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January 11, 2008

Anne Kirkpatrick, Chief of Police
W. 100 Mallon Avenue
Spokane, WA 99260

Dear Chief Kirkpatrick:

It has been almost six months since I filed my First Degree Manslaughter complaint with you, which you immediately passed to the FBI. In an article published in the August 24, 2007 edition of the *Spokesman-Review* you were quoted as stating: "Because the case involves allegations related to city government . . ." it was being handed to the FBI because they were the most "transparent option." You further stated: "We're out of it, and it's in the hands of the FBI."

Chief Kirkpatrick, I have spent many years in both politics and law enforcement in the Inland Northwest and I can assure you the FBI is not a transparent agency. In contrast to your transparency beliefs, to this date I have not been contacted by anyone from the FBI. This is of significance because I am the complainant. In any law enforcement investigation, isn't the complainant typically the first person contacted? Even more concerning, to the best of my knowledge, not one of the many witnesses whose names I provided has been contacted. This displays an extreme lack of good faith and professionalism, as witnesses are perishable with time. If, in fact, the FBI has had this case since you turned it over to them in August and, to this date, if they have not interviewed any of the witnesses, that would constitute major malfeasance of the responsibility they accepted from you.

First degree manslaughter is not the type of crime the FBI or United States Attorney General's Office typically investigates, and it is not within the realm of their prevalent experience or expertise. First Degree Manslaughter is a violation of the Revised Code of Washington, a crime that could and should be handled at a local level and in an expedient manner due to the physical vulnerability of witnesses. As a veteran law enforcement officer, I clearly recognize that this specific crime is loaded with easily obtainable evidence of recklessness that was ignored and covered up for over 12 years. Your statement in the August 24, 2007 issue of the *Spokesman-Review*: "We're out of it, and it's in the hands of the FBI," gave an appearance of an inappropriate detachment. Did you take the time to study the materials I mailed you before you took this action? Did your statement mean, by turning my complaint over to the FBI, you abdicated your total responsibility of seeking justice regarding a crime that was committed in your jurisdiction?

When you made the decision to pass my complaint to the FBI, had you received that advice from your legal council? If, in fact, that is the case, the substance of that advice would present another conflict-of-interest problem. Certain city officials are also suspects in this crime and, as such, your legal advice may be preju-

diced by those suspects' self interest. Based on the apparent lack of action of an actual investigation to this point, I feel your response to my legitimate complaint was to transfer it to a deep black hole, where it would sit and linger motionless, carefully guarded from justice until the statute of limitations expired.

If one of your officers arrested a member of the Cowles family, the mayor, a city council person or a city employee for a felony crime, would you feel it was a conflict of interest to investigate and recommend prosecution? I don't see a conflict of interest here. I see a duty to protect the public from a family that blatantly intimidates and controls our public officials at great expense to the public and for their own self-interests. The only conflict of interest I can see for you is an incurrence of the suspects' wrath. The suspects in my complaints are Jim Cowles, Betsy Cowles and various city officials – elected and appointed. If, in fact, city officials (as the evidence I have provided supports) are involved in criminal activity, shouldn't you make that a major priority? To me, your actions are the same as responding to a dangerous call wherein you could be harmed, or in your case politically harmed if you performed your duty. It appears you just took that call, asked your partner to go in first and then fled the scene for your own safety.

I am enclosing seven copies of correspondence I have generated back and forth with Sheriff Knezovich, each time providing more evidence for him to pass on to the FBI. I am also enclosing a copy of a letter I wrote to FBI Agent Harrill on December 27, per Sheriff Knezovich's advice (also see attached December 20, 2007 letter from Sheriff Knezovich). To this date Agent Harrill has not answered this letter.

Twelve years of my law enforcement experience were spent as an elected sheriff of a Washington State county. During that time I assisted the FBI on numerous occasions and had a good working relationship with many of their agents. However, it was always common knowledge within law enforcement circles that the FBI was not an exceptionally responsible law enforcement agency, of which I have much personal knowledge. A front page lead-in to an article in today's *Spokesman-Review* (January 11, 2008), states: "FBI wiretaps disconnected – Telephone service companies have cut off FBI wiretaps used to eavesdrop on suspected criminals because of the bureau's failures to pay phone bills on time." This is just one of many examples of their lack of responsibility.

In closing, I have listed ten questions to which I would appreciate a response.

- 1) Why did you turn this investigation over to the FBI, rather than the sheriff, when you have an agreement with the sheriff to investigate each other's crimes either of you feel may involve a conflict?
- 2) Did you ever study my original complaint to you?
- 3) Have you been in contact with the FBI agent assigned to this case?
- 4) Are you aware of the alleged collusion between former city manager Bill Pupo and members of the Cowles family to not inspect the garage, and are you aware of the two inspections, each identifying very serious problems with the garage that were not corrected and that the ignored problems existed for over 10 years and did, in fact, result in a tragic death?
- 5) Were you aware of the existence of over 15 witnesses to my complaint, which to this date have not been contacted?
- 6) Were you aware that shortly after the death of the victim in this garage, a former city council member,

who was also an attorney, requested a grand jury investigation but was told by the prosecutor he would not call for one unless there was a police report and referral first?

7) Do you know when the statute of limitations expires for this specific crime?

8) Do you know if FBI Agent Harrill has, anytime during his career, ever conducted a First Degree Manslaughter investigation or, for that matter, conducted any type of investigation involving crimes listed in the Revised Code of Washington. If you don't know the answer to this question, will you find out and advise me?

9) If it appears the FBI representatives assigned to this case are going to let the statute of limitations expire, do you have any intentions of taking further action prior to that time?

10) What exactly is your conflict of interest in regards to my complaint and how does the mandated responsibility of your office and jurisdiction reconcile with your oath of office and, most importantly, the police code of conduct?

In closing, I respectfully ask that you personally study my enclosures and answer my questions. I would appreciate the courtesy of a personal response from you by January 25, 2008.

Sincerely,

Tony Bamonte
838-7114