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## Public Records Law Violations Will Cost the County \$67,000

- **A Seattle lawyer says that documents requested for a pending lawsuit regarding a former deputy have not been provided.**

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Tacoma

A judge ordered Kitsap County on Monday to pay a woman currently suing the county \$67,000 for violating the state's public records law.

The case is a prelude to a personal injury lawsuit that claims the Sheriff's Office is responsible for a former deputy who sexually assaulted the woman in 2001 and 2002, beginning when she was in eighth grade.

Pierce County Judge Linda CJ Lee had already granted the woman more than \$33,000 in attorney fees and costs, but she tacked on an additional \$33,925 in penalties in Monday's ruling.

The court date for the lawsuit alleging the Sheriff's Office failed to adequately train and supervise former Deputy Michael L. Kleinfelder, 37, is scheduled for May.

Kitsap County Deputy Prosecutor Ione George is representing the county and said she could not discuss details of the case or comment on whether it will appeal Lee's decision.

Raymond J. Dearie, a Seattle attorney representing the woman in the case, said he has been attempting to get Kleinfelder's files and other documents for more than a year before he filed the lawsuit that was finalized on Monday. He added that he isn't confident he has received all the documents he requested.

"The county's been very generous with providing excuses," he said. "Not so generous with providing us with documents."

However, in papers filed by prosecutors with the court, George and Undersheriff Dennis Bonneville argued that some of the documents requested, such as evaluations from youth programs associated with the office, were not kept and maintained by the office. And George said that others were not covered by the state's open-records laws.

Dearie said the state's records laws have good points and bad, but that there is little guarantee that agencies are providing all the documents requested by members of the public.

"At some point we have to take the word of the Kitsap County sheriff's department that they have provided all the documents," Dearie said.

Kleinfelder joined the office as a deputy in 1999, court documents say. He pleaded guilty to one count of third-degree child molestation in late 2003 and was sentenced to two years in prison. The girl was 13 and 14 years old at the time of the abuse. She worked as a babysitter for Kleinfelder, who took the girl on ride-alongs in his patrol car.

Kleinfelder was originally charged with six counts of rape of a child and child molestation. After a hung jury, he pleaded guilty to the single molestation charge. During his term in prison, Kleinfelder continued to deny his guilt and was therefore found "not amenable to treatment," according to a notice distributed by the Seattle Police in 2005 after he registered as a sex offender there.

The trial is slated to begin May 17, Dearie said, though he has been trying to reach a settlement with the county with little success.

"The county, frankly, hasn't been taking this case seriously from the beginning," Dearie said.

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