



# City of Seattle

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## CIVIL SERVICE COMMISSIONS

### Public Safety Civil Service Commission

Commission Chair Stacy Connole

Commissioner Dorothy Y. Leggett

Commissioner Joel A. Nark

### Staff

Andrea Scheele, Executive Director

Teresa Jacobs, Executive Assistant

## PUBLIC SAFETY CIVIL SERVICE COMMISSION SPECIAL MEETING AGENDA

*The agenda is subject to change to address immediate Commission concerns.*

DATE: Wednesday, November 16, 2022

TIME: 10:00 a.m.

LOCATION: Hybrid meeting- Attendance via WebEx or in person at Commission offices, Seattle Municipal Tower, 700 5th Ave #1670, Seattle, WA 98104. To attend in person, request **access to the 16th floor from SMT security at building entry and follow the signs on 16.**

### Join from the meeting link

<https://seattle.webex.com/seattle/j.php?MTID=me7efd1a5caf863530a39935d1ab8196c>

### Join by meeting number

Meeting number (access code): **2487 148 5291** Meeting password: **pvGe3nVD83v**

### Tap to join from a mobile device (attendees only)

+1-206-207-1700,,24871485291## United States Toll (Seattle)

+1-408-418-9388,,24871485291## United States Toll

### Join by phone

+1-206-207-1700 United States Toll (Seattle) +1-408-418-9388 United States  
Toll Global call-in numbers

### Join from a video system or application

Dial [24871485291@seattle.webex.com](tel:24871485291)

You can also dial **173.243.2.68** and enter your meeting number.

### Join using Microsoft Lync or Microsoft Skype for Business

Dial [24871485291.seattle@lync.webex.com](tel:24871485291) Need help? Go to <https://help.webex.com>

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### City of Seattle Civil Service Commissions

Seattle Municipal Tower, 700 Fifth Avenue, Suite 1670 PO Box 94729 Seattle, W98124-4729

Tel (206) 233-7118, Fax: (206) 684-0755 <http://www.seattle.gov/CivilServiceCommissions/>

*The City of Seattle encourages everyone to participate. For disability accommodations or accessibility information, contact [Teresa.jacobs@seattle.com](mailto:Teresa.jacobs@seattle.com)*

**PUBLIC SAFETY CIVIL SERVICE COMMISSION  
MEETING AGENDA  
November 16, 2022 @ 10:00 a.m.**

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Meeting materials will be posted to the PSCSC website prior to the scheduled meeting time.

**AUDIO/VIDEO TECH CHECK**

**CHAIR (PSCSC 2.04)**

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. INTRODUCTIONS
4. PUBLIC COMMENT

**DISCUSSION ITEMS**

5. APPROVAL OF MINUTES
  - September 19, 2022-Special Meeting      • October 19, 2022-Monthly Meeting
  - June 27, 2022- Special Meeting (Amended Minutes)
6. PSCSC RULEMAKING-RULES OF PRACTICE AND PROCEDURE
  - Proposed Changes- Process and Highlights (Executive Director)
  - Public Comment on Proposed Changes
  - Discussion
  - Commission Vote on Proposed Rules Changes
7. FIRE AND POLICE EXAM UNIT
  - Fire Update-Yoshiko Grace Matsui, Fire Exams Administrator
  - Police Update-Rachael Schade, Police Exams Administrator
8. EXECUTIVE DIRECTOR REPORT
  - Departmental Work and Budget
9. CASE STATUS REPORT
  - *Allen v. SPD*, PSCSC No. 22-01-002- Case Update
  - *Constantin v. SPD*, PSCSC No. 22-01-003- Case Update
  - *Moore v. SPD*, PSCSC No. 22-01-004- New Appeal
10. EXECUTIVE SESSION- To discuss Pending, Potential, or Actual Litigation (*May be cancelled if*

*not needed)*

11. ADJOURN

**NEXT REGULAR PSCSC MEETING**

**December 7, 2022 @ 10:00 a.m.**

**END OF AGENDA**

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**City of Seattle Civil Service Commissions**

Seattle Municipal Tower, 700 Fifth Avenue, Suite 1670 PO Box 94729 Seattle, W98124-4729  
Tel (206) 233-7118, Fax: (206) 684-0755 <http://www.seattle.gov/CivilServiceCommissions/>

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## CIVIL SERVICE COMMISSIONS

### Public Safety Civil Service Commission

Commission Chair Stacy Connoles

Commissioner Dorothy Y. Leggett

Commissioner Joel A. Nark

### Staff

Andrea Scheele, Executive Director

Teresa Jacobs, Executive Assistant

**Amended  
Public Safety Civil Service Commission  
June 27, 2022-Special Meeting  
Approved: November 16, 2022**

1. **CALL TO ORDER:** Commissioner Joel Nark chaired and called the June 27, 2022, Public Safety Civil Service Commission Special Meeting to order at 10:03 a.m. The meeting was held via WebEx.
2. **LAND ACKNOWLEDGEMENT:** Executive Director Andrea Scheele read the commission's land acknowledgement.
3. **INTRODUCTIONS**

**Commission:** Commissioner Joel Nark, Commissioner Dorothy Leggett

**Not in Attendance:** Commissioner Stacy Connoles, Chair

**Staff & Counsel:** Andrea Scheele, Executive Director; Teresa Chen, Assistant City Attorney, Anne Vold, Assistant City Attorney

**Not in Attendance:** Teresa Jacobs, Executive Assistant

**Fire & Police Exams Unit:** Rachael Schade, Police Exams Analyst; Yoshiko Grace Matsui, Fire Exams Analyst; Adelaide Alderks, F&P Exams Analyst;

**Fire/Police/Guests:** Chief Harold Scoggins, SFD; Hannah Kosten, SFD HR; Sarah Lee, SFD HR, Battalion Chief Randy Moser, John Park (SFD), Lieutenant Nicholas Crosser, Assistant Chief Willie Barrington
4. **PUBLIC COMMENT: Battalion Chief/Captain Register (See PSCSC Rules of Practice and Procedure- 10 Registers and Eligibility):** Chief Harold Scoggins was present to give comment regarding item 5-PSCSC Advisory Opinion 22-01. Chief Scoggins described his perspective, which was that the commission should not approve the Advisory Opinion in its current form and requested that the commission authorize the Executive Director to issue a certification for promotional consideration even though there were not actual vacancies at the rank of Fire Captain, and which will expire in August 2022. Yoshiko Grace Matsui, Fire

Exams Analyst and Rachael Schaade, Police Exams Analyst were present to provide clarification on vacancies, promotions, and over fills. Sarah Lee, SFD HR Director stated that more than five years ago the commission was asked to define the term vacancy. She stated her concern is that SFD's request for the definition to be defined and it's done through an advisory opinion instead of the actual rule making process is problematic, and believes that by defining that, it is part of the rule. Ms. Lee also stated that there is some degree of precedent being set by an interpretation of the word that doesn't currently exist in the rules is concerning. Ms. Lee stated in past practice that the commission has done an overfill, and that this is a change of tact. She stated that the commission could look at the exigency of the situation, that we are in unprecedented times, and with staffing shortages, the commission should take that into consideration. Ms. Scheele stated that the Commission intends to do a rulemaking and recommends the commission adopt this advisory opinion. Ms. Scheele stated the commission cannot delegate to her more authority than was delegated to the commission by the Seattle Municipal Code and the City Council, and the commission does not have the authority to issue such a certification when there is no vacancy.

