

FILED
 2021 FEB 17 03:29 PM
 KING COUNTY
 SUPERIOR COURT CLERK
 E-FILED
 CASE #: 21-1-00963-1 SEA

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,	)	
	)	
	)	
v.	)	No. 21-1-00963-1 SEA
	)	
ANDREW THOMAS FINSETH,	)	INFORMATION
	)	
Defendant.	)	
	)	
	)	

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse ANDREW THOMAS FINSETH of the following crime[s]: **Identity Theft in the Second Degree, Cyberstalking, Cyberstalking**, committed as follows:

Count 1 Identity Theft in the Second Degree

That the defendant ANDREW THOMAS FINSETH in King County, Washington, between December 17, 2020 and January 18, 2021, did knowingly obtain, possess, use or transfer a means of identification or financial information, to-wit: the name of another person, living or dead, and City of Seattle email address of another person, living or dead, to-wit: Bradley B Engel, knowing that the means of identification or financial information belonged to another person, with the intent to commit, or to aid or abet, any crime and obtained an aggregate total of credit, money, goods, services, or anything else of value that was less than \$1500 or obtained no credit, money, goods, services or anything of value;

Contrary to RCW 9.35.020(1), (3), and against the peace and dignity of the State of Washington.

Count 2 Cyberstalking

That the defendant ANDREW THOMAS FINSETH in King County, Washington, between December 17, 2020 and January 18, 2021, with intent to harass, intimidate, or torment another person, did make an electronic communication to Councilmember Kshama Sawant, anonymously or repeatedly, whether or not conversation occurred and threatening to inflict

INFORMATION - 1

Daniel T. Satterberg, Prosecuting Attorney
 CRIMINAL DIVISION
 W554 King County Courthouse
 516 Third Avenue
 Seattle, WA 98104-2385
 (206) 296-9000 FAX (206) 296-0955

1 injury on the person or property of Councilmember Kshama Sawant, or any member of her
2 family or household;

3 Contrary to RCW 9.61.260(1), and against the peace and dignity of the State of
4 Washington.

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Count 3 Cyberstalking

That the defendant ANDREW THOMAS FINSETH in King County, Washington,
between December 17, 2020 and January 18, 2021 , with intent to harass, intimidate, or torment
another person, did make an electronic communication to Bradley B Engel, anonymously or
repeatedly, whether or not conversation occurred and threatening to inflict injury on the person
or property of Councilmember Kshama Sawant, or any member of her family or household;

Contrary to RCW 9.61.260(1), and against the peace and dignity of the State of
Washington.

DANIEL T. SATTERBERG
Prosecuting Attorney

By:



Stephanie D. Knightlinger, WSBA
#40986
Senior Deputy Prosecuting Attorney

CAUSE NO. 21-1-00963-1 SEA

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause prepared by Sarah Mulloy of the Seattle Police Department for case number 2021-016475.

Pursuant to CrR 2.2b(2), the State requests that the Court issue a summons for the defendant to appear in court and impose the below conditions of release. The District Court released the defendant on his personal recognizance and ordered the defendant to have no contact with the victims.

Here, the defendant unlawfully accessed his fellow firefighter's City of Seattle email address and sent four threatening emails to Councilmember Sawant. He also emailed the Seattle Fire Department Supervisor to request a transfer under his colleague's name. All of these emails were traced back to IP addresses used by the defendant at his home and church. The defendant later admitted he had sent these emails in December 2020 and January of 2021.

The State is further requesting that the Court order the defendant have no contact with the victims per the separate no contact orders. The State further requests that the Court order the defendant to commit no crimes, to appear for all court hearings, and to not leave the State of Washington without permission of this Court. As of February 17, 2021, the defendant has no criminal convictions.

Signed and dated by me this 17th day of February, 2021.

Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 1

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Stephanie D. Knightlinger, WSBA #40986
Senior Deputy Prosecuting Attorney



Cause # _____

GO#2021-016475

Unit File Number: _____

Certification for Determination of Probable Cause

That Sarah Mulloy #7421 is a Detective with the Seattle Police Department and has reviewed the investigation conducted in the Seattle Police Department Case Number 2021-016475

There is probable cause to believe that Andrew T. Finseth (3.25.1978) committed the crime(s) of Computer Trespass in the First Degree – RCW 9A.90.50, Identity Theft – RCW 9.35.020 and Cyberstalking – RCW 9.61.260 within the City of Seattle, County of King, State of Washington.

This belief is predicated on the following facts and circumstances:

The City of Seattle, as a city government, utilizes Microsoft Outlook 365 for its internal emailing system. The system is secure and is maintained by Seattle Information Technology. Users/account holders employed by the city are required to log into the database with a unique and personal password that is not to be shared and is required to be reset throughout the year to maintain its security. The use of a single sign-on feature is allowed on some applications, but that is also be password protected. The Seattle Fire Department utilizes the City of Seattle Microsoft Outlook 365 database.

