Det. Malcolm Chang	DVD: Video of outside of Tukwila apartment showing Monfort's	RCW 42.56.240 (1)	I. A. 1. & 2.

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
				vehicles.		
1670	Exempt			CD: Police radio traffic regarding Tukwila shooting	RCW 42.56.240 (1)	I. A. 1. 2. & 3. Verbatim statements of critical witnesses.
1671	Exempt			CD: Photos of Monfort's gun, clothing and personal items	RCW 42.56.240 (1)	I. A. 1. & 2.
1672	Exempt	11/07/09		CD: Photos of Monfort's gun, clothing and personal items (different photos from above CD marked 1671)	RCW 42.56.240 (1)	I. A. 1. & 2.
1673	Exempt	11/09/09		CD: Digital images of Monfort's injuries	RCW 70.02	Medical records are exempt from release unless being released to subject of record or representative.
1674-1677	Release, with redactions (pg. 1674)	6/20/08		Firearm Transaction Record	RCW 42.56.240 and 42 USC § 405(c)(2)(vii)(I).	Social Security numbers are exempt from disclosure. As such they have been redacted.
1678	Release			Drivers License		
1679	Release	11/17/09		ATF Firearm Trace		
1680	Exempt	01/25/10	Det. Stampfi	CSI Diagram: Unrelated case	42.56.240(1)	Document from unrelated open SPD investigation.
1681-1684	Exempt	01/21/10	Det. Stampfl	CSI Diagrams: interior of Monfort's apartment	RCW 42.56.240 (1)	I. A. 1. & 2.
1685-1696	Exempt	02/17/10	Aimee Rachunok: Private investigator retained by PAO	Investigative Summary Report	RCW 42.56.240 (1), RCW 42.56.290 and <i>Linstrom v. Ladenburg</i> , 136 Wn.2d 595 (1998)	I. A. 2. & 3. B. These records constitute attorney work product. They reveal attorney's mental impressions, and represent formal or written statements of fact, or other tangible facts, gathered by an attorney in preparation for or in anticipation of litigation.
1697-1727	Exempt	12/17/09-3/18/10	Aimee Rachunok: Private investigator	Witness Interview Statements	RCW 42.56.240 (1), RCW 42.56.290 and <i>Linstrom v. Ladenburg</i> ,	I. A. 2. & 3. B. These records constitute attorney work product. They reveal attorney's mental impressions, and

Proposed Disclosure and Exemption Log

PGS	PAO PROPOSAL	DATE	Author/ Recipients	DESCRIPTION	EXEMPTION	EXPLANATION
			retained by PAO		136 Wn.2d 595 (1998)	represent formal or written statements of fact, or other tangible facts, gathered by an attorney in preparation for or in anticipation of litigation.
1728	Release	04/02/10	Jeff Baird to Julie Lawry, Carl Leur and Stacey McDonald	Letter		
1729-1746	Exempt	12/08/09-2/17/10	Aimee Rachunok to PAO	Emails	RCW 42.56.240 (1), RCW 42.56.290 and <i>Limstrom v. Ladenburg</i> , 136 Wn.2d 595 (1998)	I. A. 2. & 3. B. These records constitute attorney work product. They reveal attorney's mental impressions, and represent formal or written statements of fact, or other tangible facts, gathered by an attorney in preparation for or in anticipation of litigation.
1747-1783	Exempt			Records gathered by Aimee Rachunok	RCW 42.56.240 (1), RCW 42.56.290 and <i>Limstrom v. Ladenburg</i> , 136 Wn.2d 595 (1998)	I. A. 2. & 3. B. These records constitute attorney work product. They reveal attorney's mental impressions, and represent formal or written statements of fact, or other tangible facts, gathered by an attorney in preparation for or in anticipation of litigation.

APPENDIX B

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KING COUNTY

The Honorable David K. Clerk

Noted for Hearing: April 16, 2010 2 p.m.