### **ACTION ITEMS**

5. **PSCSC ADVISORY OPINION 22-01:** *This Advisory Opinion states the conditions under which the PSCSC may issue a certification for promotional consideration.* (The advisory opinion is located on the PSCSC website in the June 27 meeting documents):

- **Determination**-The PSCSC concludes that, pursuant to PSCSC Rule 11, the Executive Director is authorized to issue a certification if: (a) the Fire Chief or Chief of Police makes a Request for Certification to fill a vacancy or new position, **and** (b) the Request includes information supporting the existence of a vacancy at the rank for which the certification is requested, which is an existing or newly created position which is not occupied, and for which funds are budgeted to the employing department.
- **Vote on Advisory Opinion:** Commissioner Leggett moved to adopt the advisory opinion as written. Commissioner Nark seconded the motion. The motion passed unanimously.

6. **2022 FIRE CAPTAIN ORAL BOARD PROTEST APPEALS:** (See 9-53 of meeting materials): The Fire Captain Oral Boards were administered the week of May 16, 2022. There were 37 Lieutenants who participated in the exam. The three (3) day protest period was May 23 to 25. There were six (6) protests filed. The Development Committee reviewed these protests all six were denied. Two (2) candidates timely filed the appeals the commission will take into consideration.

- **Appeal 1, Board C, Rating 4:** The appellant requested remedy-Remove Board C, Rating 4 from the Examination.

The Development Committee's recommendation is to deny appellant's request.

- **Appeal 2, Boards A, B, and C :** The appellant requested remedy- Remove entire Oral Board process, Boards A, B, and C.

The Development Committee's recommendation is to deny appellant's request.

**7. FIRE AND POLICE EXAM UNIT:**

- **Fire Update-Yoshiko Grace Matsui, Fire Exams Administrator:** Ms. Grace Matsui updated the commission on the completion of the Battalion Chief oral boards. There were no protests submitted by candidates. Ms. Grace Matsui commended staff in the HR unit and PSCSC who helped administer the boards while she was ill and unable to attend. Ms. Grace Matsui reported she is awaiting the calculation of service credit for Battalion Chief and Captain to publish the registers on August 15, 2022. Fireboat Pilot review of questions is currently taking place for inclusion to the written exam July 13 and practical exams in September. Ms. Grace Matsui reported the 2022 Firefighter exam is closed. The exam was administered as an off cycle in Spring 2022. The final register has 1624 eligible candidates and will be published June 27 at 5 p.m.
- **Police Update-Rachael Schade, Police Exams Administrator:** Ms. Schade updated the commission that the Sergeants Exam has completed, and the register will be released on July 13 at 5:00 pm. There were 66 individuals who participated. The entry level process completed there were 439 applicants who tested. Ms. Schade is awaiting test results. Lateral Oral boards took place on Saturday, June 25. There were 13 applicants, 5 tested, one withdrew, four continued on to the interview process. Ms. Schade reported there are over 200 openings in SPD.

**8. EXECUTIVE DIRECTOR REPORT:**

**Department Work and Budget Update: Entry Level Police Officer:** Ms. Scheele stated she is very excited to have the registers ready to publish for Fire and Police. **Civil Service Commission:** Ms. Scheele announced there is a newly employee elected commissioner, Joshua Werner, who works in SPU. Commissioner Werner will attend his first CSC meeting today. **Budget:** Ms. Scheele reported she submitted the department's budget request for 2023-2024 Biennium, and she will be working closely with the department's Budget Analyst in its development. **B2A:** The commission reviewed the B2A. Scheele pointed out the carryover for legal assistance appears on the report.

**9. CASE STATUS REPORT:**

The commission reviewed the Case Status Report.

- There were no new appeals for PSCSC. Ms. Scheele reported there are several Requests for Reinstatement by former Police Officers and Firefighters.

**10. EXECUTIVE SESSION:** The commission went into executive session at 12:03 p.m. and ended at 12:27 p.m.. After executive session, the PSCSC voted as follows:

- **2022 FIRE CAPTAIN ORAL BOARD PROTEST APPEALS:**
  - **Appeal 1, Board C, Rating 4:** The appellant's appeal and the requested remedy to eliminate

the question was denied by a unanimous vote of the commission. Commissioner Leggett moved to deny the appeal. Commissioner Nark seconded the motion.

- **Appeal 2, Boards A, B, and C:** The appellants appeal and requested remedy to eliminate the question was denied by a unanimous vote of the commission. Commissioner Leggett moved to deny the motion. Commissioner Nark seconded the motion.

11. **OLD/NEW BUSINESS:** There was no Old/New Business

12. **ADJOURN:** All other business before the Commission having been considered, Commission Chair Nark adjourned the meeting at 12:30 pm.

Respectfully resubmitted on November 16, 2022, for the PSCSC

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Teresa Jacobs. Executive Assistant

Approved for Publishing: \_\_\_\_\_  
Stacy Connole, Chair

\*Request for public records, including audio recording of meetings can be made through the City Public Records Request Center <http://www.seattle.gov/public-records>.



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## CIVIL SERVICE COMMISSIONS

### Public Safety Civil Service Commission

Commission Chair Stacy Connoles

Commissioner Dorothy Y. Leggett

Commissioner Joel A. Nark

### Staff

Andrea Scheele, Executive Director

Teresa Jacobs, Executive Assistant

### Public Safety Civil Service Commission

September 19, 2022-Special Meeting

Approved: November 16, 2022

1. **CALL TO ORDER:** Commission Chair Stacy Connoles called the September 19, 2022, Public Safety Civil Service Commission Special Meeting to order at 11:04 a.m. The meeting was held via WebEx.
2. **LAND ACKNOWLEDGEMENT:** Chair Connoles read the commission's land acknowledgement.

3. **INTRODUCTIONS**

**Commission:**, Commissioner Stacy Connoles, Commissioner Dorothy Leggett

**Not in Attendance:** Commissioner Joel Nark

**Staff & Counsel:** Andrea Scheele, Executive Director; Gary Smith, Assistant City Attorney, Anne Vold, Assistant City Attorney, Teresa Jacobs, Executive Assistant

**Fire & Police Exams Unit:** Rachael Schade, Police Exams Analyst; Yoshiko Grace Matsui, Fire Exams Analyst; Adelaide Alderks, F&P Exams Analyst;

**Fire/Police/Guests:** Emily White, SPD, Dori Towler, SFD, Sarah Lee, SFD, Helen Fitzpatrick, SFD,

4. **PUBLIC COMMENT:** Sarah Lee, SFD HR Director inquired whether there would be prior meeting minutes to approve. Ms. Scheele stated there were no minutes ready to review or approve. Ms. Scheele offered Ms. Lee the meeting recording.

### **DISCUSSION ITEMS**

5. **FIRE AND POLICE EXAM UNIT:**

- **Fire Update-Yoshiko Grace Matsui, Fire Exams Administrator:** Ms. Grace Matsui updated the commission on the Fireboat practical administration which included bridge simulation and two days on the water. There were three candidates proceed through the process. The register will be published in December. They are currently in the protest period. Ms. Grace Matsui will notify the

commission at its October meeting of any protests. The selection for the Fire Lieutenant promotional committee has been completed. There are six incumbent lieutenants that will be working on the committee they will start meeting soon. Next year will be Fire Lieutenant and Fireboat Engineer exams. Ms. Scheele stated she had the opportunity to go to the simulation location. Ms. Scheele said it was an incredible experience and she was able to see the final product of the long process of the development of that portion of the exam.