Kshama Sawant is a Seattle city council member for District 3. On December 17th and 19th of 2020 she received two emails to her seattle.gov outlook 365 account from another seattle.gov account user from Seattle Fire, Firefighter Bradley Engel. Sawant later received two additional emails from Engel on January 4th and 18th of 2021. The first email explains a dislike for Sawant's performance as a council member and asks that she leave town. It also suggests that she jump headfirst off her building and the sender offers their assistance in pushing her. The second email states a warning of, "get out of the city or else", leading Sawant to believe that harm would come to her. The third email states that Sawant has not given her resignation and that it is time for her to go. It further states that if she doesn't go willingly, that decision will be made for her by any means necessary. The fourth email tells Sawant that it is time to announce her "expiration" and that the "time is here" and she will not have a place the next day. The email orders her, "announce your resignation now, or else." After receiving these emails, Sawant reported that she took the emails seriously as a threat to harm her, she is afraid and has changed activities in her daily life since

receiving them. This incident was documented under Seattle Police Department case number 2021-16475.

Seattle Fire Department Captain Richard Holtman works as the only staffing officer for the Department. Holtman had received an email from Engel on December 19, 2020, requesting a transfer to another unit. On December 21, 2020, Holtman started Engel's transfer paperwork as requested. On December 24, 2020, Holtman worked with Engel at Station 2 located at 2320 4 Ave in Seattle, Washington. Holtman asked Engel about his transfer request and Engel stated he hadn't put in a transfer. Later in his shift, Engel looked in his outlook email account for the city and located a deleted email to Holtman requesting transfer. Engel stated he did not write the email. In addition, Engel also located two emails sent to Sawant from December 17th and 19th, 2020, which he stated he did not send.

On January 4, 2021, Holtman received another transfer request from Engel. Engel was contacted and stated he did not put in the second transfer request. Engel checked his email account and located the deleted transfer request email and a third sent email to Sawant from the same day (1/4/2021), which Engel stated he did not send. Engel changed his email account password shortly after.

On January 18, 2021, a fourth email was sent to Sawant from Engel's email account. Engel stated he did not send the email.

Engel reported that he did not send any emails to Sawant, nor did he request transfer to another station at any time. Engel stated he did not share his password with anyone, and he changed his password on January 4, 2021. Engel further stated that he did not know who the sender could be.

The Seattle Information Technology Department oversees the computer technology for all city Departments. Braden Heil is a City of Seattle employee, employed by the Seattle IT department. Heil is an information security engineer for the city. Some of his roles include digital forensic work for policy violations, SPAM investigations and general security investigations.

Heil was tasked with looking up any information held within the four emails to Sawant and the two transfer request emails for Engel. Heil was able to see the meta-data affiliated with all six emails. The IP addresses were confirmed to not be owned by the City of Seattle and appeared to be owned by Comcast and Ziply Fiber, locally out of Washington in the areas of Mountlake Terrace

and Everett, Washington. Meta-data also revealed that the IP address showed access to the City of Seattle's Microsoft Outlook 365 database during all times from the six emails, mostly under the name of a different SFD firefighter, Andrew T. Finseth (3.25.1978).

A two-part Internet Service Provider (ISP) search warrant was obtained through the King County Superior Court on 1/28/2021 under SW number 21-0-60268-1A/1B; *1A was to Comcast and 1B was to Northwest Fiber (aka: Ziply Fiber). Both search warrants were served via fax on 1/28/2021. Comcast returned with results on 2/4/2021 and Ziply Fiber returned with multiple results on 2/8/2021.

The results from the Comcast search warrant for the IP address of 75.146.59.222 from the December 17, 2020 email to Sawant registered back to an active account for high speed internet service to the subscriber name, Everett FBC, located at 1616 Pacific Ave in Everett, WA 98201. Everett FBC stands for Everett First Baptist Church and is located at the above listed address off Pacific Ave. An internet search showed the Everett FBC website of <http://www.fbc-everett.org/>, also listed on the webpage is the contact phone number which is the same as on the return for the warrant, 425.259.9166. Further online open source searches showed a connection to Firefighter Andrew Finseth. Finseth's open Facebook page has Everett FBC listed in his review section and of the five staff members listed on Everett FBC's webpage, all but one is on Finseth's friends list. Additionally, an article from 5.7.2018 from "churchproduction.com", posts an article under this link, <https://www.churchproduction.com/daily411/first-baptist-church-of-everett-deploys-in-ear-monitoring-sy/>, regarding the Everett FBC's "In ear monitoring system" that was set up by the church's "lead audio engineer", Andrew Finseth. The article states that Finseth has been affiliated with Everett FBC as far back as 2005. A large picture of Andrew Finseth is posted with his name, the church's name and his title at the church.

