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Confidential and Attorney-Client Privileged

February 3, 2021

TO: Pat Fitzpatrick, City Attorney for the City of Kent

Rafael Padilla, City of Kent Chief of Police

Teri Smith; City of Kent Human Resources Director

FROM: Krista Slosburg

RE: Privileged Human Resources Investigation of Assistant Chief Derek

Kammerzell IA 20-003

The City of Kent hired me to investigate Officer EI-UnfairPract allegation that Assistant Chief of Police Derek Kammerzell displayed Nazi insignia on the nameplate above his door in September 2020. During the course of this investigation, the City of Kent asked that I also investigate Detective A sallegation that Assistant Chief Kammerzell asked him to photoshop a personal photograph while on duty, and at that time showed Detective A a photograph of himself with a Hitler mustache wearing lederhosen, and then referenced another photograph in which Assistant Chief Kammerzell was with an elected official and raised his hand in a "hail Hitler" gesture. These allegations are set forth under IA 20-003.¹

I. INVESTIGATIVE PROCESS

My factual findings are based on interviews I conducted and documents I reviewed. A list of witnesses I interviewed is set forth below. Given the coronavirus pandemic and associated restrictions, all interviews were conducted via Zoom. All interviews were recorded using Zoom's recording function and transcribed. Unless otherwise noted, witnesses declined representation from the Kent Police Officers Association.

Witness	Date of Interview
Detective IA	October 21, 2020
Commander	October 23, 2020
Officer El-UnfairPract	October 29, 2020

¹ IA 20-003 also includes allegations that Assistant Chief Kammerzell instructed detectives in the Special Investigations Unit to lie about the existence or use of social media alias accounts in response to a Public Records Act request. While I also investigated these allegations, my findings are outlined in a separate report.

Commander	October 30, 2020
Assistant Chief El-UnfairPract	November 10, 2020
Assistant Chief Derek Kammerzell	December 9, 2020
Dave Luxenberg, Attorney for the Kent Police Officers Association, and John Thompson, Kent Police Officers Association designated representative were also present for this interview	
Administrative Assistant El-UnfairPract	January 5, 2021
Assistant Chief El-UnfairPract	January 20, 2021

My findings are made on a more probable than not basis, which means that based on the evidence I gathered during my investigation, it is more likely than not that an event occurred or did not occur as alleged.

When making credibility determinations, I considered the Equal Employment Opportunity Commission's credibility factors, which include inherent plausibility, demeanor, motive to falsify, corroboration, and past record. I also considered additional credibility factors, including material omissions, ability to perceive and recall, and potential bias. While I considered these factors, I did not apply each one in every instance.

II. FACTUAL BACKGROUND

Assistant Chief Kammerzell is one of three Assistant Chiefs of Police for the City of Kent Police Department. Assistant Chief Kammerzell oversees the two investigations units that comprise the Investigations Division.

Officer El-UnfairPract is a police officer currently assigned to the Traffic Unit. Both Assistant Chief Kammerzell and Officer El-UnfairPract have been with the City of Kent Police Department for over twenty years.

Detective works as a Detective in the Special Investigations unit, and has been with the Department for approximately ten years.

III. SUMMARY OF ALLEGATIONS

A summary of both Officer EI-UnfairPract and Detective IA allegations are set forth below.

A. Officer El-UnfairPract

Officer EI-UnfairPract alleges that on Thursday, September 24, 2020, he was walking by Assistant Chief Kammerzell's office door, and saw what appeared to be a Nazi Schutzstaffel ("SS") rank insignia posted over the name plate on his door. Officer EI-UnfairPract photographed the insignia at 1:35 p.m., returned to his office, and confirmed via a Google image search that the insignia was associated with Nazis. At that point, Officer EI-UnfairPract e-mailed Chief Padilla to notify him of the insignia. A copy of Officer EI-UnfairPract photograph is below.



While he was awaiting a response from Chief Padilla, Officer El-UnfairPract notified Assistant Chief El-UnfairPract about the insignia. According to Officer El-UnfairPract, Assistant Chief El-Unfair recalled that the insignia was related to a television show called The Man in the High Tower, and was associated with the second-in-command on the show.²

Officer EI-UnfairPract also alleges that approximately fifteen years ago, Assistant Chief Kammerzell told a joke, more than once, that his grandfather died in the Holocaust after getting drunk and falling of the guard tower.