- **Police Update-Rachael Schade, Police Exams Administrator:** Ms. Schade updated the commission that the entry level exam cycle concluded on September 2<sup>nd</sup>. There were 128 individuals who applied take the test. 98 passed and were forward into the preemployment screening process. Lateral Entry process ended the past week. There were eleven applicants, four took the test and passed. They will proceed forward to the lateral entry oral boards on October 8<sup>th</sup>. Development of the Police Captain and Police Lieutenant are in full swing. The current lists will expire August 29<sup>th</sup> of next year. Ms. Schade stated due to the former list being close to exhaustion the exams will be administered early by request of the Police Department. Ms. Schade also notified the commission that with the help of SPD, all the compiled materials for the candidates to study are posted to the SPD SharePoint site for download. Chair Connoles thanked the unit for their update and observed how difficult it could be to accommodate given the book of work they have.

## **6. EXECUTIVE DIRECTOR REPORT:**

**Department Work and Budget Update: Rulemaking:** Ms. Scheele notified the commission that she is currently working with the law department on a redline of the PSCSC Rules of Practice and Procedure. and intends to share the redline with the Fire and Police departments, and the Unions and give two weeks for their feedback. Ms. Scheele will speak with the commissioners separately on the recommendations. Publishing in a local publication and public comment will take place in November.

**Civil Service Conference:** Ms. Scheele reminded the commissioners that there is still time to register for the Civil Service Conference being held remotely September 20-22. **PSCSC Commissioner**

**Vacancy:** Ms. Scheele notified the commission that she recently met with Councilmember Herbold's staff of the Public Safety and Human Service Committee and reviewed the position description for the commission position that will be vacated by Commissioner Leggett at the end of the year. Ms. Scheele will make the first line of contact with potential candidates. **Budget:** Ms. Scheele reported that the B2A report was not available prior to the meeting but she did receive notice that the line items that were zeroed out in 2020 have been approved and a supplemental budget will return the money to CIV. The Mayor will announce the budget soon. **CSC:** Ms. Scheele reported that the Civil Service Commission is fully staffed with all three commission positions and getting up to speed on work including appeals.

**Joint Meeting of the Commissions:** Ms. Scheele announced the tentative dates for both commissions to meet in November, possibly hybrid with in person and remote attendance. **December Meeting:** Ms. Scheele proposed rescheduling the December 21st meeting to December 7<sup>th</sup>. The commission agreed.

## **7. CASE STATUS REPORT:**

The commission reviewed the Case Status Report.

- **Allen v. SPD-PSCSC No. 22-01-002:** Ms. Scheele reported a new appeal was filed by Officer Allen who is appealing his suspension.
  - Ms. Scheele reported there are several Requests for Reinstatement by former Police Officers and Firefighters.
8. **EXECUTIVE SESSION:** The commission did not go into Executive Session.
9. **OLD/NEW BUSINESS:** There was no Old/New Business
10. **ADJOURN:** All other business before the Commission having been considered, Commission Chair Nark adjourned the meeting at 11:47 am.

Respectfully Submitted on November 16, 2022, for the PSCSC

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Teresa Jacobs. Executive Assistant

Approved for Publishing: \_\_\_\_\_  
Stacy Connoles, Chair

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# City of Seattle

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## CIVIL SERVICE COMMISSIONS

### Public Safety Civil Service Commission

Commission Chair Stacy Connole

Commissioner Dorothy Y. Leggett

Commissioner Joel A. Nark

### Staff

Andrea Scheele, Executive Director

Teresa Jacobs, Executive Assistant

### Public Safety Civil Service Commission

October 19, 2022-Special Meeting

Approved: November 16, 2022

1. **CALL TO ORDER:** Commission Chair Stacy Connole called the September 19, 2022, Public Safety Civil Service Commission Special Meeting to order at 10:03 a.m. The meeting was held via WebEx.

2. **LAND ACKNOWLEDGEMENT:** Chair Connole read the commission's land acknowledgement.

3. **INTRODUCTIONS**

**Commission:**, Commissioner Stacy Connole, Commissioner Dorothy Leggett, Commissioner Joel Nark

**Staff & Counsel:** Andrea Scheele, Executive Director; Gary Smith, Assistant City Attorney, Teresa Jacobs, Executive Assistant

**Fire & Police Exams Unit:** Rachael Schade, Police Exams Analyst; Yoshiko Grace Matsui, Fire Exams Analyst

**Fire/Police/Guests:** Dori Towler, SFD

4. **PUBLIC COMMENT:** No one signed up to speak or submitted written comment.

### **DISCUSSION ITEMS**

5. **Approval of Minutes:** • **April 19, 2022:** Commission Chair Connole stated under item number 6 to add language stating that the appellant and development committee each presented written materials and verbal explanations of their positions and the commission engaged in discussion related to the scope, content, and practicality of the questions that were on appeal. Commissioner Nark moved to accept the minutes with the addition of the Chair's comments. Commission Chair Connole seconded the motion, and the minutes were approved. • **June 8, 2022-Special Meeting Minutes:** Commission Chair moved to accept the minutes. Commissioner Nark seconded the motion. The minutes were approved. • **June 27, 2022-Special Meeting Minutes:** Commissioner

Leggett moved to accept. Commissioner Nark seconded the motion. Commission Chair Connoles abstained. The minutes were approved.

**6. FIRE AND POLICE EXAM UNIT:**

- **Fire Update-Yoshiko Grace Matsui, Fire Exams Administrator:** Ms. Grace Matsui updated the commission that the protest and appeals period has completed for the the Fireboat practical examination that took place in September. There were a few protests. The development committee met and gave their decision. There were no appeals, the decision of the committee stands. The scores, Service Credit, and Veterans Preference will be calculated. Ms. Matsui notified the commission she has met with the promotional development committee for the Fire Lieutenant exam and has communicated with potential committee members for Fireboat Engineer. Both exams will be held in 2023.
- **Police Update-Rachael Schade, Police Exams Administrator:** Ms. Schade updated the commission that the entry level exam application deadline for the fifth of six exams is October 19. The lateral application cycle closes November 9. All who test and successfully pass will be invited to participate in an Oral Board process on December 3. Development for the 2023 Police Lieutenant and Captain exam is under way. Ms. Schade stated the test schedule was accelerated at the request of SPD due to the lists on the verge of being exhausted. Ms. Schade met with the SPD recruiters Andre Sin and Sgt. Mike Shin to go over 2023 exams to be administered. They were able to get seven cycles scheduled. Alyssa Pulliam of SPD HR thanked Rachael for her hard work.

**7. EXECUTIVE DIRECTOR REPORT:**

**Department Work and Budget Update: Police and Fire Exams Unit:** Ms. Scheele commended the unit for their hard work during the year. **F&P Rulemaking:** Ms. Scheele notified the commission that the rulemaking will be entering into the public comment period. A notice will be posted in the Daily Journal of Commerce and sent to the PSCSC listserv. Ms. Scheele thanked all stakeholders who contributed.

**Commission Position:** Ms. Scheele reported that an additional position for CIV is in the Mayor's proposed budget. Ms. Scheele is working with the Classification Compensation Unit for an additional position for CIV. The position will work to provide general support to the Commissions. **B2A:** Ms. Scheele went over the B2A report with commission. We are at 63.7% of the budget for the year. Commission Chair Connoles asked Ms. Scheele if the Budget could reflect a comparison for the previous year. Ms. Scheele said she'd be happy to discuss this with Chair Connoles.