The results from the Ziply Fiber search warrant for the IP addresses of 50.47.98.184, 50.35.98.15 and 50.35.100.52 were from the remaining three emails to Sawant and from the two emails from Engel's email account requesting an interdepartmental transfer. All of these IP addresses registered back to account holder "Anndrew Finseth" with an affiliated "main account" listed as andy.finseth@frontier.com. The account details state the site is residential with Wifi, located at 20023 10 Ave in Shoreline, WA 98177. The address listed on Andrew Finseth's Department of Licensing driver's license is 20023 10 Ave NW in Shoreline, WA 98177. Finseth's license is current and valid, issued in 2017, expiring in 2023.

The return from Ziply Fiber does not show the directional indicator for "NW" in the address field, however, there is no residential address listed under 20023 10 Ave in Shoreline, WA. Google maps and King County Parcel viewer show that 20023 10 Ave NW Shoreline, WA 98177 is the only verified address most directly related to the address listed on file for Ziply Fiber's account holder "Andrew Finseth". Furthermore, King County parcel viewer also shows that Andrew T. Finseth is the current listed owner of 20023 10 Ave NW in Shoreline, WA 98177, under parcel number 664990-0361, purchased on 11/20/2012.

On 2/9/2021 SPD detectives surveilled Finseth's residence at 20023 10 Ave NW in Shoreline, WA 98177. Parked in the northern driveway were two vehicles. One black 2014 GMC Yukon bearing Washington plate AOZ0992 and one green 1998 Jeep Wrangler bearing Washington plate BLB3914. Both vehicles return registered and legally owned by Andrew T. Finseth at the same 20023 10 Ave NW address. At 0915 hours the wifi signal in front of Finseth's house was checked. Several wifi networks were visible, but all were secure and required a password to access. None were obviously named belonging to Finseth.

For the six emails in question, five trace directly back to Andrew Finseth's residential address, list his name and affiliated email address. The first email sent to Sawant was sent from Finseth's church, wherein he has been identified as a member through his open social media and an article online from 2018.

Additionally, from the internal logs for the City of Seattle Microsoft Office 365 database that Heil searched, the only employee listed as logging in during each time range searched, aside from Braden Engel, was Andrew Finseth. There were 143 results populated from Heil's internal search for the specific time periods for the emails. Of those 143 results, 14 show that Bradley Engle's account is being used and the other 129 results show Andrew Finseth's account being used. Of those 143 results, the four IP addresses come back directly to Finseth's residence and place of worship.

Engel reported that in the last year he has not been to any church. Engel reported that he had not been to any fellow firefighters' residence from mid-December 2020 to mid-January 2021.

Records for daily staffing were obtained from the Seattle Fire Department for Station 2 on December 17 and 19, 2020 and January 4 and 18, 2021. Staffing logs show that Finseth was not working on any of the four dates and that Engel was working on all dates, during the time when

the emails were sent, except for January 18, 2021. The emails were identified as being sent using an out of network internet source in Everett and Shoreline at specific locations. This is consistent with the work schedules as disclosed above. Engel is accounted for on staffing records as working in the City of Seattle. Finseth's whereabouts are unknown.

There is history of negative interaction at work between Engel and Finseth. This was documented in an internal investigation conducted by Seattle Fire Department's internal investigations personnel on May 1, 2019 (Workplace Investigation – Station 2, FF Bradley Engel v. FF Andrew Finseth). The findings were inconclusive regarding allegations from Engel. It was reported that Finseth made derogatory comments about Engel's religion during an emergency call where both were in an aid car driving code to a call. In the internal investigation, Engel also reported a prior physical altercation with Finseth several years prior. Those findings were also deemed inconclusive.

Based on the technical findings, facts and interviews in this investigation, there is probable cause to believe Andrew Finseth used his church and home internet service to illegally and without permission, log into V/Bradley Engel's city government owned email account. He then used Engel's identity to send emails to V/ Kshama Sawant in order to threaten her, make her fearful of impending harm to her person and to intimidate her into leaving her public position as a Seattle city Councilmember by the use of repeated emails containing offensive language that suggest suicide and death. V/ Sawant is fearful for her safety because of the received emails. There is also probable cause to believe that, related to past work history, Finseth illegally accessed V/Engel's email account and sent two transfer request emails in order to get Engel involuntarily transferred to a different station.