² The correct name of this television show is The Man in the High Castle. Amazon's description of the series states that "The Man in the High Castle explores what it would be like if the Allied Powers had lost WWII, and Japan and Germany ruled the United States." https://www.amazon.com/Man-High-Castle-Season/dp/B00RSGFRY8, last accessed January 7, 2021.

B. Detective

Detective A alleges that several years ago, Assistant Chief Kammerzell showed him a photograph on his cellphone in which he was wearing lederhosen and had his facial hair shaved in the form of a Hitler mustache. Detective A believes the photograph was on Assistant Chief Kammerzell's personal cellphone. Detective A alleges that Assistant Chief Kammerzell then told Detective A that he had taken a photo with a public figure and raised his hand in a "hail Hitler" sign as a joke.³ Detective A believes the public figure was the Mayor of Kent, but he was not certain.

Detective IA further alleges that his conversation with Assistant Chief Kammerzell took place in conjunction with Assistant Chief Kammerzell asking him to photoshop an erection off his dog while Detective IA was on duty.

IV. RESPONSE TO ALLEGATIONS

Assistant Chief Kammerzell admitted to placing what he described as "German rank insignia" above the nameplate on his door. He recalled that years ago, someone in the Department gave him the nickname the "German General" due to his last name and German heritage. Assistant Chief Kammerzell embraced the nickname, and mentioned that at one point as an icebreaker to a leadership training, he showed a video of words being spoken in several languages, but that showed the German words pronounced "very guttural and very loud." Assistant Chief Kammerzell showed the video to explain "why sometimes maybe I'm the way I am." In particular, to acknowledge his directness and "maybe a shortcoming of mine in communication style."

Assistant Chief Kammerzell recalls that several years ago, Commander Todd Durham, now retired, encouraged him to watch the television show The Man in the High Castle. According to Assistant Chief Kammerzell, one of the main characters was a "German guy of rank" called "Obergruppenfuhrer." Assistant Chief Kammerzell states that Commander Durham's nickname for Assistant Chief Kammerzell then "morphed" from German General to Obergruppenfuhrer. After Commander Durham began calling Assistant Chief Kammerzell Obergruppenfuhrer, the Assistant Chief began watching the television series The Man in the High Castle. Assistant Chief Kammerzell recalls that other Assistant Chiefs, including Assistant Chiefs

EI-UnfairPract and EI-UnfairPract then began calling him Obergruppenfuhrer.

More recently in 2020, Assistant Chief Kammerzell recalls asking administrative assistant EI-UnfairPract if he could put his whole name on his new business cards, which had historically only included his initials due the length of his name. Assistant Chief Kammerzell joked that if there was room, they should also add Assistant Chief of Investigations in German, which translated as Obergruppenfuhrer. Assistant Chief Kammerzell recalls that a few days later, on or about September 10, 2020, Ms. EI-Un approached Assistant Chief Kammerzell with a page she had printed from Google translate that showed Assistant Chief of Police translates to "Stellvertretender"

³ Detective was not certain whether he saw this photograph or Assistant Chief Kammerzell described it to him; however, he believed he did not actually see the photograph.

Polizeichef' in German. Assistant Chief Kammerzell states that he then wrote on the piece of paper Obergruppenfuhrer, and that at that time, he only knew Obergruppenfuhrer was "a German rank." A copy of the document is attached as **Exhibit A**.

In his office, Assistant Chief Kammerzell recalls briefly Googling Obergruppenfuhrer. One of the results of his search was the image below that Assistant Chief Kammerzell then printed and placed above his door.



According to Assistant Chief Kammerzell, he briefly looked at "some verbiage" displayed on the Google search results page and it said Obergruppenfuhrer meant "senior group leader." It caught his attention because he is a "senior group leader" as head of the Investigations Division. In addition, he noted that he has two stars as rank on his uniform, much like the two diamonds on the image. Assistant Chief Kammerzell noted that the symbol had a NATO equivalent, and that he "assumed that that was a German military rank that was used all through German time and is currently in use, because it has a NATO equivalent" and "Germany wasn't a part of NATO until after World War II." Assistant Chief Kammerzell states that at the time he placed the image above his nameplate, he was not aware it was an SS Nazi rank, but rather displayed the insignia to further make fun of himself as the "German General." Assistant Chief Kammerzell also states that he was aware the symbol was associated with The Man in the High Castle and at that point, he had watched the show.

Assistant Chief Kammerzell recalls that he spoke about the symbol with others. In particular, he recalls suggesting that new uniforms for the City of Kent Police Department could be modeled similarly; namely, the image could be modified to include the hops and stars that are currently included on the City of Kent Police uniforms.