CASE NUMBER 09-1-07187-6 SEA

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SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

CHRISTOPHER MONFORT,

Defendant.

No. 09-1-07187-6 SEA

RESPONSE OF SEATTLE TIMES
COMPANY AND JONATHAN
MARTIN TO PROSECUTION'S
PROPOSED RESOLUTION OF
PUBLIC RECORDS ACT
REQUEST

Public Records Act requesters Seattle Times Company and Jonathan Martin (collectively, the "Times") submit this response to the "Proposed Resolution of Public Records Act Request" filed by the King County Prosecuting Attorney's Office ("PAO") on April 5, 2010. As discussed at the April 9, 2010, hearing on this matter, in the interest of avoiding further delay in obtaining access to the public records that it requested over two months ago, the Times generally agrees with the PAO's proposed resolution, subject to the following:

1. Except as noted in item 2 below, the Times agrees to the exemptions, redactions and disclosures noted in the PAO's April 8 log, and agrees that the PAO may withhold or redact material in accordance with the log without *in camera* review by the Court.

2. The Times requests that the Court conduct an *in camera* review, to determine independently whether the PAO has met its burden of establishing that the material is properly exempt from public disclosure, of pages 868-1054, 1304-1306, 1312-24 from the PAO's revised

1 "Proposed Disclosure and Exemption Log" dated April 8, 2010. These records contain
2 documents and writings recovered from the Defendant's apartment. The PAO claims these
3 records are exempt under RCW 42.56.240(a) as "essential to effective law enforcement." The
4 Times requests an *in camera* review so that the Court may determine whether the asserted law
5 enforcement interest justifies withholding these documents and, if the records contain exempt
6 material, whether the exempt portions may be redacted and the remainder of the records released.

7 3. In accepting the PAO's proposed resolution, The Times does not necessarily
8 agree that the material the PAO proposes to withhold or redact is in fact exempt from disclosure,
9 under the PRA or otherwise. Nor does the Times waive its right to renew its request for the
10 withheld material at a later point in the proceeding; to request further public records from the
11 PAO in this or any other proceeding; or to challenge any proposal to close any proceeding or seal
12 any record in this or any other proceeding. Rather, as noted above, the Times agrees to the
13 PAO's proposed resolution in the interest of avoiding further delay in obtaining access to the
14 public records.

15 4. The Times understands that the Defendant is reviewing the PAO's proposal and
16 may challenge the release and/or request *in camera* review of additional records. The Times
17 reserves the right to respond to any such challenge, and to propose additional *in camera* review
18 depending on the extent of the review sought by the defense.

19 5. The Court should order the immediate release of any record that neither the PAO
20 nor the Defendant proposes to withhold.

21 DATED this 13th day of April, 2010.

22 Davis Wright Tremaine LLP
23 Attorneys for The Seattle Times Company and
24 Jonathan Martin

25 By /s/ Eric M. Stahl
26 Eric M. Stahl, WSBA #27619
27

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of April, 2010, I caused a true and correct copy of the foregoing document to be served via Email and Messenger upon the following attorneys:

Julie Lawry, WSBA #17685
 Carl Luer, WSBA #16365
 Stacey MacDonald, WSBA #35394
 Associated Counsel for the Accused
 110 Prefontaine Place S., Suite #200
 Seattle, WA 98103

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 John Castleton, WSBA #29445
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john.castleton@kingcounty.gov

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Executed at Seattle Washington this 13th day of April, 2010.

