

## TRANSCRIPTION:

### Excerpts from August 21, 2002 Council Meeting related to Chief Walser and Police Department Situation

---

1. Public Comments by Carolyn Case Regarding Police Department Situation
2. Exchange Between Councilmember Everett and city attorney Bruce Keithly of Keithly, Weed, Graafstra and Benson, and other pertinent councilmember comments during the Councilmember Comment Period

#### 1. Excerpt of Carolyn Case's comments re PD situation

ROWE        Anyone else have comments?

*[A pause while Ms. Case comes to podium]*

CAROLYN CASE    Mr. Mayor, Mr. Councilmen? My name's Carolyn Case. The last time I spoke to you a month ago, I spoke to you as simply a citizen. This time I'd like to speak as both a citizen and as a member of the Sultan Police department. I have to say that I was very disappointed and very dismayed when I read the *Monitor* and saw a top official had defamed another council member by calling him a liar in print. You've had also laid (sic) to you the comments that the police are the Gestapo, that we use "Gestapo"-like tactics. You've also been sa--uh--reported in print as having said that you had the "majority of the council members behind you" in your decision to ask the Chief to resign, yet you had Councilman Champeaux, Councilman Boucher, Councilman McPherson, Councilman Porter -- although he said he didn't know what the reason was, he supported you -- Councilmember Everett and Councilman Raney have all said they had no knowledge of your decision. This would appear to me that, uh, there's some reason to be concerned about your questioning someone else's truthfulness. I think it's time for this foolishness with the police department to end. You've refused to state your reasons for asking the Chief to resign, yet you asked him to return but only under your limitations. There's no way that the Chief can possibly run a department when he has to check with you on every decision, on every meeting, every time he leaves town. We need to have him back. We need to have the department settle back down and let's get on with business.

I think, as an elected official, the last three meetings you've had people that have been very clear that this is what they wanted. It doesn't appear to me that you are doing what you've been elected to do, represent the

interest of the people. We have been continually bombarded with one thing after another at the police department. Just this last week we've had our tactics on our background investigations questioned by you. We've had basic essentials that we need to run our department on a day-to-day basis, refused us. We ran out of, uh, receipt invoices this last week. Laura [Koenig] refused to provide us with more.<sup>1</sup> First we were told it was illegal. We contacted two different auditors and were told that it wasn't. We've always gotten our receipt books from city hall. We sign out a block of them and we're responsible for those receipts. It took us two days of wrangling. We did get one receipt book to do us, and we've had to order our own. This is an additional expense for the city that says that they don't have any money. If we've got the money to waste like this, then it would appear to me once again that it would be time for an independent audit and let's see where the money is. And let's see why things are done so arbitrarily.

The last time I spoke also, you had said before that this was not a debate. Everyone got their three minutes of commentary. The last time you interrupted me twice and you were shouted down by your own Sultan residents. I don't think that you should be allowed to comment on what people say here unless you're going to allow them to rebut it, if that seems necessary.

It also appears that you are doing the best -- and if I am mistaken, then you have my apology -- that you are trying to divide and conquer this department. From our understanding is that you have gotten one officer that answers to you and speaks to you, and has caused untold unrest in the department. We can't continue like this. The people of Sultan have been very clear that they want the police department. Chief Walser has brought more honor to this department than any chief that Sultan has had.

Twenty-three years ago I joined the Seattle Police Department as a police officer, and I worked there. And I was honora--honorably retired for injuries received in a line of duty. Ten years ago I would not have worked for this department. I would not have worked in this city. This department was rife with corruption. Chief Walser changed that. I find him to be a very honorable man, a very ethical man. And with what I'm seeing now, but I'm sorry to say that I can't apply those same words to you, Mayor Rowe. I'm sorry for you. And I'm even more sorry for the people of Sultan. I don't see how this can continue for another year and a half. It has to end. And it's up to the council to make this decision, too. Someone's got to step forward and do it. Thank you.

[applause]

ROWE Any body else have comments? Anyone else got comments?

---

<sup>1</sup> *Following the meeting, Clerk Koenig told us that the PD has always been responsible for ordering their own receipt invoices.*

LORETTA STORM I was not going to speak tonight, but after listening to Carolyn Case, I just want to commend her for her courage. Thank you.

[applause]

## 2. Councilmember Comments Related to Chief Walser/PD Situation

BOUCHER I would also [unintelligible] regarding Mrs. Case's comments and my comment would be in agreement. We need to deal with this police department situation in a timely manner. And we've passed that point some time ago, so I hope that we can get this resolved so this community can move forward.

ROWE Jeff?

EVERETT Yeah, I have a, a question for, maybe the city attorney can answer. Um, under -- I just got a copy of our current civil service rules. Um, under Suspension, "suspension" means the temporary removal of an employee from duty with or without pay for disciplinary purposes, for the purpose of investigation of accusations brought against an employee. And then -- that's Section one-point [unintelligible] -- and then [in] Section 12.1 it says no full-time employee of the police department, uh, who shall be permanently employed or inducted into Civil Service, and these rules and regulations shall be suspended, terminated or reduced in rank, except for cause. Now -- and then the state law says if we enact a local ordinance, uh, that essentially enacts the civil service law, our local ordinances would apply. So why do we have the Chief out on, on, uh, administrative leave, which is basically a paid suspension? And he doesn't have a cause? It just seems like we're violating his rights.

KEITHLY The, the Chief has the right that he may very well exercise to appeal the mayor's decision to the Civil Service Board. He just hasn't done it at this point.

EVERETT Has he been given Cause?

KEITHLY The fact that his being suspended has, is, is what he would appeal from to the Civil Service Commission.

VOICE [member of the Assembly] Answer the question.

EVERETT He's off duty with pay. He, he's been removed from duty.

KEITHLY Yes --

EVERETT He's essentially --

KEITHLY -- And what he, he would go to the Civil Service Commission and say is that I, that there wasn't Just Cause for doing that. That's what he has the right to do because he's a Civil Service employee. Because of the

ordinance you just read. At, at that kind of a hearing, then the mayor would be required to indicate why he had done what he'd done.

EVERETT But that seems to contradict Section 12.1. It says that no employee may be removed, uh, shall be suspended except for Cause. And Cause is written.

KEITHLY Cause is --

EVERETT Is written and delivered to the employee. So how is this happening? I don't understand.

KEITHLY Well, I, I, I don't know, as a matter of fact whether there's been any complaints *[audience laughter]* -- some communication from the mayor to the Chief about the Cause. I do know that it's -- that Grant Weed, our labor law specialist, is working on the matter and that there is certainly a, a, uh, a possibility of an appeal to the Civil Service Commission.

EVERETT Well, my, my feeling is we -- or the mayor -- should file cause or reinstate the mayor -- or reinstate the chief. That's the way I look at it. Let's file Cause or reinstate the man.

*[enthusiastic audience applause]*

EVERETT That's all I have.

ROWE Okay, Mark?

RANEY First, I'd like to echo the sentiments of Mr. Everett. Without Cause delivered to the Chief, he should be back to work tomorrow. The other concerns I have...*[transcription stopped as Raney begins a new, unrelated subject-end of transcription]*