Assistant Chief Kammerzell denies discussing Nazis at work, other than in the context of television shows like the Man in the High Castle and another documentary series called Hunting Hitler, which contemplated that Hitler may have survived World War II. Assistant Chief Kammerzell denies expressing any positive sentiments about either Nazis or fascist governments.

Assistant Chief Kammerzell admits that he told a joke more than once about his grandfather dying in the Holocaust by getting drunk and falling off the guard tower, and believes it was approximately twenty years ago.

Assistant Chief Kammerzell denies showing Detective a photograph of himself in a Hitler mustache wearing lederhosen or discussing a photograph in which he made a hail Hitler gesture with the Mayor or other public figure. Assistant Chief Kammerzell recalls that he was with Kent Mayor Dana Ralph at Oktoberfest 2019 and someone may have taken a picture while they were waving. Assistant Chief Kammerzell made a joke to the Mayor, "hey, you want to be seen with a German guy in lederhosen with our hands raised up?" Assistant Chief Kammerzell admitted repeating that joke to others, but does not believe he repeated it to Detective Wit-Compl

Assistant Chief Kammerzell admits that following "Movember" in 2018 or 2019, when shaving his facial hair, he took several photographs of himself with different facial hair styles, including one in which he wore a Hitler mustache. Assistant Chief Kammerzell showed the photograph series to several people in the Department, but he does not believe he showed it to Detective Assistant Chief Kammerzell believes that Detective facts are wrong, which "makes me thing he's just heard snippets of stories and he's trying to piece them together."

Assistant Chief Kammerzell admitted that while at work, he asked Detective A to photoshop an erection off his dog. Assistant Chief Kammerzell emphasized that though he made the request during work hours, he did not ask Detective A to do so on Department time or with Department resources. Assistant Chief Kammerzell believes this incident happened approximately two years ago.

V. ANALYSIS AND FINDINGS

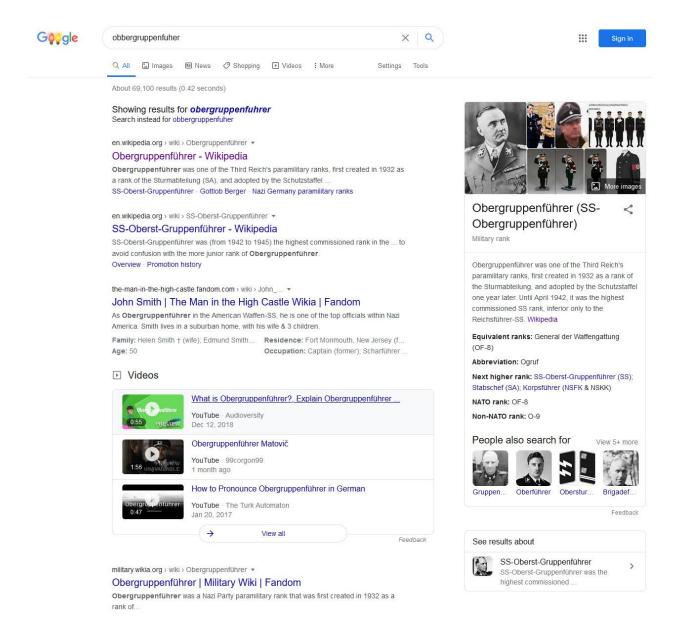
A summary of my findings is set forth below.

A. Insignia above Assistant Chief Kammerzell's nameplate.

As noted, Assistant Chief Kammerzell admitted that he placed the insignia depicted in the photograph above on his door. The evidence establishes that the insignia was likely present from approximately September 10, 2020 to September 24, 2020, when it was removed by Assistant Chief El-Unfair following Officer El-UnfairPract complaint. A Google image search confirms the symbol is associated with Obergruppenfuhrer, which translates to "senior group leader" and was one of the Third Reich's senior paramilitary ranks.

