

99-2-13911-4 17827252 MMS 11-21-02

FILED
IN COUNTY CLERK'S OFFICE
PIERCE COUNTY, WASHINGTON
A.M. NOV 21 2002 P.M.
BY: BOB SAN SOUCIE
COUNTY CLERK DEPUTY

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

JOSEPH J. KIRBY and DEBORAH A.
KIRBY, husband and wife,

Plaintiffs,

v.

THE CITY OF TACOMA, a municipal
corporation; RAY CORPUZ and "JANE
DOE" CORPUZ, husband and wife;
PHILIP ARREOLA and "JANE DOE"
ARREOLA, husband and wife; WILLIAM
WOODARD and CATHERINE
WOODARD, husband and wife;
RAYMOND ROBERTS and "JANE DOE"
ROBERTS, husband and wife; DAVID
BRAME and "JANE DOE" BRAME,
husband and wife; and JAMES
HAIRSTON and "JANE DOE"
HAIRSTON, husband and wife,

Defendants.

No. 99-2-13911-4

DEFENDANTS' MEMORANDUM
IN SUPPORT OF MOTION FOR
PARTIAL SUMMARY JUDGMENT
REGARDING PLAINTIFF'S
NEGLIGENT HIRING CLAIM

NOTED FOR:
December 20, 2002

ASSIGNED:
Judge Katherine M. Stolz

DEFENDANTS' MEMORANDUM IN SUPPORT
OF MOTION FOR PARTIAL SUMMARY
JUDGMENT REGARDING PLAINTIFF'S
NEGLIGENT HIRING CLAIM- 1

Tacoma City Attorney
Civil Division
747 Market Street, Room 1120
Tacoma, Washington 98402-3767
(253) 591-5885 / FAX 591-5755

ORIGINAL

1 **I. STATEMENT OF FACTS.**

2 Plaintiff, a police lieutenant, has sued the City of Tacoma and six
3 individually named defendants alleging age discrimination, disability
4 discrimination, retaliation for engaging in activity under RCW 41.52 and
5 negligent hiring of Chief Arreola.
6

7 Chief Arreola was hired by City Manager, Ray Corpuz, on October 1,
8 1996. The City went through an extensive five and one half month process to
9 hire the Chief of Police. The City began by contracting with an executive
10 search firm (hereinafter referred to as "firm") to recruit highly qualified
11 candidates. (See Exhibit 1, deposition excerpts of Ray Corpuz, pages 7-12.)
12 (See also, Exhibit 2, Norman Roberts' proposal to the City of Tacoma's
13 Request for Proposals to assist in its efforts to recruit and screen candidates for
14 the Chief of Police position.) A national search was conducted which resulted
15 in the firm recommending eleven candidates. The firm conducted extensive
16 background checks, provided the City Manager with information on the
17 candidates which included lawsuits pending against them. Id. (See also,
18 Exhibit 3, background information of Philip Arreola.)
19

20 The candidates were interviewed by a community panel made up of
21 16-17 people. The panel which gave their impressions to the City Manager.
22 This group gave Arreola a very favorable review. Id. Then the candidates were
23 interviewed by an internal committee made up of the City Manager and two
24 Assistant City Managers. Id. (See also, Exhibit 4, City Manager's office
25
26

1 interview questions.) Arreola was selected because he had vast experience,
 2 thirty plus years in law enforcement. Id. He had good leadership skills. He
 3 had been the Chief in both large and small jurisdictions, and had a law degree.
 4 Id. He had a strong background in community oriented policing and he had
 5 strong programs in Milwaukee with domestic violence and addressing gang
 6 issues. Id.

7 Plaintiff claims that the City of Tacoma knew that Chief Arreola had a
 8 contentious relationship with the Union in Milwaukee, where he was previously
 9 employed, and he contends that the City knew that Chief Arreola had several
 10 lawsuits pending against him at the time the City hired him. (See Exhibit 5,
 11 excerpts of plaintiff's answers to interrogatories.) (See also, Exhibit 6,
 12 deposition excerpts of Joseph Kirby, Volume I.) It is upon these facts that he
 13 bases his negligent hiring claim.
 14

15 **II. STATEMENT OF ISSUES.**

- 16 **1. Are the defendants immune from suit on the basis of**
 17 **discretionary immunity for the hiring of Philip Arreola.**
- 18 **2. Should plaintiff's claim of negligent hiring be dismissed**
 19 **when he cannot present evidence of the prima facie elements**
 20 **of a negligent hiring claim?**

21 **III. STANDARD ON MOTION FOR SUMMARY JUDGMENT.**

22 On a motion for summary judgment, the moving party bears the initial
 23 burden of showing the absence of a material issue of fact. Young v. Key
 24 Pharmaceuticals, Inc., 112 Wn.2d 216, 225, 770 P.2d 182 (1989). *A defendant*

1 can meet this burden in one of two ways. First, the defendant can set forth its
2 version of the facts and allege that there is no material issue as to those facts.
3 Hash v. Children's Orthopedic Hosp. & Med. Ctr., 110 Wn.2d 912, 916, 757
4 P.2d 507 (1988). In the alternative, the defendant can meet its burden by
5 showing that there is absence of evidence to support the nonmoving party's
6 case. Howell v. Blood Bank, 117 Wn.2d 619, 624, 818 P.2d 1056 (1991) (citing
7 Celotex Corp. v. Catrett, 477 U.S. 317, 325, 106 S.Ct. 2548, 91 L.Ed.2d 265
8 (1986)).

9 Under the latter method, the defendant is not required to support its
10 motion with affidavits or other materials *disproving* the plaintiff's case. Burnet v.
11 Spokane Ambulance, 54 Wn. App. 162, 166, 772 P.2d 1027 (1989). The
12 defendant need only "identify those portions of the record, together with the
13 affidavits, if any, which he or she believes demonstrate the absence of a
14 genuine issue of material fact." Guile v. Ballard Community Hosp., 70 Wn.
15 App. 18, 22, 851 P.2d 689, rev. denied, 122 Wn.2d 1010 (1993).

17 After the defendant makes its required showing, the burden then shifts to
18 the plaintiff:

19 If, at this point, the plaintiff [as nonmoving party] "fails to make a
20 showing sufficient to establish the existence of an element
21 essential to that party's case, and on which that party will bear the
22 burden of proof at trial", then the trial court should grant the
23 motion...."In such a situation, there can be 'no genuine issue as to
24 any material fact,' since ***a complete failure of proof concerning
25 an essential element of the nonmoving party's case
26 necessarily renders all other facts immaterial.***"

1 (emphasis added) Hiatt v. Walker Chevrolet, 120 Wn.2d 57, 66, 837 P.2d 618
 2 (1992). Consequently, the plaintiff "must do more than express an opinion or
 3 make conclusory statements"; ***the plaintiff must set forth specific and***
 4 ***material facts to support each element of his prima facie case.*** Id.

5 **IV. ANALYSIS.**

6 **1. Defendants are entitled to discretionary immunity for the**
 7 **hiring of Phillip Arreola.**

8 The doctrine of discretionary immunity applies to governmental actions if
 9 (1) the challenged decision involves a basic governmental policy, program or
 10 objective; (2) The decision is essential to the realization or accomplishment of
 11 that policy; (3) the decision requires the exercise of basic policy evaluation,
 12 judgment, and expertise on the part of the governmental agency involved; (4)
 13 does the governmental agency involved possess the requisite authority to make
 14 the decision; and (5) the decision must actually have been considered and
 15 reasoned in order to be entitled to immunity. McCluskey v. Handorff-Sherman,
 16 125 Wn.2d 1, 882 P.2d 157(1994). If the court finds that this test is met, the
 17 act is non-tortuous. Id.

19 The hiring of a police chief is different than hiring other municipal
 20 employees. (See Affidavit of Ray E. Corpuz, Jr.) The police chief sets the tone
 21 for the way the Department polices the City. Id. The policy decisions made by
 22 the Chief affects the citizenry in a way that is distinct from other Department
 23 directors. Id. When the City Manager was looking at candidates for Chief, he
 24 was deciding what direction he wanted to take the Police Department. Id.

1 Before he began the process of hiring a new chief, the City Manager had
2 to decide what the City's policy would be with respect to how to manage the
3 police force, the City Manager evaluated different policing models and policies
4 of administration. Id. He utilized community focus groups, as well as an
5 internal survey in the police department. Id. (See also, Exhibits 7, Focus
6 Group Meeting, and Exhibit 8, Internal Survey to the employees of the Tacoma
7 Police Department.) He determined that the one used by the previous Chief,
8 Community Oriented Policing, was the best direction for the Department. Id.
9 Thus, based on his evaluation, he set out to find a Chief who shared his
10 policing philosophy and could implement the policies which best fit that method
11 of policing. Id. This deliberative process led to the hiring of Norman Roberts,
12 an executive search firm, to conduct a nationwide search for the best
13 candidate. Id. Once the candidates were narrowed to eleven, the City
14 Manager took over the selection process and evaluated the candidates by
15 himself, with his staff and with the community. Many hours and days were
16 spent carefully evaluating the strengths and weaknesses of each candidate to
17 see who would best meet the City's criteria. Id.

18
19 The facts of this Chief's hiring meet the elements for discretionary
20 immunity and the defendants are entitled to immunity on this claim. The
21 method of policing a city is a basic governmental function. Hagerman v.
22 Seattle, 189 Wash. 694 (1934). As demonstrated above, which candidate that
23 was selected was essential to the realization of this policy decision. The right
24
25
26

1 candidate was a necessary ingredient to the success of the department and
 2 realizing the goals set for it by the City and its strategic plan. The City manager
 3 has the authority to make the hiring decision as to the Chief of Police (Tacoma
 4 City Charter §3.4), and the City manager spent many, many hours evaluating
 5 the candidates and determining who would be the best fit for the City.

6 Therefore, the defendants are entitled to discretionary immunity for the act of
 7 hiring the Chief of Police.

8 **2. The plaintiff cannot prove the necessary elements of a**
 9 **negligent hiring claim, and the cause of action should be**
 10 **dismissed.**

11 To prove a claim of negligent retention, the plaintiff must demonstrate
 12 that: (1) the employer knew or, in exercising ordinary care, should have known
 13 of its employee's incompetence when the employee was hired; and (2) that the
 14 negligently hired employee caused the plaintiff's injuries. Lester v. Town of
 15 Winthrop, 87 Wn. App. 17, 939 P.2d 1237 (1997). The focus should be upon
 16 the process taken by the employer. Carlson v. Wackenhut Corp., 73 Wn. App.
 17 247, 868 P.2d 882 (1994). The focus of this cause of action is the process
 18 undertaken by the employer prior to making the hiring decision. Carlson v.
 19 Wackenhut Corp., 73 Wn. App. 247, 868 P.2d 882 (1994). See also Peck v.
 20 Siau, 65 Wn. App. 285, 827 P.2d 1108 (1992); Scott v. Blanchet High Sch., 50
 21 Wn. App. 37, 747 P.2d 1124 (1987), rev. denied, 110 Wn.2d 1016 (1988).

22 For example, in Carlson v. Wackenhut Corp., the court focused on the
 23 steps that Wackenhut Corp. took prior to hiring an employee (Futi) who later
 24 attempted to rape a customer. Carlson, 73 Wn. App. at 255-55. The appellate
 25

1 court ultimately reversed the trial court's grant of summary judgment to the
2 defendant. Id. at p. 253. In so doing, the court rejected Wackenhut Corp.'s
3 contention that it had no knowledge of Futi's violent tendencies, since
4 Wackenhut Corp. had failed to ask any of the relevant questions to determine
5 Futi's background. Id. For example, although Wackenhut Corp. had required
6 Futi to list various references, it failed to contact any of these references. Id.
7 at 254. Additionally, Wackenhut Corp. did not undertake a background check
8 prior to hiring Futi. Id. Of most significance, Wackenhut Corp. failed to follow
9 up on missing and inconsistent information included in Futi's applications. Id.
10 Specifically, Futi indicated that he had a college degree, but also stated that he
11 only had a high school diploma. Id. Similarly, he listed two different home
12 addresses on two different applications, even though these applications were
13 completed within five days of each other. Id. Finally, Futi did not list any
14 current or prior employers, although he did indicate he was currently working.
15 Id. The court reasoned that this omission alone should have aroused
16 concerns, given Futi's age at the time of application (20 years old). Id. Thus,
17 while Wackenhut Corp. did not know of Futi's criminal background, it should
18 have, had it undertaken the appropriate steps.

19
20 The Carlson court reasoned that the steps undertaken by Wackenhut
21 Corp. stood in "stark contrast" with the steps undertaken by the employer in
22 Scott v. Blanchet High School, where the employer's process was found to be
23 reasonable, as a matter of law. Id. at 254. In Scott, unlike Wackenhut Corp.,
24
25
26

1 Blanchet High School had contacted a teacher's previous employers and had
2 conducted two personal interviews with the applicant prior to hiring him. The
3 Scott court determined that "[a]lthough certain specific questions ... were not
4 asked, the process appears sufficient as a matter of law to discover whether an
5 individual is fit to teach." Id. (quoting Scott, 50 Wn. App. at 43). See also Peck
6 v. Siau, supra (where school district checked teaching certificate and
7 background prior to hiring librarian, there was no evidence that, at the time of
8 hiring, the district knew or should have known that applicant was unfit).

9 In the instant case and in light of the courts' analysis in Carlson, Scott
10 and Peck, there is no question that the process employed by the City was more
11 than adequate. Prior to hiring Chief Arreola, the City undertook exhaustive
12 efforts to find, and retain, a police chief who was not only qualified for the
13 position, but also would promote and further the policing philosophies adopted
14 by the City. For example, prior to beginning the selection process, the Tacoma
15 City Manager first reviewed, and evaluated, different policing models and
16 policies of administration. Affidavit of Ray Corpuz, paragraph 5. Moreover, he
17 utilized community focus groups and an internal survey in the police
18 department concerning various policing models. Id. Then, the City Manager
19 hired a consulting firm to help with the recruitment and development of the
20 selection process and to conduct a nationwide search for appropriate
21 candidates. (Exhibit 1, excerpt from the deposition of Ray Corpuz, p. 7, lines 7-
22 13.) This consulting firm not only located suitable candidates, it also
23
24
25
26

1 investigated the candidates' backgrounds. Id. at lines 16-18. The consulting
 2 firm eventually identified eleven candidates for the City's consideration, and
 3 each of these candidates were interviewed. Id. at p. 9-10. Moreover, these
 4 candidates (including Chief Arreola) were interviewed not only by the City
 5 Manager, but also by a community review panel consisting of sixteen or
 6 seventeen people from various professions, including prosecutors and judges.
 7 Id. at p. 10. This panel gave Chief Arreola very favorable marks. Id. at 11.
 8 Based upon all of this information and following an exhaustive examination of
 9 his credentials, the City Manager determined that Chief Arreola had the
 10 qualifications, and skills, necessary to be the Chief of Police for the City of

11 Tacoma:

12
 13 A Well, he had – from what I could tell, he had good
 14 leadership skills, He certainly had the breadth of
 15 experience, 30-plus years in law enforcement. He had
 16 been the chief in both a large organization and a small
 17 organization. He had a law degree. He did very well with
 community-appointed policing, and he had strong
 programs in Milwaukee with domestic violence and
 addressing gang issues.