By /s/ Eric M. Stahl
 Eric M. Stahl, WSBA #27619

APPENDIX C

- 1 1-17 -- disclose
 2 18-21 -- disclose
 3 29-54 -- not provided
 4 55-103 -- disclose
 5 104-116 -- not provided
 6 117-127 -- disclose
 7 128 -- not provided
 8 129-133 -- disclose
 9 134-137 -- not provided
 10 138 -- disclose
 11 139-149 -- not provided
 12 150 -- disclose
 13 151-152 -- not provided
 14 153-169 -- disclose with redactions¹
 15 170-171 -- not provided
 16 172-174 -- disclose
 17 175-180 -- not provided
 18 181-192 -- disclose
 19 193 -- disclose after plaintiff redacts address and telephone number of civilian contacted
 20 194 -- disclose with redactions; plaintiff shall provide court with unredacted copy for *in camera*
 21 review if demanded by intervenor²
 22 195-201 -- disclose with redactions
 23 202-203 -- not provided
 24 204 -- disclose
 25 205 -- disclose with redactions; plaintiff shall provide court with unredacted copy for *in camera*
 26 review if demanded by intervenor

27 ¹ "disclose with redactions" means that the court, considering the plaintiff's explanation and the
 28 context, agrees with the redaction

29 ² court cannot tell from context whether redaction is proper under PRA

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- 1 206-208 – disclose with redactions
2 209-210 – not provided
3 211-212 – disclose with redactions
4 213-217 – not provided
5 218-235 – disclose
6 236 - disclose with redactions; plaintiff shall provide court with unredacted copy for *in camera*
7 review if demanded by intervenor
8 237 – 301 disclose with redactions
9 302 - disclose with redactions; plaintiff shall provide court with unredacted copy for *in camera*
10 review if demanded by intervenor
11 303-376 - disclose with redactions
12 377-378 – not provided
13 379 – 380 – disclose
14 381-382 – not provided
15 382-395 – disclose with redactions
16 395- 400 - disclose with redactions; plaintiff shall redact telephone number on 366 and 397
17 401 – disclose
18 402-426 – not provided
19 427 – 533 - disclose with redactions; court is relying upon plaintiff's assertion that redacted
20 photographs are graphic and would interfere with victim's right to privacy; intervenor
21 may move for *in camera* review of these photographs
22 534-560 – not provided; plaintiff's log claims 554-560 to be "Release some photos, redact
23 others," but documents were not provided; if intervenor wants *in camera* review of the
24 photographs, it may so move
25 561-564 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
26 photographs are graphic and would interfere with victim's right to privacy; intervenor
27 may move for *in camera* review of these photographs
28 565-566 – not provided; plaintiff's log claims these to be "Release some photos, redact others,"
29 but documents were not provided; plaintiff shall provide court with unredacted copy for
in camera review if demanded by intervenor

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1 567-578 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
2 photographs are graphic and would interfere with victim's right to privacy; intervenor
3 may move for *in camera* review of these photographs

4 579-607 -- not provided

5 608 -- not provided; plaintiff's log claims this to be "Release some photos, redact others," but
6 document was not provided; plaintiff shall provide court with unredacted copy for *in*
7 *camera* review if demanded by intervenor

8 609-624 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
9 photographs are graphic and would interfere with victim's right to privacy; intervenor
10 may move for *in camera* review of these photographs

11 625 -- not provided; plaintiff's log claims this to be "Release some photos, redact others," but
12 document was not provided; plaintiff shall provide court with unredacted copy for *in*
13 *camera* review if demanded by intervenor

14 626-631 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
15 photographs are graphic and would interfere with victim's right to privacy; intervenor
16 may move for *in camera* review of these photographs

17 632 -- not provided; plaintiff's log claims 632 to be "Release some photos, redact others," but
18 document was not provided; plaintiff shall provide court with unredacted copy for *in*
19 *camera* review if demanded by intervenor

20 633-635 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
21 photographs are graphic and would interfere with victim's right to privacy; intervenor
22 may move for *in camera* review of these photographs

23 636-639 -- not provided; plaintiff's log claims 634-639 to be "Release some photos, redact
24 others," but documents were not provided; plaintiff shall provide court with unredacted
25 copy for *in camera* review if demanded by intervenor

26 640-643 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
27 photographs are graphic and would interfere with victim's right to privacy; intervenor
28 may move for *in camera* review of these photographs