**CASE STATUS REPORT:**

The commission reviewed the Case Status Report.

- **Constantin v. SPD-PSCSC No. 22-01-003:** Ms. Scheele notified this appeal is in abeyance while the police union determines whether they will take on Officer Constantin's appeal. Officer Constantin is appealing termination from SPD.
- **Allen v. SPD-PSCSC No. 22-01-002:** Ms. Scheele reported that the first prehearing in Officer Allen's

appeal was held on October 7. There are proposed dates in January and February for the hearing and parties are currently in the Discovery process.

8. **EXECUTIVE SESSION:** The commission did not go into Executive Session.
9. **OLD/NEW BUSINESS:** There was no Old/New Business
10. **ADJOURN:** All other business before the Commission having been considered, Commission Chair Nark adjourned the meeting at 10:38 am.

Respectfully Submitted on November 16, 2022, for the PSCSC

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Teresa Jacobs. Executive Assistant

Approved for Publishing: \_\_\_\_\_  
Stacy Connole, Chair

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**PSCSC RULEMAKING**

**DJC NOTICE OF RULEMAKING**  
**&**  
**PUBLIC COMMENT**

## **City of Seattle**

### **NOTICE OF PROPOSED RULE MAKING**

The Seattle Public Safety Civil Service Commission has proposed the following changes to Rules of Practice and Procedure. Comments and the amended rules will be discussed and/or voted on at the Commission's meeting on November 16, 2022.

The proposed amendments affect

1. GENERAL PROVISIONS;
2. ADMINISTRATION and OPERATIONS;
3. DEFINITIONS;
5. DISCIPLINE and DISCHARGE;
6. HEARINGS;
7. CLASSIFICATION;
8. APPLICATIONS and APPLICANTS;
9. EXAMINATIONS;
10. REGISTERS and ELIGIBILITY;
11. CERTIFICATION and APPOINTMENT;
12. PROBATION;
13. SERVICE CREDIT;
14. TRANSFER;
15. LAYOFF;
16. LEAVES of ABSENCE;
17. RESIGNATION;
18. VETERANS;
19. RETIREMENT and DISABILITY;
21. MISCELLANEOUS.

The public may view the recommended rules changes and the clean copy on the commission's Website: <https://www.seattle.gov/public-safety-civil-service-commission>. See the news sidebar for links or click on Laws, Rules & Policies.

Written comments on these proposed rules will be accepted until 5:00 PM, Monday, November 14, 2022.

Please address comments to:

Andrea.Scheele@seattle.gov

Or by mail to:

Andrea Scheele, Executive Director

Seattle Public Safety Civil Service  
Commission

700 Fifth Avenue, Suite 1670

PO Box 94729

Seattle, WA 98124-4729

Dates of publication in the Seattle Daily Journal of Commerce, October 31, November 1 and 2, 2022.

11/2(410856)

## **PSCSC RULEMAKING**

### **PROPOSED CHANGES**

Link to proposed changes: [https://www.seattle.gov/  
documents/Departments/PSCSC/PSCSC%20Meeting%  
20recordings/Rules%202022/  
FINAL\\_PSCSC\\_PROPOSED\\_CHANGES.pdf](https://www.seattle.gov/documents/Departments/PSCSC/PSCSC%20Meeting%20recordings/Rules%202022/FINAL_PSCSC_PROPOSED_CHANGES.pdf)

## **PSCSC RULEMAKING**

### **PROPOSED CHANGES ACCEPTED**

Link to clean copy: [https://www.seattle.gov/documents/Departments/PSCSC/PSCSC%20Meeting%20recordings/Rules%202022/FINAL\\_PSCSC\\_PROPOSED\\_CHANGES\\_ChangesAccepted\\_2022%20.pdf](https://www.seattle.gov/documents/Departments/PSCSC/PSCSC%20Meeting%20recordings/Rules%202022/FINAL_PSCSC_PROPOSED_CHANGES_ChangesAccepted_2022%20.pdf)

Proposed Rule 1.02, in response to public comment by Dori Towler, SFD

- 1.01 SCOPE AND PURPOSE. These rules establish and govern the administration of the public safety personnel system of The City of Seattle, assure that the public safety personnel system in The City of Seattle is administered in accordance with the Charter and ordinances of The City of Seattle, and that all proceedings before the Commission are conducted in an orderly, fair and timely manner. The Public Safety Civil Service system includes and is limited to, and the provisions of these rules apply only to police special recruits, police recruits, police officers, police sergeants, police lieutenants, and police captains; and fire fighter prerecruits, fire fighters, fire lieutenants, fire captains, fire battalion chiefs, and fireboat pilots, fireboat engineers, and assistant fireboat engineers. These rules govern examination, appointments, promotions, transfers, demotions, reinstatements, suspensions, layoffs, discharges, pursuant to Seattle Municipal Code 4.08, Charter Article XVI, and in substantial compliance with RCW 41.08, 41.12, and 41.56.

## Department Expenditures by Account and Month

Version 7.1

Department Name

BSL - Budget Program - Master Project - Detail Project

Fund ID And Name

		January										Septemb		Novembe		Decembe			
		Adopted	Revised	Expens	February-	March -	April -	May -	June -	July -	August -	er-	October -	r -	r -	YTD	Encumb	Available	Percent
Year	Account Groi	Budget	Budget	es	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	Expenses	rances	Balance	Used
2021	Labor	368,325	418,060	21,428	30,923	43,473	31,433	30,271	29,840	28,600	44,447	29,840	29,646	29,788	45,799	395,489	0	22,571	94.6 %
	Non-Labor	154,406	254,406	11,673	11,184	14,214	13,125	13,054	12,203	12,627	12,233	12,369	12,502	14,482	15,382	155,049	0	99,357	60.9 %
2022	Labor	406,411	445,399	25,001	38,538	52,304	32,405	32,409	29,278	25,653	47,605	32,836	32,829	3,230	0	352,089	0	93,310	79.1 %
	Non-Labor	195,146	286,783	11,295	15,051	17,626	14,930	15,700	14,834	16,672	15,515	14,245	14,711	11,812	0	162,390	0	124,393	56.6 %

**PUBLIC SAFETY CIVIL SERVICE COMMISSION  
CASE STATUS REPORT  
NOVEMBER 2022**

OPEN APPEAL/EXAM PROTEST/REQUEST FOR DECISION								
Type	CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	ISSUE	Register/Exam/ Position	Issue/Requested Outcome/Status	PRESIDING
A	22-01-004	Moore	Police	10-27-2022	Suspension	Reversal/removal of discipline	Abeyance/Awaiting SPOG/Allegation of Discrimination Referral to SOCR	N/A
A	22-01-003	Constantin	Police	10-3-2022	Discharge	Reversal/ removal of discipline, reinstatement	1 <sup>st</sup> PHC Scheduled for 11-28-2022	PSCSC
A	22-01-002	Allen	Police	7-21-2022	Suspension	Reversal/removal of discipline	Appellant requested to withdraw the appeal. Parties agreed to a settlement. ED dismissed appeal.	PSCSC

A=Appeal (PSCSC 6)  
 E=Exam Protest (PSCSC 9.22)  
 RRM=Request to Review or Modify (PSCSC 2.13.b)  
 RFR=Request for Reinstatement (PSCSC 10.03)  
 RPE= Request for Probationary Extension (PSCSC 12.02)

