

**ORIGINAL SENT BY
Certified US Mail**

February 21, 2009

Mary Verner, Mayor
City Council Members
City of Spokane
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Re: Formal Demand for immediate inspection of RPS parking garage as an imminent public safety hazard

Mayor Verner and City Council Members:

I am enclosing DVD copies of Larry Shook's video that he released with his major investigative report last week on the RPS bond fraud and the death of Jo Savage in the RPS parking garage. Shook's comprehensive report can be found here:

<http://www.girlfromhotsprings.com/>

S-R Reporter Jonathan Brunt recently [wrote a story](#) about a sworn statement he received by Rex Franklin a former RPS parking garage manger. The Franklin statement if true is quite damning and goes directly to the specific intent of the RPS garage owners in failing to make critical repairs to these parking barriers. According to Franklin these barriers were failing two or three times a year in the same manner that caused the death of Jo Savage. Franklin's statement was obtained during the prior civil action by David Savage regarding his former wife's, Jo Savage, horrifying death in the RPS parking garage in April of 2006 (See Franklin's attached statement).

It is my belief that Franklin's statement and other evidence obtained during the Savage civil action were obtained by the US Attorney's Office in their review of the RPS bond fraud and the Savage death case. The US Attorney's Office took the unprecedented action of releasing this evidence secured using the subpoena power of a federal grand jury to Co Prosecutor Steve Tucker to review the facts and circumstances of Savage's death under the "negligent homicide" provisions of Washington state law. I believe Tucker is attempting to run the clock out on the statute of limitations on the Savage manslaughter case that will toll on April 8, 2009. I've written both Sheriff Knezovich and Chief Kirkpatrick and [formally demanded](#) they conduct a complete, thorough and transparent Investigation of Jo Savage's death in the RPS Parking Garage (Spokane PD Report #06-10161) independent of any action of Tucker. No such investigation to my knowledge has yet been done.

Shook's report also has "on the record" statements from former city officials, Dennis

Beringer and Nick Dragisich, that former City Manager Bill Pupo ordered that the RPS parking garage would not be inspected during the expansion. Beringer and Dragisich say Pupo received this direction from the RPS developer (Betsy Cowles):

Bamonte considers the DOJ investigation a fraud itself for the simple reason that investigators did not interview key witnesses. As he was quoted in "Death by Parking," former city real estate manager Dennis Beringer says former assistant city manager Nick Dragisich informed department managers that the city would not inspect the Cowles garage based on orders of the developer. Beringer says he was not contacted by federal investigators. Beringer stays in touch with Dragisich, who now lives in Minnesota. Beringer emailed Dragisich on Saturday, January 17, 2009, to ask if any investigators had yet contacted him about the garage. "No," Dragisich emailed right back, "but I would tell them everything I know."

"Those are key witnesses concerning Savage's death," says Bamonte. "Both are on record saying that the city obeyed orders from the River Park Square developer not to inspect the RPS garage. There is simply no excuse for ignoring that kind of evidence of public corruption." [My emphasis]

Shook's report also contains a statement by Steve Rudd:

Steve Rudd, a highly commended former construction fraud investigator who worked as a laborer on the River Park Square renovation, shares the worries of former sheriff Bamonte and former City of Spokane real estate manager Beringer about the garage's safety.

"In all my years in construction, that's the only project I've ever been on where I never saw concrete being tested or work being inspected. It was also a very dangerous site. There were OSHA [federal worker safety] violations all over the place. Fire retardant chemicals were improperly handled, and there was widespread worker illness as a result." [My emphasis]

Even more troubling, Rudd says he saw extensive evidence of the "advanced deterioration" of the RPS structure while he was working on it. "I think it should have been completely torn down, not remodeled," he says.

Sheriff Bamonte deemed these RPS structural integrity issues an [imminent public hazard](#) and called this to your attention. Sheriff Bamonte is also alleging that the RPS parking garage was never inspected after the repair work was completed after Savage's death. As of yet I haven't seen any affirmative action by the City regarding Bamonte's allegations. With already one death in the RPS parking garage from a structural failure, the apparent lack of inspection of the RPS parking garage during its expansion and after the repairs made after Savage's death, you have a significant duty and responsibility to the public to act to either confirm or disprove Bamonte's serious allegations. This is especially true in light of the statements of Franklin, Beringer, Dragisich and Rudd which largely corroborate each other.

In my opinion the key engineering report, [Atwood Hinzman 1993](#), commissioned by the garage owners, presciently warned:

Commissioned by the River Park Square developer, this engineering firm evaluated the pre-cast concrete wall panels after the "complete failure" of a panel. Further testing was done by Budinger and Associates (attached). Atwood concluded, "In our opinion, the panels are not resisting the required lateral loading of 6000# although the engineering analysis indicates they should... It is our understanding that several panels cracked in the past when they were struck in a similar way." . . .

It appears we have contradictory information, and an informed decision with respect to load capacity can't be made. There are two logical solutions to the problem:

(1) Remove and test load a panel to failure so the load capacity can be established.

(2) Assume that the panel will fail and add steel cables to stop vehicles before they impact the panels. [My emphasis]

In short the real engineering issue is not whether these barriers meet any building standards but that these barriers were FAILING with regularity. This fact was largely ignored in the latter reports by the owners' engineering report by WJE and as reviewed by the City's outside engineering firm LSB. [LSB made many corrections](#) to WJE's proposed repairs. Without subsequent City inspections how does the public know if the garage owners ever implemented LSB's corrections and concerns?

Whether one finds Steve Eugster's comments useful or not, I find [his letter of 05-17-06](#) to City Building & Enforcement Department Head, Joe Wizner, particularly cogent. Eugster's nails it when he states that the RPS parking barriers as designed and built do not meet the definition of "vehicle barriers" as found in IBC Section 1607.7.3. These "L" shape barriers are nothing more than decorative panels. These panels as designed and built do not transfer the required horizontal loading force of 6,000 lbs to the structure. In fact the cantilevered nature of these panels out over the parking deck multiply the horizontal force caused by a striking vehicle to a fulcrum point at the edge of the parking deck. This is exact point where these barriers typically fail and most likely will continue to fail even after the repairs made after the Savage death.

Mayor Verner and members of the City Council whether these allegation are true or not you have a duty and responsibility to ensure the public safety of the citizens of Spokane. In my opinion a compelling argument has been made to require the immediate inspection of the RPS parking garage to determine whether these allegations have any merit. You now potentially have criminal knowledge. It is my opinion that the proximate cause of Savage's death was a series of criminal acts by an ongoing criminal enterprise led by the

Cowles Co that culminated in her death. I would caution not to rely on legal advice of the City Attorney's office, as it may be suspect. I would seek legal advice of your own personal counsel. In my opinion the City Attorney's Office is complicit in the RPS bond fraud and subsequent efforts to conceal illegal acts by former and current City officials and employees.

Failure to act now is at your own personal peril. I fully intend to initiate a civil class action RICO suit on behalf of the citizens of Spokane regarding the RPS bond fraud and obstruction of justice in the Savage [18 U.S.C. § 1964(c)]:

. . . permits any person whose property or business has been injured by a RICO violation to recover treble damages, plus costs of the suite and reasonable attorney's fees.

Sincerely,

Det. Ron Wright (Retired)

3327 N. Indian Trail PMB 135
Spokane, WA 99208

ATTACHMENTS:

“Deathtrap in Spokane” DVD
Franklin sworn statement