29 644-655 -- not provided

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1 656-657 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
2 photographs are graphic and would interfere with victim's right to privacy; intervenor
3 may move for *in camera* review of these photographs
4 658 - not provided; plaintiff's log claims this to be "Release some photos, redact others," but
5 document was not provided; plaintiff shall provide court with unredacted copy for *in*
6 *camera* review if demanded by intervenor
7 659-660 - disclose with redactions; court is **Friday, April 30, 2010** relying upon plaintiff's
8 assertion that redacted photographs are graphic and would interfere with victim's right to
9 privacy; intervenor may move for *in camera* review of these photographs
10 661 - not provided; plaintiff's log claims this to be "Release some photos, redact others," but
11 document was not provided; plaintiff shall provide court with unredacted copy for *in*
12 *camera* review if demanded by intervenor
13 662-665 - disclose with redactions; court is relying upon plaintiff's assertion that redacted
14 photographs are graphic and would interfere with victim's right to privacy; intervenor
15 may move for *in camera* review of these photographs
16 666-669 - not provided; plaintiff's log claims this to be "Release some photos, redact others,"
17 but document was not provided; plaintiff shall provide court with unredacted copy for *in*
18 *camera* review if demanded by intervenor
19 670-683 - - disclose with redactions; court is relying upon plaintiff's assertion that redacted
20 photographs are graphic and would interfere with victim's right to privacy; intervenor
21 may move for *in camera* review of these photographs
22 684 - not provided; plaintiff's log claims this to be "Release some photos, redact others," but
23 document was not provided; plaintiff shall provide court with unredacted copy for *in*
24 *camera* review if demanded by intervenor
25 685-686 - disclose with redactions; court is relying upon plaintiff's assertion that redacted
26 photographs are graphic and would interfere with victim's right to privacy; intervenor
27 may move for *in camera* review of these photographs
28 687-707 - not provided
29 708- 710 - disclose
711 - not provided; log claims release; plaintiff shall provide copy for *in camera* review

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- 1 712 – 718 - disclose with redactions; court is relying upon plaintiff's assertion that redacted
2 photographs are graphic and would interfere with victim's right to privacy; intervenor
3 may move for *in camera* review of these photographs
- 4 719 – not provided; plaintiff's log claims this to be "Release some photos, redact others," but
5 document was not provided; plaintiff shall provide court with unredacted copy for *in*
6 *camera* review if demanded by intervenor
- 7 720 - disclose with redactions; court is relying upon plaintiff's assertion that redacted
8 photographs are graphic and would interfere with victim's right to privacy; intervenor
9 may move for *in camera* review of these photographs
- 10 721-742 - plaintiff's log claims these to be "Release some photos, redact others," but documents
11 were not provided; plaintiff shall provide court with unredacted copy for *in camera*
12 review if demanded by intervenor
- 13 743 - disclose with redactions; court is relying upon plaintiff's assertion that redacted
14 photographs are graphic and would interfere with victim's right to privacy; intervenor
15 may move for *in camera* review of these photographs
- 16 744-759 - plaintiff's log claims these to be "Release some photos, redact others," but documents
17 were not provided; plaintiff shall provide court with unredacted copy for *in camera*
18 review if demanded by intervenor
- 19 760 - disclose with redactions; court is relying upon plaintiff's assertion that redacted
20 photographs are graphic and would interfere with victim's right to privacy; intervenor
21 may move for *in camera* review of these photographs
- 22 761-781 – not provided
- 23 782-785 - disclose
- 24 786-791 – not provided
- 25 792-793 – disclose
- 26 794-802 – not provided
- 27 803-804 – disclose
- 28 805-806 – not provided
- 29 807 – disclose
- 808-810 – not provided