**PUBLIC SAFETY CIVIL SERVICE COMMISSION  
CASE STATUS REPORT  
NOVEMBER 2022**

CLOSED APPEAL/EXAM PROTEST/REQUEST FOR DECISION							
Type	CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	APPEAL	ISSUE/REQUESTED OUTCOME	DECISION/DATE DISMISSED
A	22-01-001	Young	Fire	9-4-2022	Separation	Reinstatement	Dismissed 3/3/22 for lack of jurisdiction
A	21-01-043	Walter	Police	12-22-2021	Discipline	Reversal of decision, removal of discipline	Appellant withdrew his appeal to pursue through his union under the rights of the collective bargaining agreement. ED dismissed appeal 1-31-22

A=Appeal (PSCSC 6)  
 E=Exam Protest (PSCSC 9.22)  
 RRM=Request to Review or Modify (PSCSC 2.13.b)  
 RFR=Request for Reinstatement (PSCSC 10.03)  
 RPE= Request for Probationary Extension (PSCSC 12.02)

**PUBLIC SAFETY CIVIL SERVICE COMMISSION  
CASE STATUS REPORT  
NOVEMBER 2022**

<b>REQUESTS FOR REINSTATEMENT</b>					
<b>CASE NUMBER</b>	<b>DEPT</b>	<b>DATE REQUESTED</b>	<b>POSITION</b>	<b>ED APPROVED</b>	<b>CHIEF APPROVED/DENIED</b>
22-05-007RFR	SPD	2-7-2022	Lieutenant	Approved	Denied
22-05-008RFR	SPD	2-7-2022	Officer	Approved	Approved
22-05-009RFR	SPD	1-12-2022	Officer	Approved	Approved
22-05-010RFR	SPD	3-1-2022	Officer	Approved	Approved
22-05-012RFR	SFD	3-17-2022	Firefighter	Approved	Denied
22-05-014RFR	SFD	4-1-2022	Firefighter	Approved	Denied
22-05-016RFR	SFD	4-5-2022	Firefighter	Approved	Denied
22-05-017RFR	SFD	4-12-2022	Firefighter	Approved	Approved
22-05-018RFR	SFD	5-2-2022	Firefighter	Approved	Approved
22-05-019RFR	SFD	3-28-2022	Firefighter	Approved	Approved
22-05-020RFR	SFD	6-13-2022	Firefighter	Approved	Denied
22-05-021RFR	SFD	6-13-2022	Firefighter	Approved	Approved
22-05-022RDR	SPD	7-21-2022	Police Officer	Approved	Approved
22-05-023RFR	SPD	9-1-2022	Police Officer	Approved	Approved

A=Appeal (PSCSC 6)

E=Exam Protest (PSCSC 9.22)

RRM=Request to Review or Modify (PSCSC 2.13.b)

RFR=Request for Reinstatement (PSCSC 10.03)

RPE= Request for Probationary Extension (PSCSC 12.02)

**PUBLIC SAFETY CIVIL SERVICE COMMISSION  
CASE STATUS REPORT  
NOVEMBER 2022**

REQUESTS FOR PROBATIONARY EXTENSION				
CASE NUMBER	DEPT	DATE REQUESTED	POSITION/RANK	APPROVED/DENIED
22-05-003RPE	SPD	1-19-2022	Officer	Approved
22-05-004RPE	SPD	1-26-2022	Officer	Approved
22-05-005RPE	SPD	1-26-2022	Officer	Approved
22-05-006RPE	SPD	1-27-2022	Officer	Approved
22-05-003-2RPE	SPD	2-8-2022	Officer	Approved
22-05-011RPE	SPD	3-22-2022	Officer	Approved
22-05-012RPE	SPD	8-3-2022	Officer	Approved
22-05-013RPE	SPD	8-3-2022	Officer	Approved

A=Appeal (PSCSC 6)  
E=Exam Protest (PSCSC 9.22)  
RRM=Request to Review or Modify (PSCSC 2.13.b)  
RFR=Request for Reinstatement (PSCSC 10.03)  
RPE= Request for Probationary Extension (PSCSC 12.02)

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**BEFORE THE CITY OF SEATTLE  
PUBLIC SAFETY CIVIL SERVICE COMMISSION**

In the matter of the appeal of

**JEFFREY ALLEN**

Appellant

V.

**SEATTLE POLICE DEPARTMENT**

Respondent

**DISMISSAL ORDER**

**PSCSC no. 22-01-002**

On July 21, 2022, the Appellant filed a timely appeal with the Public Safety Civil Service Commission (PSCSC) of a nine-day disciplinary suspension issued to him by Seattle Police Department (SPD). The first prehearing conference was held on Friday, October 7, 2022. Officer Allen represented himself, the department was represented by Catherine Seelig, Assistant City Attorney.

On October 26, 2022, the Appellant emailed the PSCSC to notify that he and the department entered into a Settlement Agreement, and he requested to withdraw his appeal. PSCSC Rule 6.07 provides that an appellant may withdraw their appeal prior to hearing. SPD submitted a copy of the settlement agreement between the parties.

**ORDER**

Upon reviewing the terms of the settlement agreement and having considered the Appellant's request to withdraw their appeal, I hereby order that the Appellant's appeal is **dismissed**.

Dated this 3rd day of November 2022,

FOR THE CITY OF SEATTLE PUBLIC SAFETY CIVIL SERVICE COMMISSION

*Andrea Scheele*

\_\_\_\_\_  
Andrea Scheele, Executive Director

## SETTLEMENT AGREEMENT

Seattle Police Department Officer Jeffrey Allen (Allen) and Seattle Police Department (SPD) enter into this settlement agreement to fully resolve Officer Allen's appeal of discipline in PSCSC case no 22-01-002, in connection with OPA 20-0253.

The parties agree as follows:

1. This settlement is a compromise of disputed claims. The Parties do not admit any wrongdoing and do not concede their positions regarding this appeal. As this agreement is non-precedent setting and entered into to resolve a specific dispute, it is not intended to alter the collective bargaining agreement (CBA) of the parties.
2. This agreement shall be a fully binding and complete settlement of Allen's disciplinary appeal in PSCSC case no 22-01-002. Per SPOG CBA 3.29.420 A(7)(a) and PSCSC Rule 2.14, an employee may not appeal/grieve a disciplinary decision through both the PSCSC and grievance arbitration. Allen therefore agrees that no grievance pursuant to the CBA can be filed related to OPA 20-0253.
3. Two (2) out of nine (9) days of the suspension ordered in the Final Disciplinary Action Report (DAR) on 7/7/22 will be rescinded, and this change will be reflected in both the Final DAR and in SPD personnel records for Allen. SPD will make the necessary Payroll adjustments to compensate Allen for the 2 day suspension at his hourly rate in effect at the time the suspension was served, subject to all regular payroll withholding.
4. The sustained finding for violation of 6.010-POL-1 will be removed. All other findings in the OPA 20-0253 DAR issued 7/7/22 will remain unchanged.

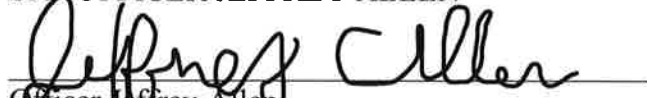
SEATTLE POLICE DEPARTMENT



Chief Adrian Diaz

Date: 10/31/2022

SPD OFFICER JEFFREY ALLEN



Officer Jeffrey Allen

Date: 10/28/2022

**BEFORE THE CITY OF SEATTLE  
PUBLIC SAFETY CIVIL SERVICE COMMISSION**

In the matter of the appeal of

**ANDREI CONSTANTIN,**

Appellant

V.