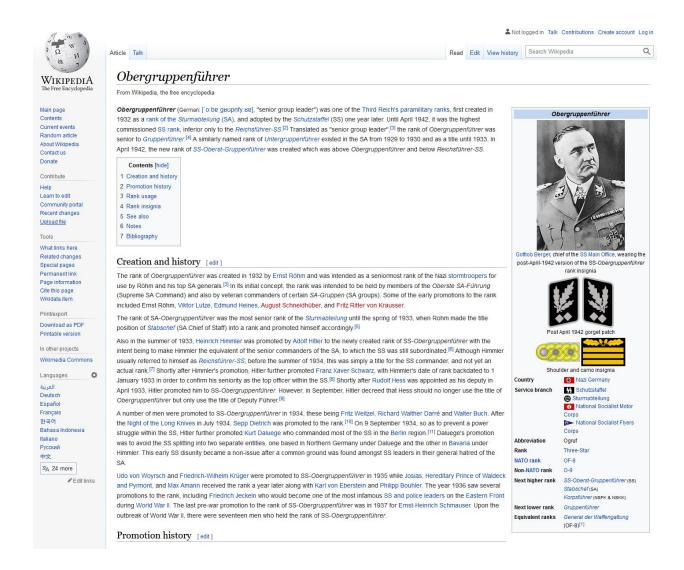
I find that Assistant Chief Kammerzell was aware that the name "Obergruppenfuhrer" and the associated symbol were associated with Nazis at the time he placed the symbol above the nameplate on his door. It is not plausible that after watching The Man in the High Castle and Googling "Obergruppenfuhrer" Assistant Chief Kammerzell would not understand the Nazi affiliation. First, Assistant Chief Kammerzell described the results of the Google search he performed, including the symbol that appeared, that it translated to "senior group leader," and that it included NATO equivalent and non-equivalent rankings. I searched "Obergruppenfuhrer" on Google, and provide a screenshot of the search results below.

⁴ "Movember" is an annual event in which men grow facial hair during the month of November to raise awareness about and fundraise for men's health issues.



The Nazi affiliation is apparent to any viewer of this page, let alone a person with an interest in history—in particular German and military history—such as Assistant Chief Kammerzell, which witnesses confirm. Moreover, if Assistant Chief Kammerzell reviewed the results in sufficient detail to recall that Obergruppenfuhrer translated to "senior group leader" and noted the NATO equivalent rankings, it is highly unlikely he would have failed to observe the Nazi associations with the term.

I further find that the image Assistant Chief Kammerzell printed likely came from the first Google search hit, which is a Wikipedia page. The symbol's Nazi affiliation is readily apparent from the Wikipedia page, which is displayed below.



In addition, even if Assistant Chief Kammerzell could have Googled Obergruppenfuhrer and not understood its Nazi affiliation—which I find highly unlikely—I am further persuaded by the fact that Assistant Chief Kammerzell acknowledged the term came from the show The Man in the High Castle, which is premised entirely on Nazi rule. I also find it probative that Assistant Chief Kammerzell stated that he recalled the term from memory when he wrote it down on the paper provided by Ms. El-Un, which suggests a certain degree of familiarity with the term.

The evidence also suggests that Assistant Chief Kammerzell referred to himself as Obergruppenfuhrer. Ms. El-Unf did not recall ever hearing others refer to Assistant Chief Kammerzell as the "German General" or "Obergruppenfuhrer"; rather, she heard the Assistant Chief refer to himself as Obergruppenfuhrer. Having heard the term repeatedly, she approached Assistant Chief Kammerzell on or about September 10, 2020 because she was having mugs created for the Assistant Chiefs and jokingly wanted to inscribe Obergruppenfuhrer on the mug she was creating for Assistant Chief Kammerzell. In addition, Assistant Chief El-UnfairPr denies ever

referring to Assistant Chief Kammerzell as "Oberfruppenfuhrer" and recalled Assistant Chief Kammerzell referring to himself as Obergruppenfuhrer.⁵

The evidence also establishes that Assistant Chief Kammerzell compared the symbol more than once to the current City of Kent Police Department uniforms.

El-UnfairPract

Assistant Chief El-UnfairPr, and Ms. El-Unf recall such comments from Assistant Chief Kammerzell.

B. Additional allegations regarding Nazi associations.

Assistant Chief Kammerzell admitted to telling a joke about his grandfather dying in the Holocaust by falling off the guard tower approximately twenty years ago.

Assistant Chief Kammerzell also admitted to shaving his facial hair to appear as a Hitler mustache and showing it to certain members of the Department. Assistant Chief Lassistant Chief Kammerzell showing the photograph to him in the fall of 2019, and Assistant Chief Kammerzell believes the photograph was either from 2018 or 2019. Given the likelihood the photograph was taken in 2018 or 2019, I find it likely that Detective Lassistant Chief Kammerzell showed him the photograph; Detective Lassistant Chief Kammerzell showed him the photograph at the time he also asked that Detective Lassistant Chief Kammerzell showed him the photograph at the time he also asked that Detective Lassistant Chief Kammerzell showed him the photograph at the time he also asked that Detective Lassistant Chief Kammerzell is being untruthful in his allegations because I generally found him credible with no motivation to lie and e-mails confirm that Assistant Chief Kammerzell did ask him to photoshop a photograph of his dog.

