

Local No. 188

Richmond Fire Fighters

5201 Valley View Rd.
Richmond, California 94803

Telephone: (510) 223-1342

November 13, 2001

Malcolm Hunter, City Attorney
City of Richmond, City Hall
2700 Barrett Avenue
Richmond, California 94804

RECEIVED
CITY ATTORNEY'S OFFICE
CITY OF RICHMOND
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Dear Mr. Hunter:

Following a conversation with Workforce Relations Officer Rob Larson at a meeting in the Human Resources Department on November 5, 2001, Local 188 requests that you investigate our notification by this letter of recent improper and possibly illegal acts by Richmond City Council Member Tom Butt involving use of the city e-mail system for direct campaign solicitation of on-duty employees. We further charge the violation of Captain Jimmy Russey's employee right, under state law and city policy, to have personnel correspondence from the City that is marked 'Personal and Confidential' remain personal and confidential. Our complaints are as follows:

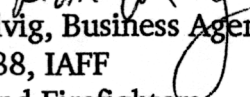
- Richmond City Council member and Mayoral Candidate Tom Butt obtained a copy of a confidential letter sent to Captain Russey from the City regarding personnel matter that involved the potential for discipline. Before Captain Russey even had a chance to respond to the letter, portions of its contents were posted on a worldwide web site operated by Mr. Butt at www.tombutt.com in total disregard of Captain Russey's express right to privacy and in violation of California state law and City of Richmond policy which forbids sharing private confidential or pending personnel matters with the public.
- Council member Butt further is ultimately responsible for operating an e-mail system that was used to solicit City of Richmond employees, by way of their City of Richmond workplace e-mail systems and workplace e-mail addresses for campaign assistance on Mr. Butt's mayoral campaign. This is both ethically improper and a violation of the State Fair Political Practices statutes which forbid the use of city owned and operated workplace communication systems for direct campaign solicitations.

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Russey/Butt

Local 188, by way of this letter, is making an official complaint and is requesting the City conduct a full and comprehensive investigation and provide a timely written conclusion on your findings and any intended course of action.

Both Captain Russey and I are available to answer any questions you may have. You may reach either of us at work or at home to discuss this matter or to set a meeting. We look forward to your response.

Sincerely,


Dan Colvig, Business Agent
Local 188, IAFF
Richmond Firefighters

cc:

Alan Davis, Attorney
Jimmy Russey, Local 188 President
Jim Ferguson, IAFF District Rep.
Rob Larson, Human Resources
Joseph Robinson, Fire Chief
Local 188 File