**SEATTLE POLICE DEPARTMENT**

Respondent

**FIRST PREHEARING CONFERENCE  
SCHEDULING ORDER**

**PSCSC no. 22-01-003**

On October 3, 2022, Officer Constantin filed a Notice of Appeal related to his termination from the Seattle Police Department on the Public Safety Civil Service Commission (PSCSC). The Executive Director reviewed the Notice of Appeal, the Disciplinary Action Report regarding OPA 21-0458, the discipline letter, a receipt showing SPD delivered the discipline letter to the appellant on September 23, 2022. Pursuant to the timeline for filing appeals and jurisdiction set forth by SMC 4.08.100, Executive Director finds that 1) the appellant's appeal was timely filed with the PSCSC, and 2) a disciplinary termination is within the subject matter jurisdiction of the PSCSC.

The appellant notified the PSCSC that his union would not grieve the termination to binding arbitration under the collective bargaining agreement, so the appeal may proceed to hearing before the PSCSC.

The Executive Director will preside over the first prehearing conference via **WebEx** on **Monday, November 28, at 11:00 a.m.** The purpose of the prehearing conference is to clarify the issue on appeal and determine the scope and length of the proceeding. The appeal hearing will be conducted by the Public Safety Civil Service commissioners at a date to be scheduled.

The parties should prepare and be ready to discuss the following:

1. How much time each party expects it will need to present its case.,

2. Requests for documents from the other party, if any.
3. Preliminary witness lists - List each witnesses' name and a brief description of what they will testify about. The parties shall email a copy of their preliminary witness list to the PSCSC staff member [teresa.jacobs@seattle.gov](mailto:teresa.jacobs@seattle.gov) and opposing party by 5 p.m., November 23.
4. Preliminary exhibit lists - Title and brief description of document's relevant content. The parties shall email a copy of their preliminary exhibit list to the PSCSC and opposing party by 5 p.m., November 23.
5. Scheduling the hearing and prehearing deadlines. Please note that hearings are usually scheduled several months out, depending on the availability of the parties, commissioners, and any representatives.
6. Exchange of exhibits before the hearing.
7. Admissions of fact and of genuineness of documents.
8. Admissibility of evidence.
9. Prehearing and hearing procedures.
10. Prehearing and post hearing briefs.
11. Potential for settlement of this matter as an alternative to hearing.
12. Any other procedural issues or questions the parties wish to raise.

**The parties are advised to have ready their preliminary witness and exhibit lists and their calendars for the next six months.**

There will be no presentation of evidence at the prehearing conference, and no sworn testimony will be given by either party.



# City of Seattle

## CIVIL SERVICE COMMISSIONS

### Public Safety Civil Service Commission

Commissioner Stacy Connoles, Chair

Commissioner Dorothy Leggett

Commissioner Joel A. Nark

### Staff

Andrea Scheele, Executive Director

Teresa Jacobs, Executive Assistant

November 3, 2022

Officer Brent Moore

[Brent.Moore@seattle.gov](mailto:Brent.Moore@seattle.gov)

Re: *Brent Moore v. Seattle Police Department*-PSCSC No. 22-01-004

Dear Officer Moore and SPD:

On October 27, 2022, the Public Safety Civil Service Commission (PSCSC) received Ofc. Moore's Notice of Appeal to the Public Safety Civil Service Commission. I have reviewed the appeal, along with SPD's disciplinary letter, the Disciplinary Action Report, and receipt of delivery. I have determined that Ofc. Moore's appeal was filed within ten days after he received notice, so it was timely, and a six-day suspension is within the jurisdiction of the PSCSC.

Ofc. Moore requested SPOG to grieve the discipline: Sgt. Moore has requested that his union pursue a grievance and arbitration of the disciplinary decision. The PSCSC will wait for notification whether the union opts to take the grievance to arbitration under the CBA.

Allegations of discrimination must be referred to appropriate agency: Sgt. Moore wrote in the Notice of Appeal, "I also believe I have been discriminated due to my age." PSCSC Rule 2.15<sup>1</sup> requires PSCSC to refer an appeal that includes an allegation of discrimination to the Seattle Office for Civil Rights for investigation of that allegation. SPD and Sgt. Moore will receive a copy of the referral, and SOCR will contact him. While SOCR conducts its process, the PSCSC holds the appeal in abeyance. Please let us know when SOCR has concluded, and what the outcome was.

Once the discrimination allegation is resolved, and if the matter does not proceed to arbitration, the disciplinary appeal may proceed before the PSCSC. The parties are requested to contact our office if there are changes of which we should be aware.

<sup>1</sup> An appeal or petition alleging a violation of a rule or ordinance, related to the employment of a City employee, shall be referred by the Commission to the agency of the City having jurisdiction over such alleged violation.

You may contact me with questions at (206) 233-7118 or [Andrea.Scheele@seattle.gov](mailto:Andrea.Scheele@seattle.gov).

Sincerely,

*Andrea Scheele*

Andrea Scheele  
Executive Director

AS/trj

Copy w/ Encl:

Chief Adrian Diaz, SPD  
Michael R. Fields, Human Resources Executive Director, SPD  
Alyssa Pulliam, Human Resources Executive Director, SPD  
Mike Chin, Civil Rights Enforcement Director, SOCR  
Kimberly Loving, Interim Director, SDHR



# City of Seattle

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## PUBLIC SAFETY CIVIL SERVICE COMMISSION

Andrea Scheele, Executive Director

November 3, 2022

Mike Chin, Civil Rights Enforcement Director

[mike.chin@seattle.gov](mailto:mike.chin@seattle.gov)

**Re: Referral to OCR – *Brent Moore v. Seattle Police Department*  
PSCSC No. 22-01-004**

Dear Mr. Chin:

Please accept this referral from the Public Safety Civil Service Commission to the Seattle Office for Civil Rights for investigation, regarding SPD employee Brent Moore's allegations of age discrimination. The referral is pursuant to PSCSC Rule 2.15 and SMC 4.08.100.D.

Please find attached all documents in PSCSC's possession that are related to his allegations and/or his appeal.

Thank you.

Sincerely,

*Andrea Scheele*

Andrea Scheele  
Executive Director

Cc:

Sgt. Brent Moore, SPD, [Brent.moore@seattle.gov](mailto:Brent.moore@seattle.gov)

Chief Adrian Diaz, SPD, [Adrian.diaz@seattle.gov](mailto:Adrian.diaz@seattle.gov)

Michael R. Fields, SPD, [Michaelr.fields@seattle.gov](mailto:Michaelr.fields@seattle.gov)

Alyssa Pulliam, SPD, [Alyssa.pulliam@seattle.gov](mailto:Alyssa.pulliam@seattle.gov)

Kimberly Loving, Interim Director, SDHR, [Kimberly.loving@seattle.gov](mailto:Kimberly.loving@seattle.gov)

**NOTICE OF APPEAL TO THE PUBLIC SAFETY CIVIL SERVICE COMMISSION**

The appeal must be received by the Executive Director **within 10 (ten) days**, following the received date or the postmarked date of the final notice from the department to the appellant.