On 2/12/2021 around 0800 hours A/Andrew Finseth was arrested in the alley to the east of 2320 4 Ave in Seattle, Washington. He was driving his 2014 GMC Yukon Bearing Washington plates AOZ0992. At the scene, I read Finseth his Miranda rights and he stated he understood them. Finseth was transported to SPD headquarters where he was interviewed. I again read Finseth his Miranda rights and he stated he understood and agreed to speak with me. Finseth admitted he was the author of the six emails sent from Engel's account. Finseth explained that he called Seattle IT and identified himself as Engel and requested a password change. He set the password for Engel's .gov email account and was able to access it from his Fire Department issued laptop. Finseth stated his intention was to get Engel to be punished by his chain of command and held accountable for "something" because Engel was always getting away with things. Finseth reported that he did not

have any intentions of harming Sawant and did not want harm to come to her. Finseth stated he chose Sawant as the recipient of the emails because he knew that Engel lived in her district.

Sgt. S. Monroe #6632 screened the arrest in person at SPD headquarters.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief. Signed and dated by me this 12th day of February, 2021, at Seattle Washington.

A handwritten signature in blue ink, appearing to read "Sarah M. Kelly", is written over a horizontal line.



Cause # _____

GO# 2021 - 016475

Unit File Number: _____

Certification for Determination of Probable Cause

AGENCY: Seattle PD	WASPD0000	CASE NUMBER 2021-016475	FILE NUMBER	PCN NUMBER	SUPERFORM

ARREST INFORMATION		
DATE & TIME OF VIOLATION 2/12/2021 4:17 PM	CRIMINAL TRAFFIC CITATION ATTACHED? ☐ YES ☐ NO	ACCOMPLICES
DATE OF ARREST/TIME 2/12/2021 4:17 PM	ARREST LOCATION	

SUSPECT INFORMATION			
NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd) FINSETH, ANDREW THOMAS		DOB 3/25/1978	ALIAS, NICKNAMES
ARMED/DANGEROUS ☐ YES ☒ NO	IDENTITY IN DOUBT? ☐ YES ☒ NO	CITIZENSHIP N/A	
PHYSICAL DETAILS			
SEX M	HEIGHT 601	WEIGHT 200	SKIN TONE
RACE W		EYE BRO	HAIR BRO
SCARS, MARKS, TATTOOS, DEFORMITIES			
IDENTIFICATION DETAILS			
CCN 1985118	PRIOR BA # 221001766	AFIS # 03003897	FBI #
STATE ID #		DRIVER'S LICENSE #	STATE SSN
RESIDENCE		EMPLOYMENT / SCHOOL	
LAST KNOWN ADDRESS 22023 10 AV NW SHORELINE, WA 98177		EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)	
RESIDENCE PHONE		BUSINESS PHONE	OCCUPATION
EMERGENCY CONTACT			
PERSON TO BE CONTACTED IN CASE OF EMERGENCY		RELATIONSHIP	Address
			PHONE

CHARGE INFORMATION			
OFFENSE ☐ DV ☐ FUGITIVE I - COMPUTER TRESPAS INV	RCW / ORD# 5707	COURT / CAUSE # /	CITATION #
OFFENSE ☐ DV ☐ FUGITIVE I - IDENTIFY THEFT INV	RCW / ORD# 2604	COURT / CAUSE # /	CITATION #
OFFENSE ☐ DV ☐ FUGITIVE I - FEL HARASSMENT INV	RCW / ORD# 5309	COURT / CAUSE # /	CITATION #
OFFENSE ☐ DV ☐ FUGITIVE F - Identity Theft	RCW / ORD#	COURT / CAUSE # /	CITATION #
OFFENSE ☐ DV ☐ FUGITIVE	RCW / ORD#	COURT / CAUSE #	CITATION #

WARRANT / OTHER				
WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL	WARRANT TYPE
ORIGINATING POLICE AGENCY		ISSUING AGENCY	WARRANT RELEASED TO: (SERIAL # / UNIT / DATE / TIME)	

PROPERTY INFORMATION	
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL	
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)	
LIST ITEMS ENTERED INTO SAFEKEEPING	
TOTAL CASH OF ARRESTEE \$0.00	WAS CASH TAKEN INTO EVIDENCE? ☐ YES ☒ NO AMOUNT: \$0.00
SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #	

OFFICER INFORMATION		
ARRESTING OFFICER / SERIAL # Mulloy, Sarah 7421	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Mulloy, Sarah		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE)

COURT FILE			
SUPERIOR COURT FILING INFO	☐ IN CUSTODY ☐ AT LARGE ☐ OUT ON BOND	COURT CAUSE (STAMP OR WRITE)	
COURT/DIST. CT.NO.	DIST. CT. BOND \$	SUP. CT. DATE	

EXTRADITE			
PERSON APPROVING EXTRADITION	SEAKING-LOCAL ONLY WACIC-STATE WIDE ☐	NCIC-WILL EXTRADITE FROM ID & OR ONLY ☐	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK ☐
NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES ☐			
E N T R Y	CCN _____ WAC _____ NCIC _____	DOE _____ TOE _____ OP _____	C L E A R A N C E DOE _____ TOC _____ OP _____