18 (Exhibit 1, p. 11, lines 22-25; p. 12, lines 1-4.) In light of all of the steps that the
 19 City undertook to evaluate Chief Arreola's fitness for employment, there is
 20 simply no question –the City exercised more than the care required in making
 21 its hiring decision.

22 Under the standards imposed by CR 56, and as outlined in Celotex,
 23 plaintiff bears the burden of establishing each and every element of his prima
 24 facie case in response to this motion. His failure to do so will mandate

1 dismissal of this claim. In any cause of action grounded in negligence, the
 2 plaintiff bears the burden of proving the following elements: duty, breach, injury
 3 and causation. Potter v. Wilbur-Ellis Co., 62 Wn. App. 318, 323, 814 P.2d 670
 4 (1991) (citing Pedroza v. Bryant, 101 Wn.2d 226, 228, 677 P.2d 166 (1984)).

5 Therefore, if plaintiff contends that the City had a duty to undertake steps
 6 beyond those taken, he bears the burden of establishing the legal basis for that
 7 duty. Moreover, he bears the burden of establishing a breach of that duty; if
 8 law enforcement is so unique that the standard steps normally undertaken by
 9 employers are insufficient to meet the specialized needs of the profession,
 10 plaintiff must produce expert testimony to establish the requisite standard of
 11 care. It is well recognized that Washington law requires expert testimony "when
 12 an essential element in the case is best established by an opinion that is
 13 beyond the expertise of a layperson." Harris v. Goth, 99 Wn.2d 438, 449, 663
 14 P.2d 113 (1983). Plaintiff has no such expert; there is no such evidence.

16 Finally, in response to this motion, plaintiff must produce evidence to
 17 establish the existence of an injury that was proximately caused by the City's
 18 hiring of Chief Arreola. As plaintiff has never even articulated an injury he
 19 attributes to the hiring of Chief Arreola, the defendants anticipate he will be
 20 unable to establish the proximate cause element of this cause of action.

21 Therefore, his claim of negligent hiring fails as a matter of law.

22 **V. CONCLUSION.**


23 The defendants are entitled to summary judgment on the plaintiff's claim
 24 of negligent hiring. The decision to hire a police chief is entitled to discretionary
 25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

immunity as it was the culmination of a very deliberative process which has as its objective a basic governmental policy. In addition, the process used by the City of Tacoma to hire Chief Arreola was extremely detailed and thorough. Additionally, plaintiff cannot establish the elements of his prima facie case, and the defendants are entitled to summary judgment.

DATED this 21 day of November, 2002.

ROBIN S. JENKINSON, City Attorney
ELIZABETH A. PAULI, Ch. Asst. City Atty.

By: 
SHELLEY M. KERSLAKE
WSBA# 21820
Assistant City Attorney
Attorney for Defendants

EXHIBIT

#1

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

JOSEPH J. KIRBY and DEBORAH A.)
KIRBY, husband and wife,)
)
Plaintiffs,)

vs.)

No. 99-2-13911-4

THE CITY OF TACOMA, a municipal)
corporation; RAY CORPUZ and "JANE)
DOE" CORPUZ, husband and wife;)
PHILIP ARREOLA and "JANE DOE")
ARREOLA, husband and wife; WILLIAM)
WOODARD and CATHERINE WOODARD,)
husband and wife; RAYMOND ROBERTS)
and "JANE DOE" ROBERTS, husband and)
wife; DAVID BRAME and "JANE DOE")
BRAME, husband and wife; and)
JAMES HAIRSTON and "JANE DOE")
HAIRSTON, husband and wife,)
)
Defendants.)

DEPOSITION OF RAY CORPUZ
Friday, October 12, 2001

APPEARANCES

For Plaintiffs: JEFFREY SADLER
Messina Bulzomi
3315 Orchard Street West
Tacoma, Washington 98467

For Defendants: SHELLEY KERSLAKE
Tacoma City Attorneys Office
747 Market Street, Suite 1120
Tacoma, Washington 98402

Reported by: Kylie Hammington, CCR, RPR
License No. HAMMIKR285PL

1 Q What's the process for hiring the chief? Do you have
2 to go through council approval or do you have --

3 A I have appointing authority. I don't need council's
4 support or endorsement or approval.

5 Q Were you involved in the hiring of Chief Arreola?

6 A Yes.

7 Q Can you tell me the selection process that you
8 undertook in the hiring of Chief Arreola?

9 A I obtained the services of Norm Art Roberts, a
10 consulting firm to help with the recruitment and
11 development of the selection process. It was pretty
12 close to a five-and-a-half-month process. And we did a
13 nationwide search.

14 Q Chief Arreola was coming from Milwaukee, correct?

15 A That's correct.

16 Q Did the nationwide search and the selection process
17 include a look into the background of Chief Arreola?

18 A Yes, it did.

19 Q Were you aware, at the time of hiring, of Chief
20 Arreola's problems with personnel that had resulted in
21 some lawsuits?

22 A Yes.

23 Q And what awareness did you have of those lawsuits?

24 A Well, they were provided to me through -- from the
25 consultant who did the search.

1 Q What type of lawsuits were they, to your knowledge?

2 A I think they were employment issues and I don't recall
3 the specifics.

4 Q Did that factor into your decision-making process?

5 A To -- yes, to some extent, yes.

6 Q Did any of the other candidates, to your knowledge,
7 have lawsuits pending against them?

8 A I think there were 11 final candidates, and I
9 believe at least the majority of them had some lawsuit
10 involved in [sic], because of their positions.

11 Q When I say "you" in this context, I'm referring to you
12 in your actions through the consulting firm as well,
13 okay?

14 A Okay.

15 Q Did you investigate any of the factual circumstances of
16 the lawsuits involving Mr. Arreola?

17 A No.

18 Q Did you investigate any of the lawsuits involving any
19 of the other candidates?

20 A No.

21 Q How come?

22 A Well, the lawsuits on the surface didn't appear to be
23 anything that would cause a change in the selection
24 process.

25 Q Did the consultants that you had retained to assist you

1 in the selection process come back with a
2 recommendation of candidates?

3 A They helped to provide a -- what they thought were the
4 best candidates that were noninternal candidates,
5 people from the outside, that they had actually
6 reviewed from their perspective. So they didn't have a
7 priority list, but they had a list.

8 Q Did the consulting firm review internal candidates?

9 A Yes. But not as extensively as the external
10 candidates.

11 Q Did the final 11 candidates that you mentioned, did
12 that ever get narrowed down any further prior to
13 selection?

14 A Basically it ended up with three.

15 Q And who were the three, to your knowledge?

16 A It was Stone, Neil, and Arreola.

17 Q Where was Stone from?

18 A Kansas.

19 Q Now about Neil?

20 A Neil Moore, I'm sorry, was from Fort Wayne, Indiana.

21 Q Were in-person interviews conducted with these three
22 individuals?

23 A Yes.

24 Q Were in-person interviews conducted with the other
25 candidates?

1 A Yes.

2 Q All 11?

3 A All 11.

4 Q Was anyone else involved in the in-person interviews
5 besides yourself?

6 A We had a community review panel and their charge was to
7 give me an impression of the final candidates. And
8 that included approximately 16 or 17 people ranging
9 from the police chief -- or police union president,
10 Local 6 to social service agency representatives, Human
11 Rights Commission representatives, the mayor was on
12 there, the city attorney, the county prosecutor was
13 represented, a former superior court judge was part of
14 the community panel. It was pretty extensive as far as
15 representation.

16 Q And did that community panel make a recommendation as
17 to the candidates?

18 A They gave me their impressions of the three final
19 candidates.

20 Q They didn't recommend one over the other?

21 A No. I didn't ask them to prioritize. I was interested
22 in their collective or individual impressions about
23 each of the candidates.

24 Q What type of impression did the community panel give
25 you regarding Arreola?

1 A It was very favorable.

2 Q Were these in the form of written reports?

3 A No. I -- they were -- I believe the consultant that we
4 had took some notes. I took some notes myself.

5 Q Well, what about Stone? What impression did they give
6 you for Stone?

7 A I think they believed he was a credible candidate.

8 Q How about Neil Moore?

9 A They -- again, that was another strong contender. They
10 thought he was very credible, a good leader.

11 Q The ultimate decision in who to select out of the
12 three, was that made by yourself?

13 A Yes.

14 Q Did you take input from anyone with regard to actually
15 finally selecting?

16 A Well, we had an internal committee that was made up of
17 myself and the deputy city manager and two other
18 assistants. So we did interview candidates -- those
19 candidates as well.

20 Q Was there any reasons that you can articulate why
21 Arreola was chosen over the other two candidates?

22 A Well, he had -- from what I could tell, he had good
23 leadership skills. He certainly had the breadth of
24 experience, 30-plus years in law enforcement. He had
25 been the chief in both a large organization and a small

1 organization. He had a law degree. He did very well
2 with community-appointed policing, and he had strong
3 programs in Milwaukee with domestic violence and
4 addressing gang issues.

5 Q How long did Chief Arreola work as police chief?

6 A Well, he was seven years in Milwaukee, and I believe --

7 Q I'm sorry. As the Tacoma city police chief.

8 A Two years.

9 Q What were those years?

10 A October of -- 1, 1998 through -- no, 1996 through
11 November of 1998.

12 Q What were the circumstances surrounding his leaving the
13 Tacoma Police Department?

14 A We -- I believed that it was in the best for the city,
15 and he agreed that he needed to retire.

16 Q Was this a request for retirement by yourself?

17 A We talked about it. I mean, it was really a mutual
18 decision.

19 Q And did it have to do with Arreola's performance as
20 well?

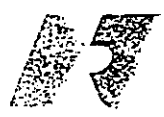
21 A I don't believe there was a performance issue, per se.

22 Q Why, after two years, was it in the best interest of
23 the city for Chief Arreola to retire?

24 A Well, I think sometimes when you have key positions you
25 want to make sure the fit is as best as possible.

EXHIBIT

#2



NORMAN ROBERTS & ASSOCIATES, INC.

Executive Search Consultants

January 4, 1996

VIA FEDERAL EXPRESS

CONFIDENTIAL

*panels
pg.*

Mr. J. C. Gilbertson
Human Resources Director
City of Tacoma
747 Market Street, Room 1336
Tacoma, WA 98402

Dear Mr. Gilbertson:

In response to your Request for Proposals, Norman Roberts & Associates, Inc. is pleased to submit this proposal to assist the City of Tacoma in its efforts to recruit and screen candidates for the position of Police Chief.

This proposal outlines our general understanding of your requirements and the steps we will take to help accomplish this task. We recognize the City's desire to include citizens in the process. If you desire some modification of our work program, we would be pleased to discuss this with you.

We look forward with great interest to working with the City of Tacoma on this very important assignment.

Sincerely yours,

Alex D. McIntyre
Vice President

ADM/dm

Enclosures

Target Maximum JOB SPEC
References - Good & bad Supervisors,
Press - uncovering all issues
union, peers
• El Paso, Ft. Lauderdale
(Police Chief search)
• WEB PAGE

*• inside candidates ?
treated equally*
• Assessment Center
no

TABLE OF CONTENTS

	Page
I. FIRM QUALIFICATIONS	1
II. BACKGROUND	2
III. ADVANTAGES IN UTILIZING OUR SERVICES	2
IV. OBJECTIVE AND APPROACH	3
Organization and Position Analysis	3
Recruitment	3
Preliminary Screening	4
Progress Reporting	4
Candidate Evaluation	4
Final Reporting	5
Special Assistance	5
V. OUR CLIENT'S ROLE	5
VI. TIME FRAME	6
VII. PROFESSIONAL FEES AND EXPENSES	7
VIII. GENERAL PROVISIONS	7
IX. ACCEPTANCE	8
<u>EXHIBITS</u>	
A. BIOGRAPHY—Norman C. Roberts	
B. BIOGRAPHY—Alex D. McIntyre	
C. REFERENCES	
D. CITY OF TACOMA - VENDOR CONTRACT REPORT	
E. CITY OF TACOMA - PERSONNEL INVENTORY FORM	

**PROPOSAL TO RECRUIT A
POLICE CHIEF
FOR THE CITY OF TACOMA, WA**

I. FIRM QUALIFICATIONS

With over 25 years of experience conducting nationwide public sector recruitments, Norm Roberts established *Norman Roberts & Associates, Inc.* in May 1988 with a commitment to providing our clients with the highest caliber of service in the industry. We utilize state-of-the-art technology in conducting a search and have a team of dedicated professionals, researchers and administrative staff to serve you. We have been named by Executive Recruiter News as one of the Fifty Leading Executive Search Firms in the United States (out of 2,200 firms). This ranking is based on a number of factors including size, stability, professional impact, quality and reputation. And, by focusing only on executive search, this activity is given the highest priority by our firm.

I believe we are very well qualified to assist you. In the area of public safety, we have recruited Police Chiefs for: the University of California, Los Angeles (UCLA); the California cities of Redondo Beach, Martinez and Perris; and the City of El Paso, TX. We have also assisted the City of Fort Lauderdale, FL with two of their Police Chief recruitments. While with his former employer, Norm recruited the current Executive Director of the California Peace Officers Standard and Training Commission (P.O.S.T.), as well as police chiefs for the cities of: Bell, CA; Long Beach, CA; Simi Valley, CA; Aurora, CO; Evanston, IL; Shreveport, LA; Saginaw, MI; Columbia, MO; and Arlington, TX. Finally, we are familiar with the Pacific Northwest as we have recently conducted a search for the City of Seattle and two searches for the City of Portland, as well as having recruited the Executive Director for the Washington State Investment Board. These are in addition to searches which Norm conducted while with his former employer.

Prior to establishing *Norman Roberts & Associates*, Norm Roberts was a Senior Vice President of the world's largest search firm, and was with them for 12 years. While there, he established and directly managed their nationwide public/not-for-profit, healthcare and education executive search practices. Since 1969, he has managed almost 3,000 senior level recruitments. In addition, in The Career Makers, which profiles the top 150 executive recruiters in the nation, he is ranked as the leading recruiter for Government Agencies/Municipalities and among the top ten in recruiting Women/Handicapped/Minorities.