Assistant Chief Kammerzell also admitted to making a joke to Kent Mayor Dana Ralph about her being seen with men in lederhosen with their arms raised, thus insinuating a hail Hitler gesture. I find it more likely than not that Assistant Chief Kammerzell mentioned this incident to Detective because Assistant Chief Kammerzell admitted discussing this event with others at the Department, it is logical that he would mention this incident following showing Detective a photograph of himself with a Hitler mustache, and I again found Detective generally credible with no motivation to lie. However, it is unlikely that Assistant Chief Kammerzell mentioned this to Detective at the time Assistant Chief Kammerzell asked

Assistant Chief El-Unfair said he was actually unsure whether Assistant Kammerzell had referred to himself as Obergruppenfuhrer or other "ober ranks" because he believed Obergruppenfuhrer was "the rank of the guy—the Man in the High Castle . . . So I'm guessing A C Kammerzell wouldn't have used that name, because that was the—that was like the fuhrer of America in that show." I do not believe that Assistant Chief El-UnfairPr later uncertainty suggests that Assistant Chief Kammerzell did not refer to himself as Obergruppenfuhrer because Assistant Chief El-UnfairPr initially acknowledged hearing Assistant Chief Kammerzell refer to himself as Obergruppenfuhrer, which Ms. El-U corroborates, and Assistant Chief El-Unfair appeared to be speculating that the term used must have been different because of Obergruppenfuhrer's Nazi affiliation. Assistant Chief El-Unfair looked up German ranks online during our interview, and thought that Assistant Chief Kammerzell may have referred to himself as "Obersleutnant" or "Oberleutnant," but no others, including Assistant Chief Kammerzell, made mention of these terms.

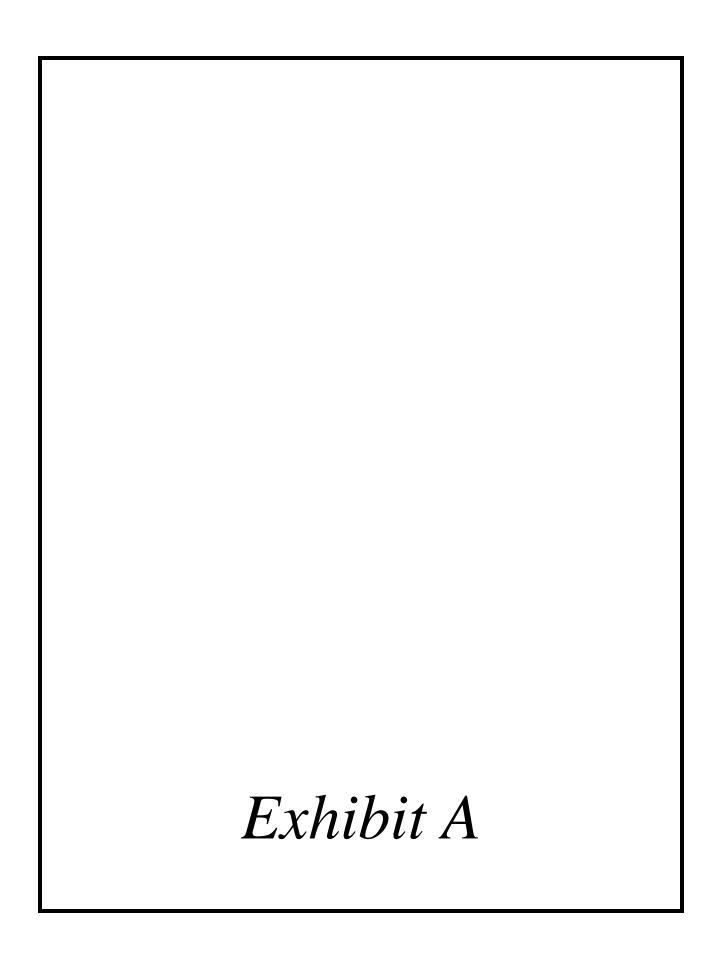
him to photoshop a photograph of his dog in 2018 because Oktoberfest 2018 had not yet occurred and Assistant Chiefs Kammerzell and Kasner believe this event happened in 2019.