**INSTRUCTIONS:** Complete all the pages, sign and attach any documents or correspondence that you have received from the Department related to your appeal. Send by postal or hand deliver to the **Executive Director, Civil Service Commissions 700 5th Avenue, Suite 1670, PO Box 94729, Seattle, WA 98124-472** or email to [Andrea.Scheele@seattle.gov](mailto:Andrea.Scheele@seattle.gov) or [Teresa.Jacobs@seattle.gov](mailto:Teresa.Jacobs@seattle.gov)

**An original signature of the appellant or authorized representative is required for appeals.**

I. Brent Jason Moore 2300 SW Webster St. Seattle Wa 98106 206-702-3870

<b>Appellant's Full Name</b>	<b>Work Address</b>	<b>Work Telephone</b>
<b>Residence Address</b>	<b>City /State/Zip</b>	<b>Home Telephone/Email</b>
<b>Job Title/Position</b>	<b>Department/Unit</b>	<b>Immediate Supervisor</b>
<b>Start Date in Position</b>	<b>City Employee Since, Month/Date/Year</b>	<b>Employee ID #</b>

II. **ACTION BEING APPEALED: (check one)**

☒ Suspension

☐ Discharge

☐ Demotion

☐ Violation of Article XVI of the Charter of the City of Seattle, PSCSC Ordinance or PSCSC Rules  
(Please list the rule): \_\_\_\_\_

☐ Other Personnel Related Issue: (Please briefly state the issue): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If needed, you may provide the following information on an additional sheet of paper and attach any documents or correspondence that you have received from the Department related to your appeal.

**Reason for this appeal (Please include dates, location and action):** The sustained allegation is baseless and without just cause. There were other officers (including the primary officer, who was not me) on scene who received no discipline, but I was given 6 days off, because I was the most senior officer. I also believe I have been discriminated due to my age.

**Remedy Sought (What do you want?):** Sustained changed to not sustained. 6 days suspension reversed.

III. **UNION:**

WHAT IS THE NAME OF YOUR UNION ASSOCIATION OR GUILD?

Seattle Police Officers Guild Local Number: \_\_\_\_\_

☒ I HAVE / ☐ I HAVE NOT filed a grievance on the same issues that I identified in this appeal, with my union or bargaining unit.

- This matter ☒ IS / ☐ IS NOT the subject of arbitration pursuant to a collective bargaining agreement.

IV. **ATTORNEY/AUTHORIZED REPRESENTATIVE:**

An Attorney or a representative is **NOT** required for the appeal process.

- Do you have an attorney or another person representing you for this appeal? ☐ YES ☒ NO  
If yes, please have your attorney submit a **NOTICE OF APPEARANCE** to the Commission Office and Department. All documents and information related to the appeal will go to the attorney or representative.

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Signature of Attorney/Representative: (If filling out this form):

\_\_\_\_\_ Date \_\_\_\_\_

A. **APPELLANT:**

If you **do not** have an attorney or a representative, please enter the address where All documents related to this appeal should be sent:

Mailing Address: \_\_\_\_\_

Personal Email: \_\_\_\_\_

Home/Cell Phone (Include Area Code): \_\_\_\_\_

\_\_\_\_\_  
Brent Jason Moore  
APPELLANT'S NAME (PLEASE PRINT)

*Brent Jason Moore* 10/27/22  
\_\_\_\_\_  
SIGNATURE OF APPELLANT DATE



# City of Seattle

Seattle Police Department

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October 24, 2022

Officer Brent Moore, #5994  
(Hand-delivered)

RE: OPA 21-0552

Dear Officer Moore:

I want to thank you and your representatives for meeting with the Chief of Police on September 8, 2022, to discuss the recommended discipline arising from the investigation of OPA 21-0552. Based upon the information presented at the meeting, and a review of relevant materials, the Chief has sustained the following allegations:

**Violation of Seattle Police Manual, Sections:**

- **15.410 - Domestic Violence Investigation 15.410-POL 3. Officers Will Make a Reasonable Effort to Protect the Victim and Arrest the Suspect**
- **5.001 - Standards and Duties 5.001-POL 10. Employees Will Strive to be Professional**

A description of the sustained allegations of misconduct and the final disciplinary action is set forth in the enclosed Disciplinary Action Report.

If you have any questions regarding this notice, please feel free to contact me.

Sincerely,

Adrian Diaz  
Chief of Police

/s/ Mike Fields

Mike Fields  
Executive Director of Human Resources

Enclosure

cc: Adrian Diaz, Chief of Police  
Thomas Mahaffey, Assistant Chief  
Martin Rivera, Captain  
Gino Betts, Director of OPA  
Mike Solan, Union President  
Catherine Seelig, Employment Counsel

<b>Seattle Police Department</b> <b>DISCIPLINARY ACTION REPORT</b>		FILE NUMBER <b>OPA 21-0552</b>	
RANK/TITLE <b>Officer</b>	NAME <b>Brent Moore</b>	SERIAL NUMBER <b>5994</b>	UNIT <b>B253F</b>
SUSTAINED ALLEGATIONS:			
<b>Violation of Seattle Police Department Policy &amp; Procedure Manual Sections:</b> <ul style="list-style-type: none"> <li>• <b>15.410 - Domestic Violence Investigation 15.410-POL 3. Officers Will Make a Reasonable Effort to Protect the Victim and Arrest the Suspect</b></li> <li>• <b>5.001 - Standards and Duties 5.001-POL 10. Employees Will Strive to be Professional</b></li> </ul>			
<u>Specification:</u> <p>You and three other officers responded to a call from a grandmother reporting that her son had “grabbed” his three-year-old daughter out of the car with her mother. The grandmother reported that her son, the father, had taken his daughter inside the mother’s apartment, and would not let anyone else into the apartment. The grandmother reported that the mother had custody of the child, “papers” for the apartment, and that the father was a felon. The mother stated that the father’s name was not on the child’s birth certificate. You interrupted to state your belief that custody was a “moot point” because the father had been living in the apartment for several years.</p> <p>After this discussion with the mother and grandmother, you asked the mother to knock on her apartment door. The mother said that if she went in the father would hit her. When asked, the mother also indicated that the father had knives in the apartment. You made the comment, “that’s why I don’t put up with any of the crack they’re saying.” The grandmother called out to the father through a window to “just give us the baby,” so that the child could “go to her mom’s or something.” The father ignored another officer’s request to open the door. The mother asked you and the other officers if you could go get the child, and you stated that you could not enter the apartment.</p> <p>The father asked the mother if she wanted to come inside, and she said she would if she could see the child. The father said, “alright, bye,” and closed the window. The mother again told you and the other officers that if she went in there she would get hit. You and the other officers argued with the mother and grandmother about who would enter the apartment. The grandmother said to you, “would you want to go in?” You said, “I don’t know, I didn’t marry the guy, I didn’t make a baby with the guy.” After some more conversation between you and the parties, and some arguing between the mother and father, the mother entered the apartment. The father said, “stupid ass fucking bitch,” and slammed the door. You did not ask to enter the apartment, make any effort to keep the door open, and remained outside.</p> <p>The grandmother said, “he’s in there hitting her, you don’t hear that?” A short time later, your Body Worn Video (BWV) recorded loud, high-pitched screams from inside the apartment. One of the other officers kicked in the apartment door and you went in. You asked the father what he was doing, and he said, “nothing.” The mother stepped forward and said, “he hit me,” indicating the left side of her head. The father denied hitting the mother. Both parties came outside of the apartment and continued to argue.</p> <p>The mother repeatedly accused the father of hitting her, and the father repeatedly ignored orders to sit down,</p>			

and approached the car and yelled at the mother from approximately two to three feet from the passenger side of the vehicle. The grandmother yelled at you and the other officers, “if you’re not going to keep him from the side of my car, we’re not going to roll the windows down.” Then the grandmother added, “she went in the house, you heard it, and now you’re standing there letting her...letting him threaten her while...” You interrupted and said, “he’s not threatening her, number one.” Both the mother and grandmother questioned whether you were “serious.” The grandmother stated that she had pictures. You ordered the grandmother and mother to calm down. The grandmother asked if you wanted her address to see the pictures, and another officer said, “nah, nah, no.” The grandmother indicated that she didn’t need to stay there since she had done nothing wrong. You said, “you gonna leave? Go. Leave.”