Norm Roberts and I will work as a team on this assignment. We have worked together to recruit the Police Chief for the City of El Paso and assisted the City of Ft. Lauderdale in its search for a Police Chief. We have also worked together on a number of chief executive and department head positions. Enclosed are copies of our biographies to familiarize you with our backgrounds (Exhibits A and B). To accomplish this assignment, we will use the full resources of the firm. A list of references can be found in Exhibit C. Your Vendor Contract Report and Personnel Inventory Form can be found in Exhibits D and E.

II. BACKGROUND

It is our understanding that:

- You are interested in identifying outstanding candidates and filling the position of Police Chief as soon as is practical. Consistent with the City's philosophy, you are interested in encouraging public participation in the development of the recruitment profile and the recruitment process.
- You wish to recruit in a thorough and deliberate manner that will insure that the best qualified individual is selected.
- The starting salary for the position is open, depending on the qualifications and background of the person selected.
- The City of Tacoma is a full-service City with over 181,000 residents. The Police Department has approximately 350 sworn officers and a current operating budget of almost \$75 million.

III. ADVANTAGES IN UTILIZING OUR SERVICES

Relative to your present search requirements, we believe the principal advantages in using our firm and what may differentiate us from others are:

- Our specialization in public sector executive search on a nationwide basis;
- Our experience in locating public safety executives;
- The quality of our work—indicative of this is the fact that almost half of our clients have utilized our services on more than one occasion, and many (11%) have hired us from 5-to-15 times;
- Our proactive recruitment of candidates who may not be seeking new employment and would not normally respond to routine advertising, or who may come from non-traditional sources;
- Our proven ability to identify and recommend qualified female and minority candidates;
- Our ability to conduct your assignment in a timely and complete manner;
- Our reputation among clients and candidates for communication, e.g., acknowledgment of resumes, regular reports to the client, face-to-face interviews with candidates; and
- The thoroughness of our documented reference and education checks. We do not merely ask for "five work related references." Rather, we request very specific references from candidates and, where feasible, gather newspaper clippings.

IV. OBJECTIVE AND APPROACH

Our objective is always to find the best qualified candidates. We believe that, although notices in professional journals may be helpful, many of the best candidates must be sought out and their interest encouraged. Our familiarity with the Pacific Northwest, knowledge of the field and our relationships with professional organizations make us well qualified to assist you.

Our clients have found that we are able to:

- Build consensus among those involved in the hiring process.
- Develop the appropriate specifications for a position.
- Encourage the interest of top-level people who would otherwise be reluctant to respond to an advertisement.
- Preserve the confidentiality of inquiries.
- Save a considerable amount of time for client staff in developing and responding to candidates.
- Independently and objectively assess the qualifications and suitability of candidates for the particular position for which we are recruiting.

If our proposal is accepted, we will do the following:

- Organization and Position Analysis

We can tailor a process that is consistent with the City's philosophy of encouraging citizen involvement and participation in decision making. We will interview the City Manager and other appropriate individuals (e.g., Members of the City Council, Police Command Staff, interested individuals from the community, etc.) to determine views of the position and concerns regarding desirable training, experience, and personal characteristics of candidates. In conjunction with City staff, we can also facilitate community meeting(s) to maximize public participation in the Profile development. We will also gather/review relevant information about the City and Department, such as budgets, organization charts, etc.

Once our findings have been summarized, we will submit a Recruitment Profile with the desired qualifications and characteristics for your approval. The Recruitment Profile which will be sent to potential candidates will include information about the City of Tacoma, the Department, the job and the criteria established by the City.

- Recruitment

Once you have approved the Recruitment Profile, we will actively seek out individuals with superior qualifications and invite and encourage their interest. Announcements can be placed in professional journals. However, we will rely heavily on our own experience, contacts and file data.

As a matter of corporate policy, we will not discriminate against any applicant for employment on the basis of race, religion, creed, age, color, marital status, sex, sexual preference, disabilities, medical condition, veteran status or national origin. **Approximately 30 percent of the placements made by our firm have been minority or female candidates (including the Police Chiefs for UCLA and the City of Perris).**

■ Preliminary Screening

We will review, acknowledge and evaluate all resumes received. Preliminary screening will be based upon criteria contained in the Recruitment Profile, information contained in the resumes submitted to us, and our knowledge of the people and organizations in which they work. Telephone interviews will be conducted with the most promising candidates to gain a better understanding of their backgrounds.

■ Progress Reporting

Upon completion of our preliminary screening, we will assemble and submit a progress report of the leading candidates to you. This report will include summary resumes, supplemental information, and the original resumes of those candidates we believe to be best qualified for the position. Supplemental information on a candidate typically includes: the size of the jurisdiction for which the person works, reporting relationships, budget responsibility, the number of people supervised, related experience and reasons for interest in the position. Any other specific information will be dictated by the criteria set forth in the Recruitment Profile.

The purpose of our progress report is two-fold. It allows you an opportunity to review the candidates prior to the conclusion of the search and allows us to receive feedback on the caliber of the candidates recruited. By doing so, we avoid an embarrassing situation of conducting a lengthy search only to find we "missed the target." Likewise, you are not surprised by the candidates as you will have seen their qualifications prior to the final interviews. Of course, we are flexible and may consider other individuals as final candidates who are subsequently identified and were not included in the progress report.

■ Candidate Evaluation

We will personally interview those candidates whose qualifications most closely match the criteria established by you. We will examine their qualifications and achievements in view of the selection criteria. Additionally, we will verify degrees and any certifications.

As part of our process in evaluating candidates, we make telephone reference checks. In conducting these references, it is our practice to speak directly with individuals who are, or have been, in a position to evaluate the candidate's performance on the job. These references and our evaluations provide you with a frank, objective appraisal of the candidates. We suggest, however, that such detailed and extensive investigation is necessary only for those individuals seriously considered by you.

CM/CHIEF 001192

■ Final Reporting

We will prepare a detailed report and evaluation for those candidates most nearly meeting your specifications, and will provide you with interviewing/selection tips, suggested interview questions, and rating forms for your use. Candidates will not be ranked, for we believe it will then be a matter of chemistry between you and the candidates. We will conduct a "briefing session" immediately preceding your interviews to make sure that the process flows smoothly, and will assist you in a "debriefing" immediately following the interviews.

The City may want to conduct the interviews with a number of different panels for evaluation. For example, the City may desire a technical panel made up of current or former Police Chiefs and/or City Managers or local chief executives with experience in working with a progressive Police Department. The City may also assemble a panel of community leaders with an interest in the successful selection of a Police Chief. Finally, there may be some value in putting together a panel of different ranking officials from the City's Police Department to assess their views of the leading candidates. This process should be clarified up front for the benefit of the candidates who might be interested in the position.

■ Special Assistance

Our efforts do not conclude with presentation of the final report. We are committed to you until a successful placement is made. Services that are routinely provided include:

- Arranging the schedule of interviews and the associated logistics for final candidates;
- Advising on starting salary, fringe benefits, relocation trends and employment packages;
- Counseling the spouse, if applicable, concerning career opportunities in the new location;
- Acting as a liaison between client and candidate in discussing offers and counter offers;
- Conducting a final round of reference checking with current employers (if not previously done for reasons of confidentiality); and
- Notifying unsuccessful candidates, who were not recommended for interview, of our decision.

Once a determination has been made on which candidate to hire, we will conduct credit, criminal and motor vehicle record checks through an outside service.

V. OUR CLIENT'S ROLE

The client has a very important role in the recruitment process. We are not a substitute for your organization. While we may identify and recommend qualified candidates, it is the client who must make the decision about which candidate to hire.

CM/CHIEF 001193

In order to insure that the best candidates are available from which to choose, our clients should be willing to do the following:

- Clearly inform us about matters relevant to the search that you wish to keep confidential (e.g., salary, personnel issues, and other privileged information);
- Forward to us copies of the resumes you receive, to avoid duplication of effort;
- Provide feedback to *Norman Roberts & Associates* regarding the information and recommendations provided by us;
- Promptly decide upon and follow up in scheduling interviews with the most promising candidates; and
- Assist in providing information to candidates that will enable them to make their career decisions.

By doing the above, we will maximize the likelihood of mutual success.

Finally, please be reminded that the United States Immigration Reform and Control Act of 1986 requires that all employers verify an employee's eligibility to work in the United States. Since *Norman Roberts & Associates* cannot serve as your agent in this matter, your hiring process should include this verification procedure.

VI. TIME FRAME

We propose the following schedule for the performance of this agreement:

1st to 2nd week	Meet with the City Manager, Members of the City Council and other appropriate individuals (e.g., staff and community representatives) to gather background information. Host community meeting(s) for additional public input.
3rd to 4th week	Develop and obtain approval for the Recruitment Profile. Develop a list of potential candidates to target. Prepare and place advertisements, if desired.
5th to 8th week	Active recruitment—solicit, receive and acknowledge resumes.
9th week	Evaluate resumes and gather supplemental information.
10th week	Submit progress report and meet with you to review leading candidates.
11th to 13th week	Verify degrees and certifications, conduct reference checks, and interview the best qualified candidates.
14th week	Submit final report and initiate the interview process with you.

Following Interviews Supplement references (if necessary); conduct credit, criminal, and motor vehicle record checks; and assist with negotiations.

VII. PROFESSIONAL FEES AND EXPENSES

We propose a fixed fee of \$16,000 for the work outlined above. In addition, we are reimbursed for expenses such as for advertising, travel, interviewing, sourcing and support services, as well as allocated costs such as telephone, postage, photocopying and other related items. These expenses will not exceed \$8,000 without written authorization from you. Please note that this amount for expenses does not include reimbursement of candidates who travel to be interviewed by you. Unless you notify us to the contrary, we will assume that you will handle these reimbursements directly. We will submit three equal monthly invoices for fees, plus an amount for expenses, due and payable upon receipt. Our first billing is due upon your authorization to proceed.

Though we are committed to working with you until a placement is made, our fees and expenses are not contingent upon our success in placing a candidate with your organization. Additionally, in the event that more than one executive is hired in connection with work performed by us (i.e., for another position within your organization), a full professional fee will be due for each executive hired.

You may discontinue this assignment at any time by written notification. In the unlikely event that this occurs, you will be billed for all expenses incurred to the date of the cancellation and for professional fees, based upon the time elapsed from the commencement of the assignment to the date of cancellation. If a cancellation occurs within the first thirty days of the assignment, following either verbal or written authorization to proceed, the first installment of professional fees will be due in full. If a cancellation occurs thereafter, the fee will be prorated based upon the number of calendar days which have elapsed. If a cancellation occurs after ninety days, all professional fees will be due in full.

VIII. GENERAL PROVISIONS

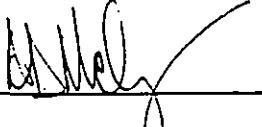

Our ability to carry out the work required is heavily dependent on our past experience in providing similar services to others, and we expect to continue such work in the future. We will, however, preserve the confidential nature of any information received from you or developed during the work in accordance with our established professional standards.

We assure you that we will devote our best efforts to carrying out the work required. The results obtained, our recommendations and any written material we provide will be our best judgment based on the information available to us and our liability, if any, shall not be greater than the amount paid to us for the services rendered. This letter shall constitute the agreement between us and it may not be modified except in writing by both parties.

IX. ACCEPTANCE

If this proposal meets with your approval, please sign below and return one copy to us.

SUBMITTED BY NORMAN ROBERTS & ASSOCIATES, INC.:

Signature:		Signature:	
Name:	Alex D. McIntyre	Name:	Norman C. Roberts
Title:	Vice President	Title:	President
Date:	January 4, 1996		

ACCEPTED FOR THE CITY OF TACOMA, WA:

Signature: _____
Name: _____
Title: _____
Date: _____

EXHIBIT A

NORMAN C. ROBERTS

Norman Roberts pioneered the field of public sector recruitment over 25 years ago. Prior to establishing *Norman Roberts & Associates, Inc.* in 1988, Mr. Roberts was a Senior Vice President of Korn/Ferry International (KFI). He joined KFI in 1976 and was founder and manager of the firm's national public sector, not-for-profit, education, and healthcare executive search practices. Mr. Roberts was previously employed for five years by Arthur D. Little, Inc. (ADL), where he conducted general assignments to recruit executives for local governments and associations. Among the many placements made by Mr. Roberts was the President of the Los Angeles Olympic Organizing Committee, Mr. Peter Ueberroth.

Before joining ADL, Mr. Roberts was a senior consultant with Peat, Marwick, Mitchell & Co., during which time he managed several major consulting engagements to provide management assistance to public agencies. For three years before this, he was a senior member of the Executive Director's staff of a federally funded program with a \$60 million annual budget. Previously, he was Assistant City Administrator of the City of Lomita. From 1962 to 1965, he was a staff assistant to the City of Los Angeles' Board of Public Works.

Mr. Roberts received a Bachelor of Arts degree in Political Science from the University of California at Los Angeles, and a Master's degree in Public Administration from the University of Southern California.

In the book The Career Makers, which profiles the top 150 executive recruiters in the nation, Mr. Roberts is ranked as the leading recruiter for both Government Agencies/Municipalities and Engineering. He is among the top ten for Transportation, MIS/Computer Operations, and Women/Handicapped/Minorities, as well as being named a leader in several other areas, including Associations/Societies/Non-Profit Organizations, Health Services/Hospitals, Universities/Colleges/Schools, Public Relations/Government Affairs, Legal, Law/Accounting/Consulting Firms, Construction and Retail.

Mr. Roberts is a Past President of both the Los Angeles and San Francisco chapters of the American Society for Public Administration (ASPA) and, in 1988, he received the Will Baughman Award for distinguished service to ASPA. He was an Advisory Board Member and Past President of the California Executive Recruiters Association (CERA); and is a member of the Western Governmental Research Association (WGRA), the International City Management Association (ICMA), and the International Personnel Management Association (IPMA). He also served on the Board of Children's Institute International and is a Past President. Mr. Roberts has authored numerous articles and spoken before national organizations on the subject of executive recruitment.

EXHIBIT B**ALEX D. McINTYRE**

Alex McIntyre joined *Norman Roberts & Associates, Inc.* in 1994 as a Vice President. Prior to joining the firm, Mr. McIntyre spent six years as the Assistant to the City Manager in Arcadia. Among his responsibilities there was serving as the Personnel Director. Before joining the City of Arcadia, Mr. McIntyre was an Administrative Analyst for the City of Burbank, and was with them for three years. While there, he worked in the Office of the City Manager as well as in the areas of personnel, budgeting and community development/redevelopment.