C. Request to photoshop a personal photograph.

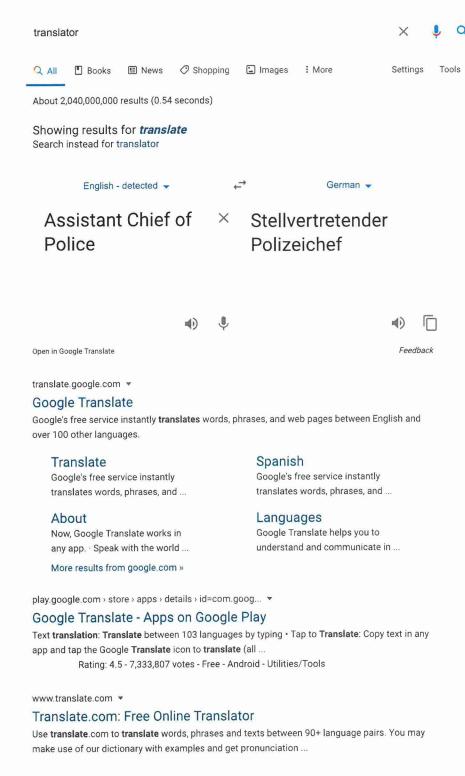
Assistant Chief Kammerzell admitted to asking Detective to remove an erection from a photograph of his dog via photoshop. Assistant Chief Kammerzell e-mailed the photo to Detective using his Department e-mail on August 29, 2018 at 3:10 p.m. A copy of the e-mail and corresponding photo is attached as **Exhibit B**. Detective appears to have returned the photoshopped photo at 3:27 p.m. that same day.

VI. CONCLUSION

Thank you for the opportunity to work on this matter. Please contact me if you have any additional questions.



Google



apps.apple.com > app > google-translate *

Google Translate on the App Store

Text translation: Translate between 108 languages by typing. • Offline: Translate with no internet connection (59 languages). • Instant camera translation: ...

Rating: 4.5 - 59,837 reviews - Free - iOS - Reference

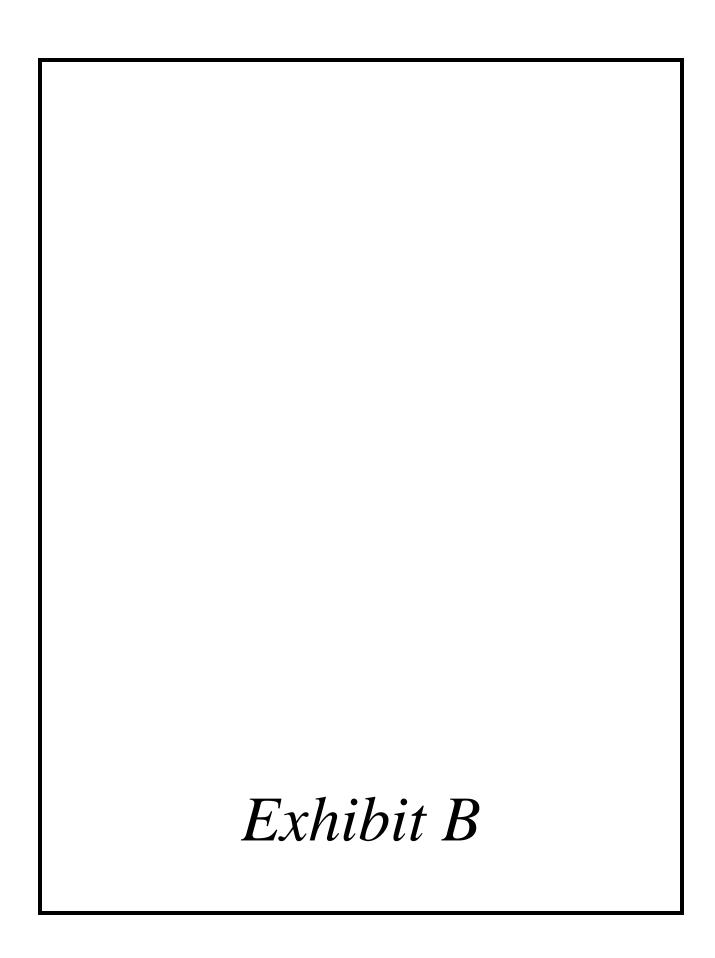
www.theatlantic.com > technology > archive > 2018/01 -

The Shallowness of Google Translate - The Atlantic

Jan 30, 2018 - Google **Translate** isn't familiar with situations, period. It's familiar solely with strings composed of words composed of letters. It's all about ultra-...