- 1 811 -- disclose
- 2 812-814 -- not provided
- 3 815-817 -- disclose
- 4 818- not provided
- 5 819 -- disclose
- 6 820-826 -- not provided
- 7 827 -- disclose with redactions
- 8 830-844 -- not provided
- 9 845 -- disclose
- 10 845-867-- not provided
- 11 868-874 -- disclose over plaintiff's claim of exemption
- 12 875-889 -- not disclosed, Sixth Amendment
- 13 890-894 -- disclose over plaintiff's objection
- 14 895-958 -- not disclosed, First and Sixth Amendments
- 15 959 -- blank page
- 16 960-961 - not disclosed, First and Sixth Amendments
- 17 962-963 -- blank pages
- 18 964-1004 - not disclosed, First and Sixth Amendments
- 19 1005-1018 -- disclosed over plaintiff's objection
- 20 1019-1023 -- blank pages
- 21 1024-1028 -- disclose over plaintiff's objection
- 22 1029-1036 -- not disclosed, First and Sixth Amendments
- 23 1037-1040 -- not disclosed, Sixth Amendment
- 24 1041 -- not disclosed, First and Sixth Amendments
- 25 1042-1047 -- not disclosed, Sixth Amendment
- 26 1048-1049 -- disclosed over plaintiff's objection
- 27 1050-1054 -- not disclosed, Sixth Amendment
- 28 1055-1057 -- disclose with redactions
- 29 1058 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
upon demand of intervenor

1 1059 – disclose
2 1060-1067 disclose with redactions; plaintiff shall provide court with unredacted copy for review
3 upon demand of intervenor
4 1068-1073 – disclose
5 1074-1075 – disclose
6 1077-1078 - disclose with redactions; plaintiff shall provide court with unredacted copy for
7 review upon demand of intervenor 1079-1095 -- disclose
8 1096 -- not provided
9 1097 – disclose with redactions
10 1098-1099 – not provided
11 1100-1119 – disclose
12 1120-1123 - disclose with redactions; plaintiff shall provide court with unredacted copy for
13 review upon demand of intervenor
14 1134-1136 -- disclose
15 1137-1140 -- not provided
16 1141-1156 -- disclose
17 1157 -- not provided
18 1158-1165 -- disclose
19 1166-1168 -- deny disclosure, Sixth Amendment
20 1169-1188 -- disclose with redactions
21 1189-1218 -- not provided
22 1220-1223 -- disclose
23 1224-1237 -- disclose
24 1238-1284 -- disclose with redactions
25 1285-1303 -- disclose
26 1304-1306 -- not disclosed, Sixth Amendment
27 1308-1311 -- disclose
28 1312-1315 -- disclosed over plaintiff's objection
29 1316-1324 -- not disclosed, Sixth Amendment

1 1325-1337 - disclose with redactions; plaintiff shall provide court with unredacted copy for
2 review upon demand of intervenor
3 1338-1345 - disclose
4 1346-1356 - disclose with redaction; court is relying upon plaintiff's assertion that redacted
5 photographs are graphic and would interfere with victim's right to privacy; intervenor
6 may move for *in camera* review of these photographs
7 1357 - disclose
8 1358 - not provided
9 1359-1371 - disclose
10 1371-1380 - disclose with redactions
11 1381-1385 - disclose
12 1386-1395 - disclose with redactions
13 1396 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
14 upon demand of intervenor
15 1397-1403 - disclose
16 1404 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
17 upon demand of intervenor
18 1405-1406 - disclose
19 1407-1409 - disclose with redactions
20 1410-1415 - disclose
21 1416-1417 - not provided
22 1418 - disclose
23 1419-1420 - not provided
24 1421 - disclose
25 1422-1424 - not provided
26 1425-1427 - disclose
27 1428-1433 - not provided
28 1434-1441 - disclose
29 1442 - disclose with redactions
1443-1447 - disclose

