



Washington Coalition *for* Open Government

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Press Release

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WCOG recognizes Stacy Irwin and Kim Ferreiro for their professionalism and courage

SEATTLE – The Washington Coalition for Open Government (WCOG) has presented Key Awards to Stacy Irwin and Kim Ferreiro for their professionalism and courage while working as public records officers in the Office of the Mayor of Seattle.

The coalition, which is independent and nonpartisan, presents Key Awards throughout the year to people and organizations that do something notable for the cause of open government.

With Ferreiro’s assistance, Irwin filed a whistleblower complaint regarding the handling of public records requests for text messages of Seattle Mayor Jenny Durkan. The complaint led to an ethics investigation that found the Mayor’s Office mishandled various requests after discovering the mayor’s text messages were missing for a period of about 10 months.

The investigation found that Michelle Chen, the mayor’s legal counsel, violated the state Public Records Act when she decided to exclude Durkan’s missing texts from certain requests. The report said Chen departed from best practices when she decided the Mayor’s Office wouldn’t inform requesters that Durkan’s texts from Aug. 28, 2019, to June 25, 2020, had not been retained.

The report said Irwin and Ferreiro objected to many of Chen’s decisions and to how Chen had directed them to process various requests.

“The records reviewed during this investigation show that Irwin and Ferreiro were knowledgeable public records officers who strived to follow best practices when responding to PRA requests,” it said.

It concluded, “It is recommended that the Mayor’s Office give full consideration to the opinions of and guidance from its public records officers in the future and consider consulting with the public records unit at the City Attorney’s Office before disregarding any advice the public records officers might provide.”

WCOG President Mike Fancher said the coalition applauds Irwin and Ferreiro for doing their best to uphold the law in responding to the PRA requests. “They acted professionally by supporting transparency and accountability. They acted courageously in standing up as whistleblowers.”

Fancher added, “If not for these whistleblowing public servants, the public might never have known about the loss of these records and the mishandling of legitimate requests for them.”

Both Ferreiro and Irwin have left their city jobs because of the illegal acts they were instructed to perform.

Ferreiro’s career in public disclosure began while working for King County in 1994. She joined the city of Seattle in 2014, first working in the Legislative Department, then securing a position in the newly created Citywide Public Disclosure Program. While in that position Ferreiro was asked to join the Mayor’s Office legal team to process public disclosure requests. Ferreiro was proud to be a certified public records officer and volunteered for several years as chair of the Certification Committee for the Washington Association of Public Records Officers (WAPRO).

Irwin’s career in public disclosure began in 2014, when she started working for Seattle City Light as a public disclosure officer. After working at City Light for two years, she was asked to join the Mayor’s Office legal team to assist with processing public disclosure requests. She also worked for the Seattle City Attorney’s office and Seattle Public Utilities as a contract paralegal for two years in 2010 and 2011. Irwin enjoys working with the public and plans to continue her career in the public sector.

WCOG continues to call for greater transparency regarding text messaging at Seattle City Hall. Several passages were redacted from the investigative report that was released to the public. Seattle Ethics Director Wayne Barnett said the passages contain material that constitutes attorney-client privileged communications.

More than a month ago WCOG called on Mayor Durkan to release the unredacted ethics report to the public. “WCOG has no way to ascertain if the redacted content is truly privileged, but assuming Mr. Barnett’s characterization is correct, you have an obligation to the citizens of Seattle to waive the privilege and release the unredacted version of the report. Only you can do this,” Fancher wrote to the mayor.

“The destroyed text messages spanned a tumultuous period of historical importance when actions and inactions of Seattle police captured the world’s attention. Your office covered up the destruction of text messages from records requesters and others who would hold the city accountable.

“It is time to be fully transparent,” Fancher concluded.

The coalition has received no response.

The ethics commission investigation was conducted by attorney Ramsey Ramerman, an authority on the Public Records Act. The report, issued May 6, can be seen here:

<http://www2.seattle.gov/ethics/Meetings/2021-05-10/item4.pdf>

Subsequent news reports indicate that text messages of other top officials, including Seattle's police and fire chiefs, also are missing for periods that include the demonstrations. The whistleblower complaint and the ethics investigation report did not address why those text messages were not retained.

WCOG believes that question should be the subject of an independent investigation conducted by state Attorney General Bob Ferguson.

The Washington Coalition for Open Government is a nonpartisan, nonprofit organization founded in 2002. We are an independent, broad-based advocate for public records, open meetings and informed citizens.

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