Mr. McIntyre received a Bachelor of Arts degree in Political Science from the University of California at Irvine, and a Master's degree in Public Administration from the University of Southern California.

Professional affiliations include: International City and County Management Association, American Society for Public Administration, International Personnel Management Association, League of California Cities, Municipal Management Assistants of Southern California, California Public Employers Labor Relations Association, and California Association of Public Information Officials. From 1991 to 1993, Mr. McIntyre served as the Chair of the San Gabriel Valley Solid Waste Management Joint Powers Authority.

EXHIBIT C

REFERENCES

CLIENT:		El Paso, TX, City of
CONTACT:	Name:	Russell Leach
	Title:	Police Chief
	Phone #:	(915) 564-7000
CONTACT:	Name:	Pat Diamanti
	Title:	Director of Personnel
	Phone #:	(915) 541-4509
CLIENT:		Redondo Beach, CA, City of
CONTACT:	Name:	William E. Kirchhoff
	Title:	City Manager
	Phone #:	(310) 372-1171
CONTACT:	Name:	Melvin Nichols
	Title:	Police Chief
	Phone #:	(310) 379-2477
CLIENT:		Ft. Lauderdale, Fl, City of
CONTACT:	Name:	George L. Hanbury
	Title:	City Manager
	Phone #:	(305) 761-5013
CLIENT:		University of California, Los Angeles
CONTACT:	Name:	John Curry
	Title:	Former Vice Chancellor (Vice President for Business and Finance and Acting Treasurer, California Institute of Technology)
	Phone #:	(818) 395-3055
CONTACT:	Name:	Clarence Chapman
	Title:	Police Chief
	Phone #:	(310) 825-1491
CLIENT:		Washington State Investment Board
CONTACT:	Name:	Daniel K. Grimm
	Title:	Board Member
	Phone #:	(206) 753-7139
CONTACT:	Name:	Andrew E. Nelditz
	Title:	Director, Public Safety, Pierce County, WA
	Phone #:	(206) 596-2992
CONTACT:	Name:	Erling Mork
	Title:	Former City Manager, City of Tacoma, WA (Member, Economic Development Board, Tacoma/Pierce County)
	Phone #:	(206) 383-4726

CITY OF TACOMA, WA



Tacoma

POLICE CHIEF

Send resumes or nominations by May 10, 1996 to:

Alex D. McIntyre, Vice President
NORMAN ROBERTS & ASSOCIATES, INC.
1800 Century Park East, Suite 430
Los Angeles, CA 90067-1507
Telephone: (310) 552-1112
Facsimile: (310) 552-1113
E-Mail: NRAssoc@aol.com

AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY/ADA EMPLOYER

NORMAN ROBERTS & ASSOCIATES, INC.

NORMAN ROBERTS & ASSOCIATES, INC.

RECRUITMENT PROFILE

I. CITY OF TACOMA, WA

- The City of Tacoma lies in a picturesque region of western Washington overlooking Commencement Bay, west of the Cascade Mountain Range and Mt. Rainier and east of the Olympic Peninsula. Its location at the south end of the Puget Sound and its richly diverse cultural history make it an ideal location to work, live, play and visit. The City is 36 miles south of Seattle and 28 miles north of Olympia, the State's capital.
- Tacoma, with a current population of 184,000, has a growing and diverse minority community; in 1990, 22% of its residents were minority. Covering over 50 square miles, Tacoma is the county seat of Pierce County, the second largest county in the State. Tacoma is the hub of a diverse economy, fueled by the aerospace, forestry, financial, health care and international trade industries. The economy is supplemented by the military presence with installations located at McChord Air Force Base, Fort Lewis and Madigan Army Medical Center.
- The Port of Tacoma is the sixth largest deep water container port in North America, handling over 80% of all waterborne cargo shipped to Alaska from the lower 48 states. Seattle-Tacoma International Airport (SeaTac) is a short drive from the City.
- The City of Tacoma is known as the South Sound capital for commerce, education, cultural and recreational activities. Recently, *Entrepreneur* magazine rated Tacoma as the top mid-size city in the country for small businesses (and among the top 30 overall). In 1990, *Money Magazine* rated Tacoma as the country's fourth-best place to live. The progressive and diverse City is also a two-time recipient of the "All America City" award. Tacoma, known for its affordable, small-town lifestyle with all of the amenities of a big city, remains one of the country's best kept secrets, offering a pristine Northwest lifestyle unparalleled in most major cities. The 1995 median cost of a single-family house was \$129,500, with monthly apartment rents averaging \$600.
- Tacoma offers an abundance of cultural, leisure and sporting activities. The 700-acre Point Defiance Park, one of the largest urban parks in the nation, is host to an internationally acclaimed zoo and aquarium. Additionally, there are over 80 park sites throughout the City operated by the Metropolitan Park District of Tacoma.
- Museum fans can browse through the new \$48 million Washington State Historical Society Museum (scheduled to open in August, 1996), the Tacoma Art Museum or the Children's Museum. Theater buffs have a variety of venues from which to choose including the impressively renovated Pantages Centre, Theatre on the Square and the beautifully restored Rialto Theatre, all located in the City's Broadway Theatre District. The City's Tacoma Dome is home to a number of sporting events as well as major concerts and trade shows. Sports are a big part of Tacoma's lifestyle. The Tacoma Rainiers, the AAA affiliate of the Seattle Mariners baseball team, draw sell-out crowds to Cheney Stadium. Outdoor enthusiasts have a wide range of activities from the waters of the Sound to the top of Mt. Rainier.

- The City has state-of-the-art medical facilities and a quality public school district, with private school alternatives available. Higher educational opportunities can be found within the City at the University of Puget Sound, Pacific Lutheran University, as well as Evergreen State College, Tacoma Branch and the newest campus for the University of Washington. A number of community colleges and vocational schools are also located there. Additional educational opportunities can be found throughout the region.
- Tacomans take great pride in their City and are key players in the City's open and participative government. They have a strong commitment to and respect for cultural diversity. The citizenry is active in the City and its neighborhoods. The citizens believe that crime in Tacoma is a serious problem and is a high priority for the City. The City recognizes this challenge and continues to implement traditional, as well as more progressive interdiction, educational and preventive approaches to address the crime problem (e.g., community mobilization programs such as the Safe Streets program).
- The City of Tacoma is a full-service City operating under the Council-Manager form of government. Five Council members are elected by District with another four, including the Mayor, elected at-large for four year, overlapping terms. The Council appoints the City Manager who oversees twelve City departments. The Council also appoints the Public Utility Board which has oversight of the City's light and water operations. The City adopts a biennial budget which for 1995-1996 totaled over \$1.3 billion for all funds and has over 3,100 employees.

II. THE TACOMA POLICE DEPARTMENT

- The Tacoma Police Department's Mission Statement is to: *Provide quality service and protection to Tacoma's neighborhoods and businesses through a partnership with public and private agencies.* To meet this challenge, the Tacoma Police Department is divided into three Bureaus:
 - Operations Bureau - includes patrol, K-9, operations support and special units;
 - Investigations Bureau - includes special investigations (e.g., narcotics, vice, etc.) and criminal investigations; and
 - Administrative Support - includes finance and property management, data processing, records, planning and research, training, identification services, internal affairs and other administrative support services.
- The Department contracts with Pierce County for property and jail services and has joined with the County in the provision of communications and records services through the Law Enforcement Support Agency (LESA).
- To better fight crime in the City and to provide a local presence in the neighborhoods, the Department has adopted a Community Oriented Policing Program which is in the final stages of implementation. This program has received considerable support from the Council and the community.
- The Tacoma Police Department has 432 budgeted FTE employees with 378 commissioned officers who are represented by the Tacoma Police Union. The total 1995-96 biennial Department budget is \$77 million.
- A Department organization chart is attached.

III. ISSUES/CHALLENGES FACING THE POLICE DEPARTMENT (Not Prioritized)

- Improve crime response, particularly in the area of violent crime, gangs and domestic violence.
- Develop a Tacoma Police Department Strategic Plan.
- Work jointly with the command staff, rank and file and the union to explore means to improve morale within the Department.
- Oversee a facility needs assessment and recommend appropriate alternatives.
- Explore opportunities to civilianize police functions.
- Enhance and maximize the use of technology throughout the Department.
- Continue to implement the Total Quality (TQM) principles within Department.
- Enhance the partnership with the Police Union to improve labor relations.
- Maximize the allocation of resources equitably and effectively.
- Work with the City Manager's office to conduct a performance audit of the Department.
- Evaluate the City's pilot Take Home Vehicle Policy.
- Continue to maintain successful communications between the Department and the community.
- Forge effective relationships with other governmental agencies.
- Continue to implement and fine-tune the City's Community Oriented Policing program.

IV. THE POSITION OF POLICE CHIEF

- Under the direction of the City Manager, the Police Chief plans, organizes, directs and controls the activities of the Tacoma Police Department. The Chief assures the effective protection of lives, property and constitutional rights through the enforcement of laws and ordinances. He/She formulates, develops, implements and evaluates Departmental policies, goals and objectives and directs and approves personnel actions within the Department.
- Examples of responsibilities and duties of the Police Chief include, but are not limited to, the following:
 - Develop Departmental policies and procedures and issue directives to meet public needs efficiently and effectively;
 - Notify the City Manager regarding sensitive information and provide the City Manager with information regarding significant incidents and problems related to Police Department administration;
 - Continue working partnerships with other City Departments;

NORMAN ROBERTS & ASSOCIATES, INC.

- Direct the preparation and administration of the Departmental budget, assuring the effective distribution and utilization of personnel and equipment resources, and plan and project future needs of the Department;
 - Approve Department personnel actions involving promotions, reassignments, discipline, terminations, salary increases and the selection and evaluation of employees;
 - Represent the Police Department in meetings with community leaders and civic organizations and enlist support for police activities;
 - Maintain a cooperative relationship with the news media to improve community relations;
 - Confer with other law enforcement officials to coordinate investigations and enforcement efforts and discuss other matters of mutual concern;
 - Assure the legal and proper treatment of City prisoners and their property in accordance with contractual arrangements with Pierce County Jail, and assure suspects are arrested and brought before the courts according to the law;
 - Promote and implement Total Quality (TQM) principles;
 - Maintain current knowledge in the field of law enforcement and criminal justice; and
 - Perform related duties as assigned.
- The position is vacant due to the retirement of the incumbent.

V. THE CANDIDATE

■ Education/Experience/Professional Development

- A combination of equivalent experience and training that would provide the required skills, knowledge and abilities would be qualifying. A typical way to qualify would be to hold a bachelor's degree, from an accredited college or university, in Police Science, Social Science, Criminal Justice, Public Administration or a related field; a master's degree would be preferred. In addition, candidates should have at least five years of increasingly responsible and varied administrative experience in a police department which provides a full range of police services. The City seeks candidates who have demonstrated success in addressing a number of police issues, including crime reduction and success in the development and/or implementation of a community oriented policing program.
- Participation in professional organizations is encouraged as long as it is kept in balance with the job.
- The new chief will be expected to reside within the City.

■ Knowledge

Candidates should have knowledge of:

- The organization, administration and diversification of a large municipal police department;

NORMAN ROBERTS & ASSOCIATES, INC.

- The effective allocation of department personnel and resources;
- Budget preparation and fiscal management;
- The principles, practices and techniques of law enforcement and crime prevention activities;
- Current trends in law enforcement and recent court cases affecting police work;
- The formulation, development and evaluation of administrative policies, goals and objectives;
- Total Quality (TQM) principles;
- Effective oral and written communication skills;
- Effective labor relations strategies;
- Strategic planning;
- Performance measures and benchmarking;
- The principles and practices of administration, supervision and training; and
- The City organization, operations, policies and objectives.

■ Management Style and Abilities

The ideal candidate should have/be:

- Outstanding analytical and reasoning skills;
- A results oriented leader;
- A commitment to community oriented policing;
- Fair and consistent;
- Objective – someone who will not show favoritism;
- An effective negotiator;
- Confident;
- A risk taker;
- A participative management style;
- Tough on crime and aggressive in his/her approach to crime fighting;
- Independent;
- Task oriented;
- A change agent – he/she will not accept the status quo;

NORMAN ROBERTS & ASSOCIATES, INC.

- Willing to hold people accountable;
- A team player;
- Vision;
- A community orientation balanced with an operations orientation; and
- Accessible to the City Manager and his staff, the Council, the Department employees and the Community.

In addition, he/she should be able to:

- Ask questions and listen;
- Roll up his/her sleeves to tackle problems;
- Gauge the community's pulse;
- Evaluate and make an impact on the Department;
- Earn and command respect;
- Develop cooperative relationships with other governmental agencies;
- Motivate staff;
- Work effectively with grass roots organizations, community groups and the general public;
- Direct and control police services and operations;
- Assure effective police protection of the citizens of Tacoma;
- Evaluate police services and activities and recommend improvements;
- Assign and direct police personnel to accomplish departmental goals and objectives;
- Communicate effectively with public officials, law enforcement agents, citizen groups and organizations;
- Establish and maintain cooperative and effective working relationships with others;
- Prepare a variety of reports, correspondence and other written materials; and
- Supervise, assign and evaluate personnel.

■ **Personal Traits**

Candidates should have/be:

- Honest, credible and have integrity;
- Principled – he/she should be willing to stand up for what is right;

NORMAN ROBERTS & ASSOCIATES, INC.

- Personable and empathetic;
- Respected;
- Common sense;
- Articulate and tactful;
- Sensitive and committed to diversity;
- Optimistic;
- Politically astute without being political;
- Disciplined;
- Innovative and creative;
- Patient and courteous;
- Dynamic; and
- Bright.

VI. MANAGEMENT COMPENSATION AND BENEFITS

The annual salary for this position is open, within an established range of \$82,451 to \$100,214, depending upon qualifications and experience. In addition, the City offers a generous benefits package which includes: vacation, holiday and sick leave; fully-paid family health and dental insurance; a flexible spending account for unreimbursed medical or dependent care; long-term and short-term disability programs; life insurance programs; a City-provided vehicle; longevity pay; an Employee Assistance Program; and a deferred compensation program. Commissioned officers participate in the Washington State Law Enforcement Officers and Firefighters (LEOFF) pension system.