1 1448-1449 – disclose
2 1450 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
3 upon demand of intervenor
4 1451-1460 – disclose
5 1462 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
6 upon demand of intervenor
7 1463 – disclose
8 1464 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
9 upon demand of intervenor
10 1465-1470 – disclose
11 1471 - disclose with redactions
12 1472-1507 – disclose
13 1508 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
14 upon demand of intervenor
15 1509-1527 – disclose
16 1528-1529 - disclose with redactions
17 1530-1532 – disclose
18 1533 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
19 upon demand of intervenor
20 1534-1537 – disclose
21 1538-1539 - disclose with redactions
22 1539-1570 – disclose
23 1571-1574 – not provided
24 1575 – disclose
25 1576-1581 – disclose; log reports redactions, none seen
26 1582 – not provided
27 1583-1599 – disclose
28 1600 - disclose with redactions
29 1601-1629 – disclose
1630 - disclose with redactions

1 1631 – disclose
2 1632 - disclose with redactions
3 1633-1661 – disclose
4 1662 - disclose with redactions (redaction not disclosed in plaintiff's log)
5 1665 - disclose with redactions; plaintiff shall provide court with unredacted copy for review
6 upon demand of intervenor
7 19 pages of photographs, no Bates numbers, disclose with redactions; plaintiff shall provide
8 court with unredacted copy for review upon demand of intervenor;
9 1666-1668 – no Bates numbers; presumably these include the 19 pages of photographs, *supra*.
10 1669-1673 not provided
11 1674-1677 - disclose with redactions
12 1678-1679 – disclose
13 1680-1727 – not provided
14 1728 – disclose
15 1729-1783 – not provided
16 Compact disk with police radio calls – disclose
17 This order is stayed until May 25, 2010 pending discretionary review. Any further stay
18 must be entered by the appellate court.
19 DONE IN CHAMBERS this 30th day of April, 2010.

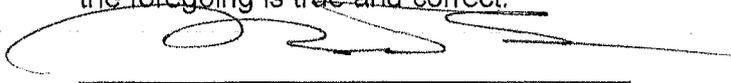
20 
21 RONALD KESSLER
22 Judge

23
24
25
26
27
28
29

Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to **Carl Luer, Todd Gruenhagen, and Stacey MacDonald**, the attorneys for the defendant, at **Associated Counsel for the Accused**, 110 Prefontaine Place S., Suite 200, Seattle, WA 98103, containing a copy of the **State's Reply to Monfort's Response to State's Motion for Discretionary Review**, in **STATE V. CHRISTOPHER JOHN MONFORT**, Cause No. 88522-2, in the Supreme Court of the State of Washington.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.



Name
Done in Seattle, Washington

03/22/13
Date

Certificate of Service by Mail

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to **Suzanne Lee Elliott**, the attorney for the defendant, at 705 Second Avenue, Suite 1300, Seattle, WA 98104-1797, containing a copy of the **State's Reply to Monfort's Response to State's Motion for Discretionary Review**, in **STATE V. CHRISTOPHER JOHN MONFORT**, Cause No. 88522-2, in the Supreme Court of the State of Washington.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.



Name
Done in Seattle, Washington

03/22/13
Date

OFFICE RECEPTIONIST, CLERK

To: Ly, Bora
Subject: RE: State of Washington v. Christopher John Monfort/Case # 88522-2

Rec'd 3/22/13

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Ly, Bora [<mailto:Bora.Ly@kingcounty.gov>]
Sent: Friday, March 22, 2013 2:54 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: Dwyer, Deborah; 'suzanne-elliott@msn.com'; Summers, Ann; Luer, Carl-acapd.org; Gruenhagen, Todd-acapd.org; 'stacey.macdonald@acapd.org'
Subject: State of Washington v. Christopher John Monfort/Case # 88522-2

Dear Supreme Court Clerk:

Attached for filing in the subject-case, please find State's Reply to Monfort's Response to State's Motion for Discretionary Review.

Please let me know if you have problems opening the document.

Thank you,

Bora Ly
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For

Debbie Dwyer
Ann Summers
Senior Deputy Prosecuting Attorneys
Attorneys for Plaintiff