A different officer said that you needed to investigate, and the grandmother responded, “well then investigate, why are you letting the, the possible perpetrator stand there and...oh wow...since when on domestic violence do you guys just allow this.” You continued to argue with the parties and then said, “goodbye, go,” waved the grandmother and mother away and, while walking away said, “you got your kid, you’re done.”

#### Policies:

**SPD Policy 15.410 --POL 3 states that “officers will make a reasonable effort to protect the victim and arrest the suspect.”** The policy sets forth the various tasks officers are required to complete when responding to a domestic violence incident. Among these tasks is to determine whether the call is a domestic violence incident, conduct a primary investigation, and arrest the offender if there is probable cause to do so for a mandatory arrest.

While another much less experienced officer was officially assigned as primary officer, you effectively took this role in leading the police response (all of the other officers had limited experience in comparison to yours, and one officer was still in training.) When you took the lead, you and the other officers failed to control this scene and did not make reasonable efforts to protect the mother and child. You did not separate the parties to gather their individual accounts of what had occurred, determine the legal relationship between the parties, or attempt to corroborate information. You also allowed the mother and grandmother to engage in extremely risky behavior. For example, you needlessly told the mother to go knock on the apartment door and then permitted her to enter the apartment without making any effort or request to enter first, keep the apartment door open, or escort her inside. This was despite the mother’s stated fears that she would “get hit” if she entered the apartment. Ultimately the mother was allowed to run away from the scene with the child—and the father to run after them—without any meaningful intervention.

You failed to make a mandatory arrest despite having probable cause to do so. You appeared to incorrectly believe that if you did not observe the injury to the mother that you could not establish probable cause for assault in the fourth degree. Not only were you and the other officers required to arrest the father once you had probable cause to do so, placing him in custody would have allowed you to better control him.

**SPD Policy 5.001-POL-10 requires that SPD employees “strive to be professional at all times.”** The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers.” The policy also states, “any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person.” Lastly, the policy instructs

Department employees to “avoid unnecessary escalation of events even if those events do not end in reportable use of force.”

Many of your statements to the mother and grandmother were unprofessional, inflammatory, and escalated the situation, such as your response when the grandmother asked if you would enter the apartment, when you said, “I don’t know, I didn’t marry the guy, I didn’t make a baby with the guy...”, your comment “that’s why I don’t put up with any of the crack they’re saying,” and “goodbye, go....you got your kid, you’re done.” Your statements were disrespectful and contemptuous, and your behavior was rude and dismissive; you argued with the mother and grandmother, and minimized their very real safety concerns.

Determination of The Chief:

I appreciate that when you came to the Loudermill you carefully described your thought process during this incident. You also explained that it has always been your practice to communicate the truth in a sometimes blunt way, but that this is just your style, which can be very effective. However in this situation, you allowed an already chaotic situation to escalate. It is an essential part of your job to control domestic violence incidents as well as possible and make reasonable efforts to protect the alleged victims. This was even more so the case as you took a primary role on scene, and other less experienced officers were watching what you did for guidance. Encouraging the alleged victim to confront the alleged perpetrator alone was risky and could have caused a dangerous situation to spiral out of control. You allowed the child’s mother to enter the apartment alone with the door closing after her despite her stated fears about going into the apartment alone, saying that the child’s father would hit her.

As an officer with over 28 years of experience, your failure to sufficiently protect the alleged victims, control the scene, and conduct yourself in a more professional manner here is concerning. Furthermore, you have had previous discipline for failure to investigate and lack of professionalism. In arriving at this level of discipline I did take into consideration your decades of service and dedication to SPD, as well as your good reputation with the Department, and the fact that you were receptive to feedback at the Loudermill.

Final Discipline

**6 Days Suspension and Re-Training**

DATE

10/24/2022

BY ORDER OF

CHIEF OF POLICE

**APPEAL OF FINAL DISPOSITION**

Appeals to a Commission:

**SWORN EMPLOYEES:** Public Safety Civil Service Commission

See Seattle Municipal Code 4.08.100. Employee must file written demand within ten (10) days of a suspension, demotion or discharge for a hearing to determine whether the decision to suspend, demote or discharge was made in good faith for cause. Information on the process for filing a claim with the Public Safety Civil Service Commission may be found on the Commission’s website.

**CIVILIAN EMPLOYEES:** Civil Service Commission

Before filing an appeal with the Civil Service Commission regarding suspension, demotion, or termination an employee must first go through the Employee Grievance Procedure provided by Personnel Rule 1.4. In order to comply with Rule 1.4, the employee must file the grievance within 20 calendar days of receiving the notice of the appointing authority's decision to impose discipline. After exhausting the Employee Grievance Procedure, if the employee is still dissatisfied, the employee must file his/her appeal with the Civil Service Commission within 20 calendar days of the delivery of the Step Three grievance response. See also SMC 4.04.240, 4.04.260, and Personnel Rules 1.4.

**PROBATIONARY EMPLOYEES:** Pursuant to SMC 4.04.030 and 4.04.290, employees who have been appointed to a position within the classified service but who has not completed a one (1) year period of probationary employment are "probationary employees" and are subject to dismissal without just cause. An employee dismissed during their probationary period shall not have the right to appeal the dismissal. SMC 4.04.290 and City of Seattle Personnel Rule 1.3.2E.

Alternative Appeal Options for Represented Employees:

Consult your collective bargaining agreement or union representative to determine eligibility, notice periods, and details of the disciplinary grievance process. Any remedy available through a collective bargaining agreement is an alternative remedy and not in addition to an appeal to the Public Safety Civil Service Commission or Civil Service Commission.

## SEATTLE POLICE DEPARTMENT MEMORANDUM

**TO:** Chain of Command  
Unit B253F

**DATE:** October 24, 2022

**FROM:** Mike Fields  
Executive Director of Human Resources


**SUBJECT:** Final Discipline-Brent Moore-OPA 21-0552

Attached are the Cover Letter and Final DAR for Officer Moore. The Cover Letter and Final DAR need to be given to Officer Moore via his chain of command. Electronic copies have been or will be provided to all recipients copied on the cover letter.

**Please have Officer Moore sign in the appropriate place below.**


My signature below indicates that I have received the Cover Letter and Final DAR in OPA 21-0552.

  
Brent Moore, #5994

  
Date

**After providing Officer Moore with the documents, please complete the information below as appropriate.**

Served by:   
Rank/Printed Name

Date: 

Date(s) Employee will serve suspension: 

If not served within three days of issuance, provide explanation:

**A copy of the suspension orders will be sent to the employee upon approval of the proposed day(s). All discipline must be completed within two pay periods absent written approval by the Executive Director of Human Resources. Vacation days may not be used in lieu of suspension without written permission from the Executive Director of Human Resources.**

Signature: 

**On the day of service, scan the completed, signed receipt and send it to  
SPD\_EmploymentCounsel@seattle.gov  
Original receipt should be returned within 7 days to SPD HR Unit (JC-05-01)**