Videos

O DER GRUPPON FURTHER



From: Kammerzell, Derek
To: IA

Subject: FW: Dog

Date: Wednesday, August 29, 2018 3:10:25 PM

Attachments: ATT00001.txt

This one is 4 mb.

Derek Kammerzell, Assistant Police Chief Investigations | Police Department | Direct 253-856-5839

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

From: s&dkamm [mailto: El Personal Email Sent: Monday, August 20, 2018 7:16 PM

To: Kammerzell, Derek

Subject: Dog

EXTERNAL EMAIL



From: Kammerzell, Derek To:

Subject: RE: Dog

Date: Friday, August 31, 2018 11:36:32 AM

Awesome, thank you!

Derek Kammerzell, Assistant Police Chief Investigations | Police Department | Direct 253-856-5839

----Original Message-----

From:

Sent: Wednesday, August 29, 2018 3:27 PM

To: Kammerzell, Derek Subject: RE: Dog

----Original Message-----From: Kammerzell, Derek

Sent: Wednesday, August 29, 2018 3:10 PM IA @kentwa.gov>

Subject: FW: Dog

This one is 4 mb.

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To: Kammerzell, Derek

Subject: Dog

EXTERNAL EMAIL

Sent from my iPhone

Redaction Log

Total Number of Redactions in Document: 78

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	EI-UnfairPract	Employee - Investigation Re: Unfair Practice (Discrimination) – Investigation Closed. RCW 42.56.250(6) provides that records compiled by an employing agency in connection with an investigation of a possible unfair practice under Ch. 49.60 RCW, or of a possible violation of other federal, state, or local laws or an employing agency's internal policies prohibiting discrimination or harassment in employment are exempt from disclosure, either in part or in total. Once an investigation is closed and the complaining employee has been notified of the outcome, investigative records may be disclosed only if the names of complainants, other accusers, and witnesses are reacted, unless such persons have consented to disclosure. The requested records are part of a closed investigation into allegations of discrimination or harassment in employment, and because consent has not been provided, the names of complainants, other accusers, and witnesses that appear in the requested records have been redacted.	2
1	IA Wit-Complainant	Collectively, RCW 42.56.230(3), RCW 42.56.240(1), and RCW 42.56.050 protect the identity of witnesses and complainants in an internal police investigation, where the disclosure of such identities would interfere with effective law enforcement or which would violate the employee's right to privacy. Such names have been withheld here, to reduce the risk of harassment, and to prevent the discouragement of future employees from participating in similar investigations. A person's right to privacy is violated if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. By producing all other portions of the record and redacting only information that reveals the identities of complainants and witnesses, any legitimate public concern that may exist concerning the allegations made and the investigation conducted is satisfied, while the employees' right to privacy is preserved.	4

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10	IA Wit-Complainant	Collectively, RCW 42.56.230(3), RCW 42.56.240(1), and RCW 42.56.050 protect the identity of witnesses and complainants in an internal police investigation, where the disclosure of such identities would interfere with effective law enforcement or which would violate the employee's right to privacy. Such names have been withheld here, to reduce the risk of harassment, and to prevent the discouragement of future employees from participating in similar investigations. A person's right to privacy is violated if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. By producing all other portions of the record and redacting only information that reveals the identities of complainants and witnesses, any legitimate public concern that may exist concerning the allegations made and the investigation conducted is satisfied, while the employees' right to privacy is preserved.	3
14	IA Wit-Complainant	Collectively, RCW 42.56.230(3), RCW 42.56.240(1), and RCW 42.56.050 protect the identity of witnesses and complainants in an internal police investigation, where the disclosure of such identities would interfere with effective law enforcement or which would violate the employee's right to privacy. Such names have been withheld here, to reduce the risk of harassment, and to prevent the discouragement of future employees from participating in similar investigations. A person's right to privacy is violated if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. By producing all other portions of the record and redacting only information that reveals the identities of complainants and witnesses, any legitimate public concern that may exist concerning the allegations made and the investigation conducted is satisfied, while the employees' right to privacy is preserved.	1

