

## Brian Hanson

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**From:** Brian Hanson  
**Sent:** Thursday, April 30, 2020 1:13 PM  
**To:** Nick Feronti; Melissa Henshaw; Sara Peterson  
**Cc:** Lyn Blankenship; Robert Baty (Chief of Police); Coral Crenna  
**Subject:** RE: Public Records Request

Yes, we'll advance this to an appeal by the Assembly.

In the meantime, as suggested by my email, I'll review the legal authority offered by you in light of the relevant facts and reconsider the denial. Obviously, if the requested records are disclosed before the Assembly appeal we'll cancel the hearing. If not, we'll proceed with the hearing.

Thank you.



**Brian E. Hanson**  
Municipal Attorney  
City and Borough of Sitka, Alaska  
100 Lincoln Street, Sitka, Alaska, 99835  
(907)747-1879

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**From:** Nick Feronti <nferonti@njp-law.com>  
**Sent:** Thursday, April 30, 2020 1:04 PM  
**To:** Melissa Henshaw <melissa.henshaw@cityofsitka.org>; Sara Peterson <sara.peterson@cityofsitka.org>; Brian Hanson <brian.hanson@cityofsitka.org>  
**Cc:** Lyn Blankenship <lyn.blankenship@sitkapd.org>; Robert Baty (Chief of Police) <robert.baty@sitkapd.org>; Coral Crenna <coral.crenna@cityofsitka.org>  
**Subject:** Re: Public Records Request

Mr. Hanson,

I hope that you are having a nice morning. But I am very confused by your response. Please clarify it.

We submitted a public records request to the Municipal Clerk. The public records request was denied. We just sent a letter requesting an appeal to the assembly. The letter was explicit about this.

But your response suggests that the request is now under some sort of reconsideration. And that it is perhaps unclear if we are interested in proceeding with an appeal to the assembly.

To be very clear, as was stated in the letter, we are interested in appealing this denial to the assembly.

I do not understand how this issue of reconsideration is contemplated by the Sitka General Code. If the Municipal Clerk now wants to provide the requested records, that is great, we can drop all of this. But if not, we need to move forward with this appeal now.

As for the legal authority, it is straightforward. *Basey* stated, in no uncertain terms, that entities "cannot invoke the law-enforcement-interference exception merely by pointing to a pending criminal case..." Yet that is precisely what happened here. That runs afoul of the Alaska Supreme Court's clear favoring of public disclosure, and its charge that doubtful cases should be resolved by allowing public inspection. Stuff like this is the foundation of a free and transparent society.

Please confirm that the requested records are being provided as soon as possible. Otherwise, please confirm that this appeal is indeed advanced to the Assembly as was requested in the letter.

Nick Feronti  
**Northern Justice Project, LLC**  
406 G Street, Suite 207  
Anchorage, AK 99501  
Tel: (907) 308-3395  
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On Thursday, April 30, 2020, 12:41:30 PM AKDT, Brian Hanson <[brian.hanson@cityofsitka.org](mailto:brian.hanson@cityofsitka.org)> wrote:

I'll assist Sara and Melissa with a response. I'll first look at the legal authority produced, reconsider and respond to Mr. Feronti. Only if reconsideration is denied, should we reach out to see if Mr. Feronti is interested in proceeding with an appeal to the Assembly. I'll work this out with Sara and Melissa. Thanks.



**Brian E. Hanson**

Municipal Attorney

City and Borough of Sitka, Alaska

100 Lincoln Street, Sitka, Alaska, 99835

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**From:** Melissa Henshaw <[melissa.henshaw@cityofsitka.org](mailto:melissa.henshaw@cityofsitka.org)>

**Sent:** Thursday, April 30, 2020 12:34 PM

**To:** Nick Feronti <[nferonti@njp-law.com](mailto:nferonti@njp-law.com)>; Sara Peterson <[sara.peterson@cityofsitka.org](mailto:sara.peterson@cityofsitka.org)>; Brian Hanson <[brian.hanson@cityofsitka.org](mailto:brian.hanson@cityofsitka.org)>

**Cc:** Lyn Blankenship <[lyn.blankenship@sitkapd.org](mailto:lyn.blankenship@sitkapd.org)>; Robert Baty (Chief of Police) <[robert.baty@sitkapd.org](mailto:robert.baty@sitkapd.org)>; Coral Crenna <[coral.crenna@cityofsitka.org](mailto:coral.crenna@cityofsitka.org)>

**Subject:** RE: Public Records Request

Hello,

I am in receipt of your appeal.

Thank you,

**Melissa Henshaw, CMC**

Deputy Clerk/Records Specialist

City and Borough of Sitka

100 Lincoln Street \* Sitka, AK 99835

Ph 907-747-1826 \* FAX 907-747-7403

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**From:** Nick Feronti <[nferonti@njp-law.com](mailto:nferonti@njp-law.com)>  
**Sent:** Thursday, April 30, 2020 12:25 PM  
**To:** Melissa Henshaw <[melissa.henshaw@cityofsitka.org](mailto:melissa.henshaw@cityofsitka.org)>  
**Cc:** Lyn Blankenship <[lyn.blankenship@sitkapd.org](mailto:lyn.blankenship@sitkapd.org)>; Robert Baty (Chief of Police) <[robert.baty@sitkapd.org](mailto:robert.baty@sitkapd.org)>; Brian Hanson <[brian.hanson@cityofsitka.org](mailto:brian.hanson@cityofsitka.org)>  
**Subject:** Re: Public Records Request

Hi Ms. Henshaw,

Attached please find an appeal. Please confirm receipt.

Nick Feronti

**Northern Justice Project, LLC**

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On Thursday, April 30, 2020, 08:12:35 AM AKDT, Melissa Henshaw <[melissa.henshaw@cityofsitka.org](mailto:melissa.henshaw@cityofsitka.org)> wrote:

Hello,

Attached you will find your public records request dated 4/14/2020 that has been closed. The response is attached.

Thank you,

**Melissa Henshaw, CMC**

Deputy Clerk/Records Specialist

City and Borough of Sitka

100 Lincoln Street \* Sitka, AK 99835

Ph 907-747-1826 \* FAX 907-747-7403

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