



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

March 1, 2010

William McCrory
Citizens for Honest and Responsible Government
PMB 119
212 Ironwood Drive, Ste. D
Coeur d'Alene, ID 83814

Dear Mr. McCrory:

This letter is in response to your recent inquiry of this office. Within your inquiry, you raised two primary issues. First, it appears that you are making a public records request under Idaho Code § 9-338. Second, you seek a legal analysis as to the applicability of Idaho's Campaign Finance Laws to an ongoing election dispute in Coeur d'Alene.

With regard to your public records request, this office has no documents responsive to your request. Insofar as this may be considered a denial of your public records request, the sole remedy is found within Idaho Code § 9-343, which provides you with the right to appeal this determination is to institute proceedings within the District Court within 180 days of the date of mailing of this letter.

Your second inquiry involves the application of Idaho's Campaign Finance Law. Although you have adequately demonstrated that an individual or entity dedicated to avoiding compliance with this law can craft a nuanced and technical reading of the law designed to avoid its application, this office cannot recommend or condone such a course of action. Since the entirety of this cause of action arises from the candidacy of Mr. Brannon, the underlying cause of action would not exist but for Mr. Brannon's candidacy. This office recommends compliance with Idaho's Campaign Finance Law and the City Clerk's requests.

I hope that you find this letter helpful.

Sincerely,

A handwritten signature in cursive script, appearing to read "B. Kane".

BRIAN KANE

Assistant Chief Deputy

BK/tjn