VII. SELECTION PROCESS

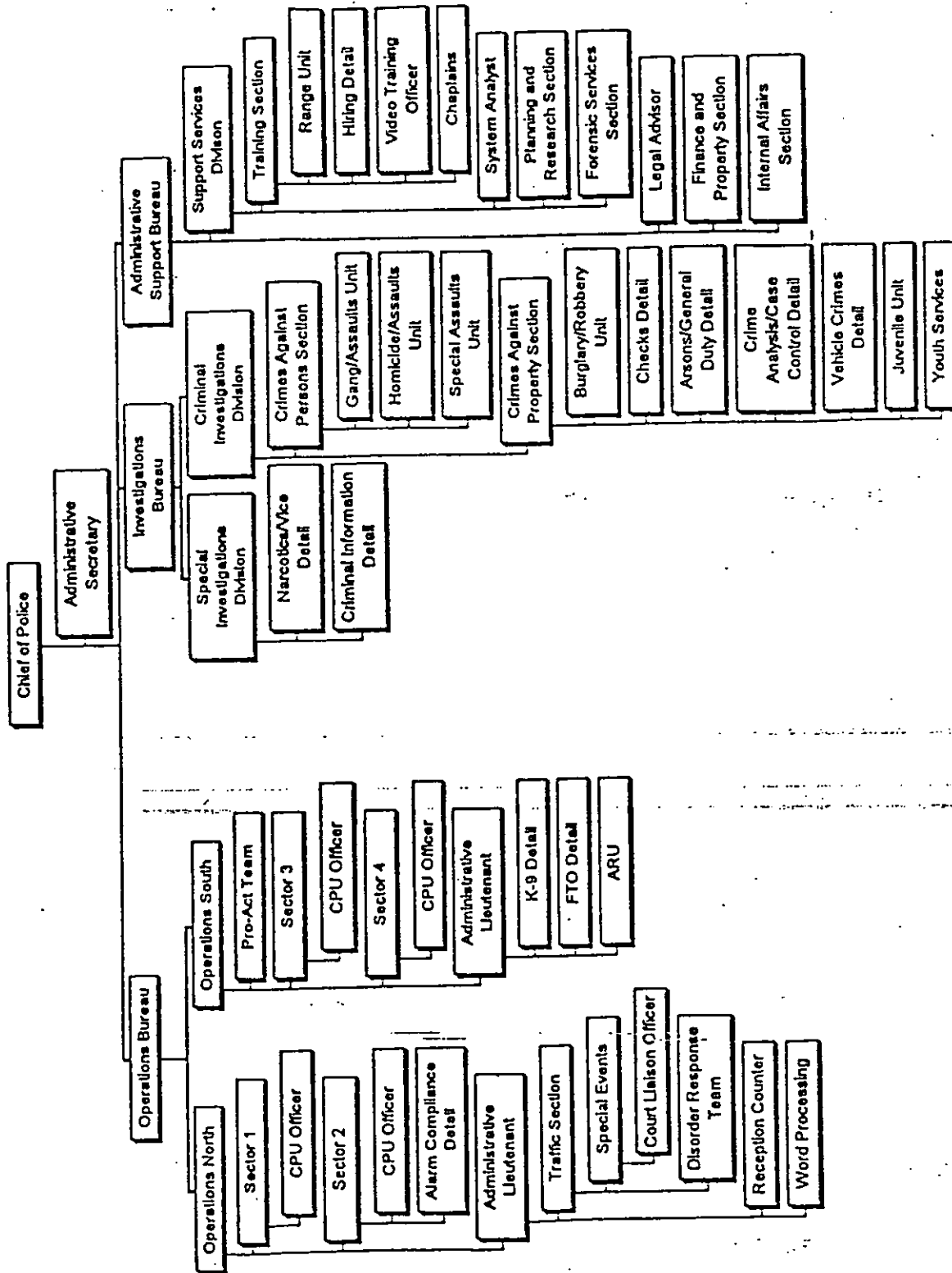
After a preliminary screening of resumes by NORMAN ROBERTS & ASSOCIATES and the City Manager, selected candidates will be asked to interview with a panel, which may be composed of members of the community; professional law enforcement and other criminal justice professionals, labor representatives as well as professional administrators. The panel's input will be carefully considered by the City Manager in his final selection of a Police Chief.

This Recruitment Profile was developed through interviews with members of City Council, Police Department staff, Police union representatives, the City Manager and his staff and through Community forums.

4/11/96

NORMAN ROBERTS & ASSOCIATES, INC.

Tacoma Police Department Organization Chart



NORMAN ROBERTS & ASSOCIATES, INC.

EXHIBIT

#3

PHILIP ARREOLA**PERSONAL**

Address: 2771 N. 68th Street
Milwaukee, WI 53210

Telephone: Home: (414) 258-7714
Work: (414) 935-7200

(414)
935-7742

EDUCATIONAL BACKGROUND

Juris Doctorate - 1985
Bachelor of Science - Police Administration - 1974
Wayne State University; Detroit, MI

CERTIFICATIONS

Graduate - 1990
F.B.I. National Executive Institute; Quantico, VA

Graduate - 1988
F.B.I. Law Enforcement Development Seminar; Quantico, VA

Graduate - 1977
F.B.I. National Academy; Quantico, VA

Member of the Bar - MI

SUMMARY OF EXPERIENCE

1989 to Present	<u>MILWAUKEE (WI) POLICE DEPARTMENT</u> (Population: 636,000)
	CHIEF
1987 to 1989	<u>PORT HURON (MI) POLICE DEPARTMENT</u> (Population: 34,000)
	CHIEF
1960 to 1987	<u>DETROIT (MI) POLICE DEPARTMENT</u> (Population: 1,028,000)
1977 to 1987	COMMANDER
1976 to 1977	INSPECTOR
1974 to 1976	LIEUTENANT
1970 to 1974	SERGEANT
1969 to 1970	DETECTIVE
1961 to 1969	OFFICER
1960 to 1961	CADET

COMPENSATION

Chief Arreola reports a current annual base salary of \$108,000, plus a full benefits package.

TACOMA-01-5/96

CITY OF TACOMA, WA

CHIEF OF POLICE

EXTERNAL CANDIDATES

PHILIP ARREOLA

JIMMIE L. DOTSON

JEROME E. LANCE

T. NEIL MOORE, JR.

JILL S. MUNCY

RICK D. STONE

CITY OF TACOMA, WAPOLICE CHIEFSUPPLEMENTAL INFORMATION

NAME: Philip Arreola

JOB TITLE: Chief Of Police

ORGANIZATION: Milwaukee Police Department

POPULATION SERVED (number): 636,000

REPORT TO: Fire and Police Commission

CURRENT (OR MOST RECENT)
ANNUAL BASE SALARY: \$ 108,000

DESCRIPTION OF
DEPARTMENTAL STAFFING: 2127 Sworn/Commissioned Officers
505 Civilian Employees

CURRENT DEPARTMENTAL
BUDGET: \$ 136 million

PORTION OF BUDGET FOR
WHICH YOU ARE RESPONSIBLE: \$ total

BRIEFLY DESCRIBE YOUR EXPERIENCE AND/OR SIGNIFICANT ACCOMPLISHMENTS IN THE FOLLOWING AREAS (from any position which you have held):

SUCCESSFULLY DEVELOPING AND/OR IMPLEMENTING A COMMUNITY-ORIENTED POLICING PROGRAM:

Upon taking office in 1989, I began leading the Milwaukee Police Department toward the adoption of the Philosophy of Community Oriented Policing (COP). This was a major change in the Organization's philosophy requiring careful examination and redefinition of the culture and structure of the Department in terms of COP. This was accomplished through intra-departmental seminars, conferences, and intensive training. A Mission and values statement was developed and COP became the corporated philosophy of the Department.

A strategic plan was developed to operationalize the concept into the everyday work and activity of the Department. The implementation included testing and developing the philosophy with small groups of personnel and in small sections of the city, expanding it to larger groups and adjacent areas before city-wide implementation.

We have achieved noteworthy success in crime reduction, customer satisfaction, and administrative effectiveness through COP. Please see attached Paper and related material.

City of Tacoma, WA
Police Chief

Page 2

WORKING WITH A DIVERSE AND ACTIVE CITIZENRY:

Milwaukee is proud of it's diversity. It is a City rich in cultural ethnic and racial heritage. However in this strength lies our greatest challenge, that of ameliorating the perceived differences towards community harmony. I have added training that exposes all officers to the many community groups and viewpoints that they share. Community members take an active role in the formation of new officers. Every officer has been instructed and participated in a Valuing Diversity program that has become part of our COP-Problem solving philosophy.

District Commanders are charged with the responsibility of active outreach to our Block watch and civic organizations.

IMPROVING STAFF MORALE:

Training opportunities were developed and expanded for all ranks. Equipment was evaluated and improved, new sidearms and defensive spray was implemented without a quid pro quo or lengthy negotiation. Labor-management committees were involved in the process. A POST(police officer support team) coordinator was established to assist in the EAP process.

Morale is difficult at best to measure, however Sick time and duty injury absenteeism has gone down to it's lowest level since 1979. The Department was chosen by the Public Policy forum to receive the "1994 salute to Local Governments Award" for this noteworthy partnership award.

IMPROVING CRIME RESPONSE, PARTICULARLY IN THE AREAS OF VIOLENT CRIME, GANGS AND DOMESTIC VIOLENCE:

Crime is the major issue confronting today's police departments and the Cities. The response must be multi-dimensional' reactive and crime preventative. Towards this end, I have implemented a coordinated anti gang, gun, and drug strategy which targets identified areas of criminal activity. Arrests and case clearance is still an effective method of attacking crime. Coupled with efforts to prevent crime, ie truancy and curfew enforcement, Quality of life violation enforcement this strategy can be effective. I believe in an active participation in the Criminal Justice System, holding ourselves accountable.

REASON FOR INTEREST IN, AND ANY CONCERNS ABOUT, THE POSITION:

I have been a law enforcement professional all my adult life. I sincerely believe that the Police can be a deciding factor in the quality of life of a community. To be candid, I am interested in the opportunity to practice my craft in another part of the Country. I have lived in the Mid-west all my life and would relish the chance to live in the Northwest.

TACOMA-01-04/96

*Philip Arreola
Chief of Police*

*Milwaukee Police Department
749 West State Street
P.O. Box 531
Milwaukee, WI 53201
(414) 935-7200*

*Date of birth: February 4, 1940
Marital Status: Married*

EDUCATION

*Juris Doctor - December, 1985
Wayne State University Law School*

Graduate F.B.I. National Executive Institute, 1990

Graduate F.B.I. Law Enforcement Development Seminar, 1988

Graduate F.B.I. National Academy, 1977

*Bachelor of Science (with distinction), 1974
Major-Police Administration
Wayne State University*

*Research Fellow of Criminal Justice, 1970-1971
Harvard University Law School*

Courses in criminal law, research and evaluation, techniques, and sociology perspectives and research. This program was sponsored by the Center of Criminal Justice, Harvard Law, and attendance under the auspices of the Detroit Police Department.

CAREER EXPERIENCE

DETROIT:

*Appointed Police Cadet - April 3, 1960
Appointed Patrolman - July 10, 1961
Promoted to Detective - October 16, 1969
Promoted to Sergeant - April 3, 1970
Promoted to Lieutenant - November 6, 1972
Promoted to Inspector - November 9, 1976
Promoted to Commander - September 29, 1977
Retired May 1, 1987 with rank of Commander*

- 2 -

PORT HURON:*Appointed Chief of Police - May 4, 1987***MILWAUKEE:***Appointed Chief of Police - November 6, 1989***ASSIGNMENTS**

<i>September 18, 1961</i>	<i>Patrolman</i>	<i>Second Precinct</i>
<i>January 20, 1963</i>	<i>Patrolman</i>	<i>Motor Traffic Bureau</i>
<i>September 15, 1969</i>	<i>Patrolman</i>	<i>Crime Scene Investigation</i>
<i>October 20, 1969</i>	<i>Detective</i>	<i>Second Precinct C.I.D.</i>
<i>April 3, 1970</i>	<i>Sergeant</i>	<i>Tenth Precinct Uniform Division</i>
<i>October 7, 1971</i>	<i>Sergeant</i>	<i>Training Academy</i>
<i>April 1, 1972</i>	<i>Sergeant</i>	<i>Scientific Division</i>
<i>January 2, 1974</i>	<i>Lieutenant</i>	<i>Exec. Lt. Scientific Division</i>
<i>November 9, 1976</i>	<i>Inspector</i>	<i>Commanding Officer Crime Lab</i>
<i>September 29, 1977</i>	<i>Commander</i>	<i>Sixth Precinct</i>
<i>May 4, 1987</i>	<i>Chief</i>	<i>City of Port Huron, Michigan</i>
<i>November 6, 1989</i>	<i>Chief</i>	<i>City of Milwaukee, Wisconsin</i>

AWARDS - POLICE**DETROIT:***Detroit Police Department Medal for Valor 1986**Lifesaving Citation**Department Citations #1663 and #2184**Commissioner's Unit Awards #26 and #80**Eleven Merit Citations**Twenty Commendations**Two Crime Prevention Citations**Chief's Merit Awards #82 and #342***COMMUNITY INVOLVEMENT****DETROIT POLICE DEPARTMENT***Board of Ethics**Sports Sanction Committee (Chairman)**Legislative Committee (member)***PORT HURON***Title III Emergency Planning Committee, St. Clair County***MILWAUKEE***Milwaukee Metropolitan Drug Enforcement Group**City of Milwaukee Quality Performance Task Force**City of Milwaukee "Hang Tough" Task Force on Drug Prevention**City of Milwaukee Juvenile Crime Task Force*

- 3 -

COMMUNITY-CIVIC INVOLVEMENTS

New Detroit, Inc. Substance Abuse
New Detroit Latin Caucus (Crime Committee)
Detroit Substance Abuse Advisory Council
Agency for Substance Abuse Services in Detroit (Mayoral appointment)
New Detroit Hispanic Leadership Council (member)
Detroit West Side Optimist Club
Board of Directors, Western Y.M.C.A.
Board of Directors, LaCasa (substance abuse center)
Board of Directors, United Way (Domestic Assault Rape Elimination Services)
Board of Directors, Boys and Girls Club of Milwaukee
Chairman, Advisory Committee, Holton Youth Center, Milwaukee
Board of Directors, Police Athletic League, Milwaukee
Chairman, Detroit Archdiocese Catholic Service Appeal, 1986

PROFESSIONAL ASSOCIATIONS

Member, International Chiefs of Police Association
Major Cities Chiefs Association
Detroit Police Lieutenants and Sergeants Association (emeritus)
F.B.I. National Academy
Michigan Bar Association, member
American Bar Association, member
St. Clair County Bar Association, past member
Milwaukee Hispanic Chamber of Commerce
Wisconsin Chiefs of Police Association
Milwaukee County Law Enforcement Executives Association
Hispanic American Command Police Officers Association
Wisconsin Police Executive Group
National Organization of Black Law Enforcement Officers (NOBLE)