Page	Reason	Description	Occurrences
14	EI Personal Email	Employee – Personal Email – Or Personal Content in Email. Collectively RCW 42.56.010(3), RCW 42.56.230(3), and RCW 42.56.050 provide that a purely personal email, or personal content within an email, which is sent or received by a public employee or official, is neither a public record nor subject to public disclosure. A purely personal email is not a public record because it does not pertain to the conduct or performance of government. However, to the extent that any portion of the email can be said to be a public record, that portion which discusses purely personal matters is exempt from disclosure as release of that information would violate the privacy rights of the employee, appointee, or official. Personal information in files maintained for employees, appointees, or officials of a public agency is exempt from disclosure to the extent disclosure of that information would violate their right to privacy. A person's right to privacy is violated if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. To the extent the email is a public record, the public's only interest is in the amount of personal email sent through an agency's email system, not the content of that personal email. By redacting only that portion of the identified email that discusses purely personal matters, any legitimate public interest that exists is satisfied while the employee's right to privacy is preserved.	1
16	IA Wit-Complainant	Collectively, RCW 42.56.230(3), RCW 42.56.240(1), and RCW 42.56.050 protect the identity of witnesses and complainants in an internal police investigation, where the disclosure of such identities would interfere with effective law enforcement or which would violate the employee's right to privacy. Such names have been withheld here, to reduce the risk of harassment, and to prevent the discouragement of future employees from participating in similar investigations. A person's right to privacy is violated if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. By producing all other portions of the record and redacting only information that reveals the identities of complainants and witnesses, any legitimate public concern that may exist concerning the allegations made and the investigation conducted is satisfied, while the employees' right to privacy is preserved.	4

Page	Reason	Description	Occurrences
16	EI Personal Email	Employee – Personal Email – Or Personal Content in Email. Collectively RCW 42.56.010(3), RCW 42.56.230(3), and RCW 42.56.050 provide that a purely personal email, or personal content within an email, which is sent or received by a public employee or official, is neither a public record nor subject to public disclosure. A purely personal email is not a public record because it does not pertain to the conduct or performance of government. However, to the extent that any portion of the email can be said to be a public record, that portion which discusses purely personal matters is exempt from disclosure as release of that information would violate the privacy rights of the employee, appointee, or official. Personal information in files maintained for employees, appointees, or officials of a public agency is exempt from disclosure to the extent disclosure of that information would violate their right to privacy. A person's right to privacy is violated if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. To the extent the email is a public record, the public's only interest is in the amount of personal email sent through an agency's email system, not the content of that personal email. By redacting only that portion of the identified email that discusses purely personal matters, any legitimate public interest that exists is satisfied while the employee's right to privacy is preserved.	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
EI Personal Email	Employee – Personal Email – Or Personal Content in Email. Collectively RCW 42.56.010(3), RCW 42.56.230(3), and RCW 42.56.050 provide that a purely personal email, or personal content within an email, which is sent or received by a public employee or official, is neither a public record nor subject to public disclosure. A purely personal email is not a public record because it does not pertain to the conduct or performance of government. However, to the extent that any portion of the email can be said to be a public record, that portion which discusses purely personal matters is exempt from disclosure as release of that information would violate the privacy rights of the employee, appointee, or official. Personal information in files maintained for employees, appointees, or officials of a public agency is exempt from disclosure to the extent disclosure of that information would violate their right to privacy. A person's right to privacy is violated if disclosure would be highly offensive to a reasonable person and is not of legitimate concern to the public. To the extent the email is a public record, the public's only interest is in the amount of personal email sent through an agency's email system, not the content of that personal email. By redacting only that portion of the identified email that discusses purely personal matters, any legitimate public interest that exists is satisfied while the employee's right to privacy is preserved.	14(1) 16(1)
EI-UnfairPract	Employee - Investigation Re: Unfair Practice (Discrimination) – Investigation Closed. RCW 42.56.250(6) provides that records compiled by an employing agency in connection with an investigation of a possible unfair practice under Ch. 49.60 RCW, or of a possible violation of other federal, state, or local laws or an employing agency's internal policies prohibiting discrimination or harassment in employment are exempt from disclosure, either in part or in total. Once an investigation is closed and the complaining employee has been notified of the outcome, investigative records may be disclosed only if the names of complainants, other accusers, and witnesses are reacted, unless such persons have consented to disclosure. The requested records are part of a closed investigation into allegations of discrimination or harassment in employment, and because consent has not been provided, the names of complainants, other accusers, and witnesses that appear in the requested records have been redacted.	1(2) 2(6) 3(10) 6(2) 4(5) 8(3) 9(9)