INTERAGENCY ACTIVITY

Conducted evaluation study of Department of Safety, Wayne State University, 1988
Participated in promotional assessment centers for: New Orleans Police Department, 1984
for rank of sergeant; Miami, Dade County Police Department, 1985 for the rank of
Captain; St. Clair County Sheriff's Department for the rank of Lieutenant

MISCELLANEOUS

Numerous lectures presented to civic groups, bar associations and police groups.
Adjunct Professor, Marquette University and Milwaukee Area Technical Colleges
Subjects: Criminology and Police Sciences

CHIEF OF POLICE

Candidate Name: _____

Please evaluate the candidate's experience in each of the following areas:

	STRONG	MODERATE	BELOW AVERAGE
1. Managing a Comparable Law Enforcement Organization			
2. Administering a Budget			
3. Organization Planning			
4. Working With an Active Citizenry			
5. Working with Labor Unions			
6. Working With Elected Officials			
7. Community Oriented Policing			
8. Reducing Crime (e.g., Domestic Violence, Drugs, Gangs, etc.)			
9. Public/Community/Media Relations			
10. Staff Relations			
11. Personal Attributes			
A. Leadership			
B. Communication Skills			
C. Negotiations			
D. Sensitivity to Diversity			
E. Intelligence/Vision			
F. Management Style (e.g. Team Building)			

EVALUATION REPORT SUMMARY**PHILIP ARREOLA****References Contacted***

James Carmody
 Captain
 Port Huron Police Department
 Port Huron, MI
 (816) 984-8415

James W. Koleas
 Assistant Chief/Operations
 Milwaukee Police Department
 Milwaukee, WI
 (414) 935-7202

Maria Monreal-Cameron
 Executive Director
 Hispanic Chamber of Commerce of
 Wisconsin
 Milwaukee, WI
 (414) 643-6963

Danny McKane
 Deputy Chief
 Detroit Police Department
 Detroit, MI
 (313) 596-1087

Lorraine McNamara-McGraw
 Retired
 (Former Alderperson, Common Council
 of Milwaukee, WI)
 Milwaukee, WI
 (414) 964-7486

M. Nicol Padway
 Self-Employed Attorney
 (Former Chair, Milwaukee Fire and
 Police Commission)
 Milwaukee, WI
 (414) 277-9800

Adam Wojak
 President Elect
 Milwaukee Police Supervisors'
 Organization
 Milwaukee, WI
 (414) 672-6776

* Chief Arreola requested that we not contact his current supervisor until a mutual interest has been established.

Overview

Chief Arreola's references described him as bright, hardworking and articulate Police Chief with proven experience in a variety of urban and suburban environments.

Job Knowledge/Related Accomplishments

References have identified the following as major accomplishments of Chief Arreola:

- He was the first outside and minority Police Chief in the history of Milwaukee. His candidacy was strongly supported by the Mayor who was looking for a new Chief to introduce community based policing to the City. The Department that Chief Arreola inherited "was traditionally based, and besieged with racism and sexism." The Department was the eleventh largest in the Country, yet had no female or minority representation at the command level. Chief Arreola assessed his staff and, over time, promoted qualified female and minority

candidates into his command staff. He also introduced diversity training for all of his staff.

- As the new Milwaukee Police Chief, he developed a cohesive document of rules and regulations and standard operating procedures for the Department. There was little documentation of this nature available for the officers. He also developed the Department's use of force and pursuit policies, both controversial and legally and politically challenging for him and his Department.
- He established the citizen-based Community Oriented Policing Advisory Council (COPAC), comprised of members representing a diverse cross section of the City, to provide guidance and input into the development and implementation of Milwaukee's community oriented policing program. The program continues to be regularly re-evaluated and fine-tuned by COPAC, as well as by the Department. He has also been extremely effective in developing and enhancing community relations and in earning the support and respect of the community. However, several years later, the Mayor changed his position on community based policing, preferring to return to a more traditional model of policing.
- He has instilled a sense of professional and ethical quality and an esprit de corps in the Milwaukee Police Department. He consistently delivers that message to the rank and file as well as to the community. He has restored the general public's confidence and respect of the Department and has made it more "user friendly."
- During his tenure as Chief of the Milwaukee Police Department, "crimes have decreased and stabilized." He established a tactical unit to tackle the City's burgeoning gang problem. His officers were able to identify, infiltrate and reduce the growth of gangs and, therefore, the respective crime problems associated with gangs. He also developed an effective anti-graffiti program.
- He is a strong supporter of higher education, particularly underprivileged youth who lack the resources to continue their academic studies. He contributes the money he receives from teaching at Marquette University, as well as any honorariums he receives when he is asked to speak, to a scholarship he helped establish.
- He introduced technology into the Milwaukee Police Department, including the conversion to an automated 911 dispatch system. One of the previous chiefs refused a federal technology grant due to his refusal to sign a federal non-discriminatory clause in the grant materials.
- He was brought into Port Huron as the first outside Chief to address a number of problems with the Department, which was steeped in tradition and parochial approaches to policing. He reached out to the community, opening up the Department and making it more accessible. Despite much resistance, he broke

the "good 'ol boy" command structure, creating better and more honest communication between the Chief's office and the rank and file. He also empowered the patrol staff, giving them greater latitude to do their jobs.

- While the Commander of the Sixth Precinct in Detroit, he was responsible for relocating the Precinct from its former quarters to a new facility. The relocation also included redefining the boundaries of the Precinct area to better coincide with the Councilmanic Districts in the City. This required incredible coordination and organization.

Known Reasons for Prior Job Changes/Reasons for Interest in the Position

According to references, Chief Arreola may be interested in the position because his seven-year contract with the City of Milwaukee is scheduled to expire in November 1996 and it appears it will not be renewed. According to press accounts (and confirmed by many of the references) the Chief and the Mayor have not gotten along for many years -- "the Chief is the one person who the Mayor cannot manipulate." This, coupled with the Mayor's change in position on community based policing, has caused professional and personal tension between the two officials. Although the Mayor does not have appointing authority of the Chief, he does appoint the members of the Fire and Police Commission who do have such authority. Chief Arreola wants to continue to be a Chief and has always been interested in relocating west.

References cited the following as reasons for previous job changes:

- Chief Arreola left Port Huron because he was recruited to be the first outside Chief for the City of Milwaukee. He was hired in Milwaukee because of his knowledge of and skills in community based policing.
- After 27 years with the Detroit Police Department, Chief Arreola retired from the Department to accept a Chief's position with the City of Port Huron.

Management Style/Personal Attributes

References characterized Chief Arreola as being/having:

- A participative management style. One reference indicated that he may take advice from too many people while another stated that he likes to receive input from the stakeholders of a decision. Another reference indicated that, in times of crisis, he may become appropriately autocratic and make decisions without input from others.
- Someone who will use task forces to address and resolve serious or perceived crime problems.

Philip Arreola
Evaluation Report Summary

Page 4

- Sensitive to diversity.
- Politically astute and politically savvy.
- A visionary.
- Hardworking and focused.
- A change agent. He will not stand for the status quo.
- A strong community orientation and community advocate.
- Someone who accepts responsibility for his actions.
- Direct.
- An excellent ambassador for the Department within the community and with City officials.
- Enthusiastic and passionate about his profession.
- Firm when he needs to be.
- A high profile. He likes to be visible in, and known by the community.
- A coalition and consensus builder.
- A strong commitment to professionalism, including public perception and appearances.
- Someone who keeps his supervisors appropriately and timely informed.
- Respected by his peers, members of the Common Council and City staff.
- An effective leader.
- A team builder.

Known Weaknesses/Controversies

In response to being asked about possible weaknesses and/or controversies, references stated:

- One reference indicated that Chief Arreola "is not consistent with the administration of discipline." This has caused problems within the Department. The same reference indicated that "Chief Arreola may seek input

from and listen to the wrong people in he community." The reference further indicated that he is not "connected and in touch with the officers on the street." These beliefs were not shared by any other references contacted and were, in fact, contradicted by some.

- In the wake of the Jeffrey Dahmer murder/mutilation crimes, Chief Arreola terminated two police officers for gross malfeasance in the execution of their duties. According to references, the officers discovered a 14 year old boy wandering the neighborhood naked and confused. Despite pleadings from neighborhood children who claimed to know the boy, the officers returned the boy to Mr. Dahmer's care who subsequently tortured/murdered him. In fact, the mother of one of the neighborhood boys contacted the officers after they returned the victim to Mr. Dahmer and encouraged the officers to reconsider their actions. References suggested that the officers' actions may have had racial and/or sexual orientation motivations. It wasn't until three victims later that the police were able to apprehend Mr. Dahmer. The officers appealed the terminations to the Milwaukee Fire and Police Commission (the adjudicating body for such appeals). After exhaustive hearings, the terminations were upheld. The officers appealed their case to the Circuit Courts. Due to the tremendous community response to the Dahmer crimes, "no Milwaukee judge would handle the case and a judge was brought in from Green Bay to adjudicate the appeal." The outside judge sided with the officers, citing that the punishment was too severe for the actions and granted their reinstatement. This proved to be an embarrassment to the Chief.
- From the beginning of his career in Milwaukee, he was not able to win over the union and its leadership. He has had ongoing problems with the union. Several references concurred on this, yet indicated that no Chief in Milwaukee has ever had positive relations with the Police Union.
- One reference stated that although he has introduced some new technology into the Milwaukee Police Department, he "has not done enough with technology in the field."
- In Milwaukee, there has been an ongoing Equal Employment Opportunity investigation of his Department that he inherited from a previous Chief. The multi-year investigation has yet to uncover any issues of discrimination during Chief Arreola's tenure.
- He shot and killed an assailant in the line of duty while with the Detroit Police Department. The incident was investigated and the shooting was found to be appropriate.

Strengths Relative to the Position

Most references mentioned as a strength that Chief Arreola is articulate and an excellent public speaker. Additional comments included that he is/has:

- Excellent command presence.
- Bright.
- Decisive.
- Genuine and honest.
- Excellent writing skills.
- Integrity. He will stand up for his convictions.
- Well connected in the enforcement.
- Someone with substance.
- Well organized and thorough.
- Someone who listens.
- Someone who can be philosophical when it comes to crime. He understands the need to combat crime, but has strong beliefs in the need to address the underlying causation as well (insufficient education, declining family values, poverty, etc.).
- Innovative.
- Someone who is able to say "no" clearly yet tactfully. He is diplomatic.

Summary

Overall, Chief Arreola is considered to be a strong and experienced Police Chief.

TACOMA-01-7/96

- Personable and empathetic;
- Respected;
- Common sense;
- Articulate and tactful;
- Sensitive and committed to diversity;
- Optimistic;
- Politically astute without being political;
- Disciplined;
- Innovative and creative;
- Patient and courteous;
- Dynamic; and
- Bright.

VI. MANAGEMENT COMPENSATION AND BENEFITS

The annual salary for this position is open, within an established range of \$82,451 to \$100,214, depending upon qualifications and experience. In addition, the City offers a generous benefits package which includes: vacation, holiday and sick leave; fully-paid family health and dental insurance; a flexible spending account for unreimbursed medical or dependent care; long-term and short-term disability programs; life insurance programs; a City-provided vehicle; longevity pay; an Employee Assistance Program; and a deferred compensation program. Commissioned officers participate in the Washington State Law Enforcement Officers and Firefighters (LEOFF) pension system.

VII. SELECTION PROCESS

After a preliminary screening of resumes by NORMAN ROBERTS & ASSOCIATES and the City Manager, selected candidates will be asked to interview with a panel, which may be composed of members of the community, professional law enforcement and other criminal justice professionals, labor representatives as well as professional administrators. The panel's input will be carefully considered by the City Manager in his final selection of a Police Chief.

This Recruitment Profile was developed through interviews with members of City Council, Police Department staff, Police union representatives, the City Manager and his staff and through Community forums.

4/11/96

NORMAN ROBERTS & ASSOCIATES, INC.

AUG-02-1996 12:57 FROM

MPD CHIEFS OFFICE TO

913105521113 P.01

MILWAUKEE POLICE DEPARTMENT OFFICE OF THE CHIEF



RECEIVED
AUG 02 1996

ACK _____

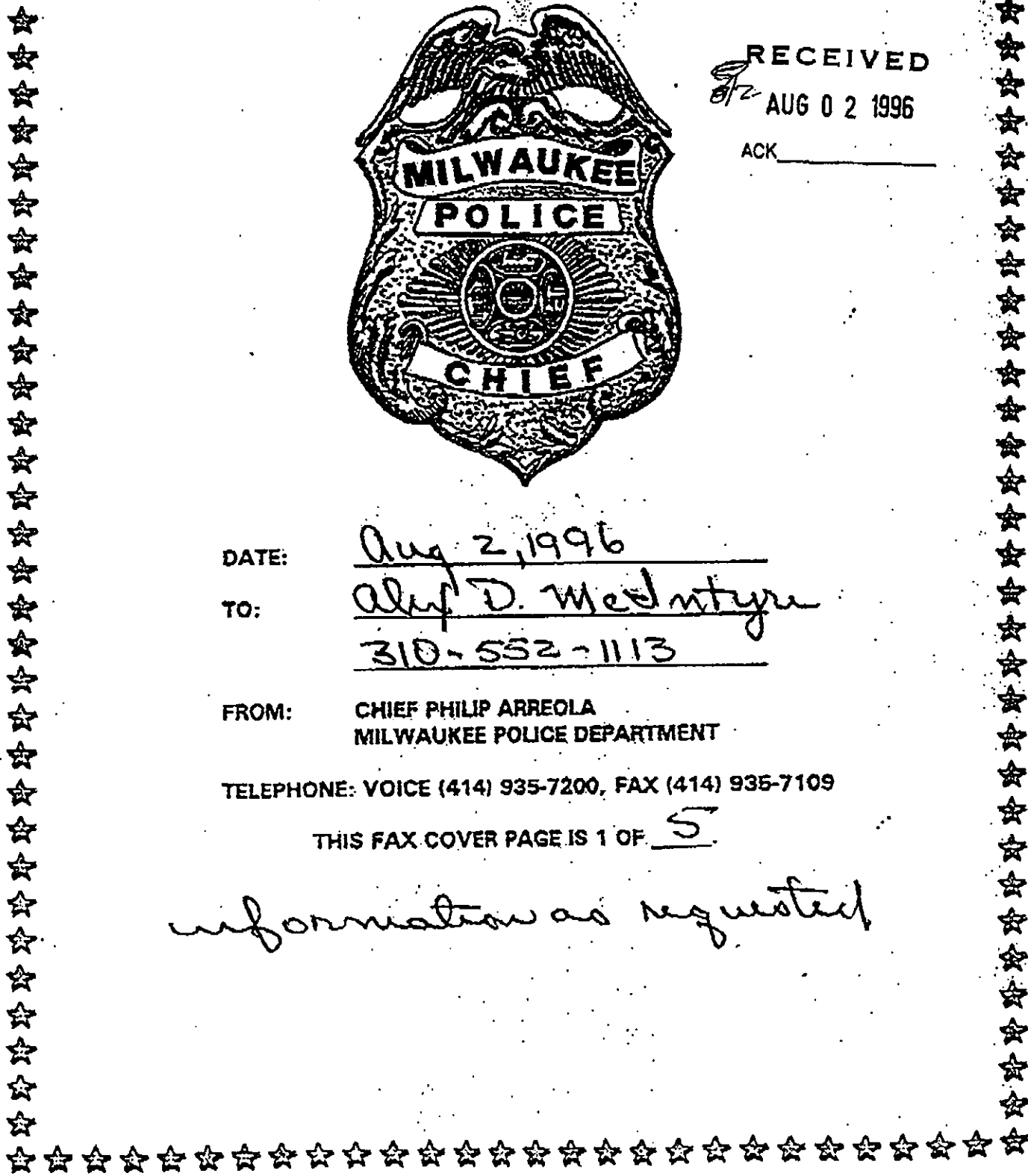
DATE: Aug 2, 1996
TO: Ally D. McIntyre
310-552-1113

FROM: CHIEF PHILIP ARREOLA
MILWAUKEE POLICE DEPARTMENT

TELEPHONE: VOICE (414) 935-7200, FAX (414) 935-7109

THIS FAX COVER PAGE IS 1 OF 5

information as requested



CLOSED CASES:

CASE #93-CV-013762

JUSTICE FOR JANITORS

In September of 1993, class action filed to enjoin the Milwaukee Police Department from restrictive action at scene of janitors' rallies and/or issuance of citations to them.

CASE #93-CV-017963

Charles Lewis RAY

In November of 1992, Mr. Ray sought monetary compensation for initial denial of taxicab license renewal and issuance of an injunction to prohibit any similar future attempt at denial.

CASE #94-CV-001069

Rogelio DELGADO, et al.

Police Officer Delgado alleges that he was compelled to submit to questioning by police department supervisors without being permitted an opportunity to obtain and consult with the union representation of his choice.

CASE #94-CV-005000 (Venue then moved to United States Federal Court as Case #94-C-1211)

Mark BUELOW (Correct spelling - BUETOW)

Police Officer Buetow sought his return to street duty after being involved in a shooting and being assigned to an inside job.

CASE #94-CV-013569

Scott ANDERSON

He sought to overturn the denial of his Open Records Request for a list of suspected gang members allegedly gathered and/or maintained by the Milwaukee Police Department (Use of Force and/or Matter OE's).

AUG-02-1996 12:58 FROM

MPD CHIEFS OFFICE TO

913105521113 P.03

- 2 -

CASE #95-CV-000389

Journal/Sentinel Newspaper, Inc.

In January of 1995, the newspaper sought a copy of the reports (Use of Force report and/or Matter Of's) filed whenever a police officer discharged his or her weapon during period from 1980 to 1985 and from 1990 to 1995.

CASE #95-CV-001626

Thomas LYNCH

In February of 1995, Mr. Lynch sought the return of property that was taken by the Milwaukee Police Department.

CASE #96-CV-000327

Jon (correct spelling) JOHNSON

Police Officer Johnson sought to restrain Chief Philip Arreola from placing him on a leave of absence while he was running for position of Milwaukee County Supervisor.

CASE #96-CV-000886

Laurinda COLE

Ms. Cole filed "rambling" claims of brainwashing, torture, physical assault, and attempts of sexual contacts by both sexes against personnel of the Milwaukee County Medical Complex, a judge, Chief Philip Arreola, former Chief Robert Ziarnik, and various police officers.

CASE #96-CV-003745 (Venue then moved to United States Federal Court as case #96-C-609)

Michael DURFEE

Detective Durfee claimed that he was denied due process when Chief Arreola passed over him and promoted another individual to a vacant Lieutenant of Detectives position.

CM/CHIEF 000591

OPEN CASES:**CASE #93-CV-015795**

Robert PASKO, et al.

In November of 1993, 23 police officers sought reclassification to position/pay of Police Alarm Operator, claiming that they are working fulltime in that position but are classified and paid as police officers.

CASE #94-CV-008205 (Venue then moved to United States Federal Court as Case #95-C-749)

John BALCERZAK and Joseph GABRISH

Police Officers Balcerzak and Gabrish claimed that they were deprived their right to equal protection under law when they were suspended and then terminated without representation and without proceedings so as to avoid adverse repercussions and/or minority rioting.

CASE #94-CV-009681

Rafael MARTINEZ, et al.

In August of 1994, Mr. Martinez sought the return of unspecified property that was seized during the execution of a search warrant by the Milwaukee Metropolitan Drug Enforcement Group.

CASE #96-CV-003071

Harrison KERN

Police Officer Kern alleged that the Fire and Police Commission and Chief Philip Arreola exceeded their jurisdiction by imposing a reduction in rank without affording him a hearing.

CASE #96-CV-004594

Thomas DONEHEK (correct spelling PONCHIK)

In June of 1996, Mr. Ponchik seeks the return of property that was seized during the execution of a search warrant.

AUG-02-1996 12:58 FROM

MPD CHIEFS OFFICE TO

913105521113 P.05

- 2 -

CASE #96-CV-004631

Lynn FORTINO

In June of 1996, Ms. Fortino seeks the return of her purse and identification, which were seized during the execution of a search warrant.

TOTAL P.05

CM/CHIEF 000593

EXHIBIT

#4



City of Tacoma
City Manager

CHIEF OF POLICE

CITY MANAGER'S OFFICE INTERVIEW QUESTIONS

- Ray 1. In terms of your prior work experience, what do you consider your major accomplishments as they relate to this position?
- Jim 2. What interests you most about this opportunity? And, how would you measure your success?
- G. 3. Describe a difficult or sensitive personnel problem you personally had to deal with and how did you handled that problem.
- N. 4. Please describe your management style.
- Ray 5. In general, how would you spend your first few months in this position?
- Jim 6. What was the riskiest work-related decision that you made and what was the outcome?
- G. 7. How would you define Total Quality and what has been your experience with this philosophy?
- N. 8.. Give us an example of a sensitive issue you have had to handle with the press and what was the outcome?
- Ray. 9. What has been your experience with benchmarking and measurements?
- Jim 10.. Based on what you have read and seen, what is your assessment of the Tacoma Police Department and what do you see as assets, challenges and opportunities? (survey results?)
- G. 11. Would you and if so, how would you reorganize the department?

CHIEF OF POLICE
CITY MANAGER'S OFFICE INTERVIEW QUESTIONS

Page Two

- N. 12. What is your philosophy on the use of noncommissioned officers and how do you see them being used in the department?
- Jim 13. Share with us the outcomes of your commitment to diversity in the workforce in your current or previous department(s).
- G. 14. If hired for this position, how do you establish credibility and leadership as an "outsider" (or your peers)
- Ray. 15. Tell us about a time when your work was criticized.
- N 16. What are your strengths and weaknesses?
- Jim 17. If you were to hire an assistant who would complement your skills, what would you look for in that individual?
- G 18. Tell us about special programs you have developed to address major crimes (e.g., domestic violence, gangs, drugs, etc.)
- Jim 19. Tell us what steps you would take to develop a police strategic plan.
- G. 20. What specific experience do you have, and what are some of the challenges that you have faced in working with culturally and ethnically diverse communities?
- N. 21. What has been your role in community oriented policing?
- Jim 22. What are your overall goals, and how does this position relate to them?
- G. 23. What factors will most influence your decision to accept this opportunity if it is offered to you?
- Ray 24. Is there anything else you would care to add about your qualifications and/or interest in this position?

CM/CHIEF 000002

EXHIBIT

#5

RECEIVED
MAR 08 2000
TACOMA CIVIL DIVISION
TACOMA CIVIL DIVISION
MAR 08 2000
v. 14
A 13-
2143

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

JOSEPH J. KIRBY and DEBORAH A. KIRBY, husband and wife,

Plaintiffs,

v.

THE CITY OF TACOMA, a municipal corporation; RAY CORPUZ and "JANE DOE" CORPUZ, husband and wife; PHILIP ARREOLA and "JANE DOE" ARREOLA, husband and wife; WILLIAM WOODARD and CATHERINE WOODARD, husband and wife; RAYMOND ROBERTS and "JANE DOE" ROBERTS, husband and wife; DAVID BRAME and "JANE DOE" BRAME, husband and wife; and JAMES HAIRSTON and "JANE DOE" HAIRSTON, husband and wife,

Defendants.

No. 99-2-13911-4

DEFENDANTS' FIRST INTERROGATORIES TO PLAINTIFF AND REQUESTS FOR PRODUCTION

AND ANSWERS THERETO

CERTIFICATION
I hereby certify that on 3/7/00 I deposited in the mails of the United States of America and/or placed with Legal Messengers and/or faxed a copy of the document to which this certificate is attached, for delivery to all counsel of record.
V. De Franco
Messina Law Firm

TO : JOSEPH J. KIRBY and DEBORAH A. KIRBY, plaintiffs;
AND TO : JEFFREY SADLER, their attorney.

INTERROGATORY INSTRUCTIONS

A. Interrogatories. You are required to answer the following interrogatories separately and fully, under oath, within 30 days of receipt thereof, in accordance with CR 26, 33, and 34. These interrogatories are continuing in nature so as to require the filing of supplementary answers to the extent called for by CR 26(e). Your answers should include any non-privileged information and documents in the possession of your employees and agents, including your attorneys, consultants and any persons who have acted or are now acting on your behalf.

In compliance with CR 26(i), a telephone conference is scheduled on March 3, 2000 at 9:00 a.m. This conference will be stricken upon the timely receipt of answers to interrogatories and responses to requests.

INTERROGATORY NO. 9: In your Complaint, you allege that Philip Arreola was negligently hired, retained and supervised. Please state, with particularity, the following:

- (a) Specific facts that support your claim that Philip Arreola was unfit for the position of Police Chief at the time of hiring, or during his employment; and
- (b) How the hiring or retention of Philip Arreola caused the damages you allege in your Complaint.

ANSWER:

(a) Ray Corpuz knew of and chose to disregard the facts that Chief Arreola was dismissed in his prior employment as the Chief of Police of the Milwaukee PD after years of deteriorating relations with the Milwaukee Police Association (police union.) The Milwaukee Police Association voted an overwhelming vote of "no confidence" against Arreola and he became a defendant in numerous civil suits by rank and file officers under his command. Allegations ranged from violations of the First Amendment to wrongful termination. Four years before Arreola was hired by Ray Corpuz, the federal government began an investigation into the Milwaukee Police Department discriminatory practices. The investigation's final report released about the time Arreola was hired by Ray Corpuz concluded that he Milwaukee Police Department still discriminated against black and female officers and it blamed Philip Arreola for unfair disciplinary practices.

One of the civil suits filed against Arreola which was a matter of public record and has received extensive media coverage (Rod Gustafson and Javier Cornejo, plaintiffs, vs. Philip Arreola et al., No. 96-1991, U.S. Court of Appeals, Seventh Circuit) was recently resolved when a federal grand jury awarded the two Milwaukee police officers \$380,000 after ruling that Chief Philip Arreola retaliated against them for exercising rights to free speech. The jury determined that Arreola's transfer of these officers from an elite tactical unit was "willful, wanton and malicious." Both officers were also passed over for promotions.

There are additional cases against Arreola pending that were filed before he was hired by Ray Corpuz.

Ray Corpuz was negligent in his hiring of Philip Arreola as he knew or should have known of the problems Arreola was having in Milwaukee as well as the outstanding litigation against him.

As a point in fact, elected officers of the Tacoma Police Union #6 conducted their own fact finding background inquiry and made all their alarming findings known to Corpuz before the hiring decision was made by Ray Corpuz.

Once hired by Corpuz, Arreola became embroiled in a bitter battle with the Tacoma Police Union that resulted in the termination of his employment after two years and generally mirrored his substandard performance in the Milwaukee Chief's job.

Ray Corpuz deliberately chose to disregard Arreola's record of arrogance and his demeaning and vindictive management style. Corpuz allowed Arreola's relations with the Tacoma Police Union to disintegrate past any point of reasonable resolution. In spite of continuous pleadings by elected officials of Police Local #6 as well as members of the City Council, it was only after Arreola assaulted a police lieutenant (William Meeks) that Arreola was dismissed as Chief.

(b) Ray Corpuz had full knowledge of the actions of Philip Arreola in violating my civil rights as well as reprisals directed against me for my union advocacy roles. At no time did he attempt to remediate my damages or otherwise control his agent, Philip Arreola. That Arreola's treatment of me was common knowledge can be substantiated by a claim I filed against the City of Tacoma on 18 December 1997, as well as several unfair labor practices filed on my behalf by the Tacoma Police Union Local #6 and extensive coverage by the media involving the deteriorating relationship between Chief Arreola and Police Union Local #6.

Plaintiffs reserve the right to supplement upon further discovery.

INTERROGATORY NO. 10: With respect to any experts whom you plan or expect to call as witnesses at the time of trial, with respect to any issue, state the following:

- (a) The name, address and telephone number of each such expert; and
- (b) The subject matter upon which he is expected to testify.

ANSWER:

EXHIBIT

#6

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

JOSEPH J. KIRBY and DEBORAH A.)
KIRBY, husband and wife,)
)
Plaintiffs,)

vs.)

No. 99-2-13911-4)

THE CITY OF TACOMA, a municipal)
corporation; RAY CORPUZ, and "JANE)
DOE" CORPUZ, husband and wife;)
PHILIP ARREOLA and "JANE DOE")
ARREOLA, husband and wife; WILLIAM)
WOODARD and CATHERINE WOODARD,)
husband and wife; RAYMOND ROBERTS)
and "JANE DOE" ROBERTS, husband and)
wife; DAVID BRAME and "JANE DOE")
BRAME, husband and wife; and JAMES)
HAIRSTON and "JANE DOE" HAIRSTON,)
husband and wife,)

Defendants.)

DEPOSITION OF JOSEPH J. KIRBY

February 15, 2001
Tacoma, Washington

BYERS & ANDERSON, INC.

COURT REPORTING & VIDEO

2208 North 30th Street
Suite 202
Tacoma, Washington 98403
(253) 627-6401
FAX: (253) 383-4884

One Union Square
600 University Street
Suite 2300
Seattle, Wa 98101-4112
(206) 340-1316

1-800-649-2034

1 Q And you've indicated that there were some pending
2 litigation against Arreola.

3 What else did the union indicate they had
4 discovered?

5 A They had discovered in communications with the
6 Milwaukee Police Union that Arreola was a very
7 demeaning person, that he was constantly at odds with
8 their local, that -- and then of course he was
9 involved in those lawsuits, that he was being
10 investigated on a number of levels, one that was a
11 federal investigation on discrimination within his own
12 agency.

13 Q Do you know what that discrimination was based on?

14 A I don't know. I think at one point I saw some legal
15 briefs on that. But --

16 MR. SADLER: I don't know that she needs
17 the facts.

18 Q (By Ms. Kerslake) Was it based on race or gender?

19 A I think it was based on race and gender I believe, and
20 maybe age. I'm not sure. But there was a clear
21 federal discrimination case against him which was
22 subsequently adjudicated with findings there was
23 discrimination in the police department and his
24 leadership.

25 Q Was adjudicated after this --

1 A Shortly after he was hired, an article came out in the
2 paper which said the feds said there was a
3 discrimination in the Arreola leadership in the
4 Milwaukee Police Department that had been found to be
5 true.

6 There were other cases involving individual
7 officers where the allegations were Arreola had
8 reprised against them for asserting their rights or
9 having a contrary opinion. And those had been found
10 in the favor of the officers to the tune of \$980,000
11 most recently where he fired two members of a
12 specialized team when they criticized him.

13 And they went to federal court were awarded, I
14 think it was \$980,000 between the two of them. It was
15 a pretty good amount. Maybe it was \$180,000. 20 in
16 damages and the rest was punitive. And that was the
17 exact type of behavior he engaged in here.

18 So there are legal cases that were pending
19 against him and subsequently adjudicated to the favor
20 of those plaintiffs alleging the same behavior that he
21 exhibited when he was the chief here. And in
22 particular the same type of behavior he directed
23 against me.

24 Q It's your understanding that those lawsuits were
25 concluded after the City of Tacoma hired him?

1 A They were pending when he was hired.

2 Q They were concluded --

3 A Yes, that's my understanding.

4 Q Do you know who from the union spoke to Ray?

5 A It would have been Bob Blystone. He was the union
6 president at the time. And perhaps some of the people
7 that were paid members of the union. Escapes me who
8 the vice visit president was at that time. Bob
9 Blystone made his concerns known to Ray Corpuz.

10 Q Do you have any knowledge of the process that Ray
11 Corpuz engaged in in selecting Phil Arreola?

12 A No.

13 Q Do you have any knowledge about the fact that Ray
14 either did or did not look into the concerns of the
15 union prior to Arreola's hire?

16 A Unknown to me.

17 Q It's your belief that because these lawsuits were
18 pending against Mr. Arreola at the time he was hired,
19 that Ray should not have hired him?

20 A That's a partially true statement. I would expand it
21 to add that because of his track record of being
22 unable to interface in a productive manner with the
23 local labor union because of other federal cases
24 against him, because of other allegations and his
25 overall work history, he wasn't suited properly to be

EXHIBIT

#7

Focus Group Meeting

POLICE CHIEF RECRUITMENT

March 25, 1996

- ☞ Come up with vision for community in ten years
 - ☞ Knowledge of data collection (demographics, etc.)
 - ☞ Have candidates answer question "What qualities does a good person in Tacoma have?"
 - ☞ Graduate degree
 - ☞ Outreach to non-English residents
 - ☞ Committed to serving all of the community
 - ☞ Great integrity. Fair
 - ☞ Not "good old boy"
 - ☞ Education beyond high school
 - ☞ Knowledge of management of people
 - ☞ Open mind
 - ☞ Fair response to all parts of community
 - ☞ Plan policing to fit specific area
 - ☞ Empower community - work together
 - ☞ Networking skills
 - ☞ Good communicator
 - ☞ Builds consensus
 - ☞ Committed to continuous training
 - ☞ Excellent Affirmative Action record
 - ☞ Embraces diversity
 - ☞ Experience with funding issues - innovative programs, etc. experience
 - ☞ Demonstrated collaboration
 - ☞ Innovative proactive ideas
 - ☞ Concerns with how homeless treated
 - ☞ Leadership to work with homeless/police officers - understand, participate
 - ☞ Visit neighborhoods, learn with people living in community
 - ☞ Work with Pierce County Sheriff
 - ☞ Work with County, not just City - form cooperative teamwork
- ☞ Leadership
 - ☞ Vision, mission
 - ☞ Need chief that believes in officers that walk the beat - personal with business owners and residents
 - ☞ Better connections/presence of police in community
 - ☞ What would chief do to strengthen community
 - ☞ Need definition of community policing for Tacoma
 - ☞ Would person be open to allowing communities to define how they want to be policed
 - ☞ Have a strong background in working with grass roots organizations
 - ☞ Hire someone from within Tacoma - more commitment - don't want to do this again in two years
 - ☞ Look for minority or woman chief - someone inside the community
 - ☞ Need someone independent
 - ☞ Experience in domestic violence/sexual assault
 - ☞ Demonstrated history of success in addressing domestic violence
 - ☞ Implement goals and objectives to cause departments to work together to address domestic violence
 - ☞ Recognize and acknowledge diversity as a strength
 - ☞ Background check on the candidates' history of working with minorities
 - ☞ Allow us to get into their personnel file
 - ☞ Can an internal candidate be strong enough to look internally at the detective unit?
 - ☞ Experience with policy for deadly force
 - ☞ Strong volunteer program
 - ☞ Strong effective civilian program - working with police

April 11, 1996

[Name]
[Address]
[City and State]

Dear [Hon. & Last Name]:

As you know, in March we had a meeting with community leaders to determine the critical qualities we need to see in Tacoma's next Police Chief. Many people shared their opinions and concerns.

I have enclosed a copy of the notes from that meeting for your reference. This information was used to develop the candidates profile. It also will be helpful as we go through the selection process. The next step will be the recruitment of qualified candidates.

Thank you for your interest in this important position. I expect the process will conclude sometime in June. I will keep you apprised of our progress.

Sincerely,

Ray E. Corpuz, Jr.
City Manager

REC:GB:js

Enclosure

Q:\Dept\Cmo\Admin\Chief.Doc

EXHIBIT

#8

City of Tacoma
City Manager

March 1, 1996

To: Employees of the Tacoma Police Department

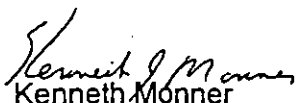
As you know, we are currently recruiting the City's next Chief of Police. As part of the selection process, information is being gathered from Council Members, community leaders and interested groups on what qualities are desired in the next Chief. As one of the groups most affected by the ultimate selection, you are an important part of this process.

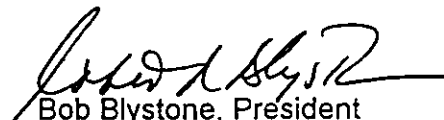
The attached survey is designed to gather information on a variety of items related to the operation of the Tacoma Police Department. The information will be used to identify priority issues facing the department and attributes that are important to have in a Police Chief. All responses will be tabulated by an independent consultant, and your individual feedback will be kept strictly confidential. Only summarized data will be provided to the City for follow-up. Your participation is important as it will help us obtain an accurate picture of department needs and requirements.

Please complete the attached survey and return it using the enclosed envelope. If you have any questions or would like additional information, please contact Assistant City Manager Genelle Birk at 591-5176.

Sincerely,


Ray E. Corpuz, Jr.
City Manager


Kenneth Monner
Acting Chief of Police


Bob Blystone, President
Tacoma Police Union No. 6

REC:GB:clj(tpdsurv.doc)

CM/CHIEF 001091

City of Tacoma Police Department Survey

Please complete the attached survey as quickly as possible.

All surveys will be kept strictly confidential. Only summarized findings will be reported.

Please mail your survey by Tuesday, March 12, using the enclosed pre-addressed and stamped envelope.

If your envelope is lost or damaged, you can mail your survey to:

Deborah Hopen
31948 36th Avenue SW
Federal Way, WA 98023.

Contact Genelle Birk, Assistant City Manager, if you have any questions about the survey process.

City of Tacoma Police Department Survey

Rating Questions

Indicate your level of agreement with each of the following statements by circling the appropriate rating, where 1 = Strongly Agree, 2 = Agree, 3 = Neither Agree Nor Disagree, 4 = Disagree, and 5 = Strongly Disagree.

STATEMENT	Strongly Agree		Neither Agree Nor Disagree		Strongly Disagree	
	1	2	3	4	5	
1. The people I work with cooperate to get the job done.	1	2	3	4	5	
2. City management is doing its best to give us good working conditions.	1	2	3	4	5	
3. Police Department management treats all employees equally, regardless of their gender, race, religion, or other diverse characteristics.	1	2	3	4	5	
4. Police Department management keeps us informed about plans, changes, and developments.	1	2	3	4	5	
5. This organization provides the training I need to do my job.	1	2	3	4	5	
6. I have confidence in the fairness and honesty of City management.	1	2	3	4	5	
7. The person I report to is fair in dealing with me.	1	2	3	4	5	
8. The person I report to gives me clear direction so that I know what is expected of me.	1	2	3	4	5	
9. I have the authority I need to perform my job properly.	1	2	3	4	5	
10. The efforts of people working together in teams have resulted in improvements for this organization.	1	2	3	4	5	
11. I have the right equipment and supplies to do my work.	1	2	3	4	5	
12. My department uses feedback from citizens and businesses to improve the quality of our services.	1	2	3	4	5	
13. When policies are changed or new ones are developed, they are communicated so they can be understood by us.	1	2	3	4	5	
14. The person I report to is willing to let me take time to attend training programs.	1	2	3	4	5	
15. I have confidence in the fairness and honesty of Police Department management.	1	2	3	4	5	
16. The person I report to asks for my views on matters that affect my work.	1	2	3	4	5	
17. I would recommend the City of Tacoma as a good place to work.	1	2	3	4	5	
18. I am held accountable for the decisions I make.	1	2	3	4	5	
19. The people I work with help each other out when someone falls behind or gets in a tight spot.	1	2	3	4	5	

CM/CHIEF 001095

City of Tacoma Police Department Survey

Describe three characteristics that you have observed in other police administrators and supervisors that you believe would be critical for the new chief to possess.

Continued from page 3

#2 _____

#3 _____

5. Think about problem areas or issues that currently exist in the Tacoma Police Department.

What one area would you recommend the new Chief take action on first?

Demographics

The following information is being taken for sorting purposes because results may vary in different parts of a department.

Rank:

- Deputy Chief and Captain
- Lieutenant
- Sergeant
- PPO and Patrol Officer
- Support Staff

Years in the Tacoma Police Department:

- Less than 1
- 1 - 5 years
- 6 - 10 years
- More than 10

Sector:

- 1
- 2
- 3
- 4
- Other Areas

Thank you for participating in this survey!

City of Tacoma Police Department Survey

STATEMENT	Strongly Agree		Neither Agree Nor Disagree		Strongly Disagree
	1	2	3	4	5
20. There is a spirit of cooperation and teamwork among departments in the City of Tacoma.	1	2	3	4	5
21. My department has the resources (personnel, finances, equipment, tools, etc.) necessary to do quality work.	1	2	3	4	5
22. I am committed to excellence in service to our citizens and businesses.	1	2	3	4	5
23. Within the Police Department, we communicate effectively with each other.	1	2	3	4	5
24. The person I report to supports my training through feedback, follow up, and coaching.	1	2	3	4	5
25. Police Department management encourages an open and participatory work environment.	1	2	3	4	5
26. The person I report to gets us to work together as a team.	1	2	3	4	5
27. I am proud to be a member of the Tacoma Police Department.	1	2	3	4	5
28. This organization creates an environment that empowers me to make decisions.	1	2	3	4	5
29. The City of Tacoma does a good job of recognizing outstanding performance.	1	2	3	4	5
30. I feel I am encouraged and supported for taking reasonable risks within my area of responsibility.	1	2	3	4	5
31. This is a safe place to work.	1	2	3	4	5
32. I feel valued as an employee of the City of Tacoma.	1	2	3	4	5
33. The people in this organization trust and respect each other.	1	2	3	4	5
34. I am satisfied with my involvement in decisions that affect my work.	1	2	3	4	5
35. The person I report to treats me with respect and dignity.	1	2	3	4	5
36. The person I report to gives me credit and praise for work well done.	1	2	3	4	5
37. All employees have equal opportunity for advancement in the Police Department.	1	2	3	4	5
38. My ideas and opinions are respected here.	1	2	3	4	5
39. I have enough information to do my job well.	1	2	3	4	5
40. I understand the boundaries of my job and know what risks I can take without criticism.	1	2	3	4	5
41. I feel comfortable giving my candid opinions on this survey.	1	2	3	4	5

City of Tacoma Police Department Survey

General Questions

1. What one most important thing could the City of Tacoma do to improve your job?

2. What is the one best thing about working for the City of Tacoma Police Department?

3. The City of Tacoma is beginning its search for a new Chief. Ten characteristics are listed below. Please rank them from 1 to 11, where 1 is the most important for the new Chief and 11 is the least important.

- _____ Technical Knowledge/Professional Certifications
- _____ Relevant Work Experience (check your preference for length of service below)
 - 5 to 10 years More than 10 years
- _____ Ability to communicate with fellow workers, supervisors
- _____ Ability to regularly interact in person with the public
- _____ Ability to deal effectively with the collective bargaining unit
- _____ Provide day-to-day work directions to others
- _____ Public speaking skills
- _____ Skills at persuading or motivating others
- _____ Attention to detail
- _____ Ability to analyze information and solve problems
- _____ Ability to reason and make decisions

4. Describe three characteristics that you have observed in other police administrators and supervisors that you believe would be critical for the new chief to possess.

#1 _____

List other characteristics on page 4.

City of Tacoma
Police Officer Opinion Survey
Results for Question 1: Opportunities for
Improvement
Sorted By Category and Rank

RANK	YEARS	SECTOR	COMMENT
CATEGORY 1: Training			
?	?	?	Training (schools).
?	?	?	Make available to TPD/front line officer the expertise and knowledge/resources of other city departments.
?	D	5	Training.
?	?	?	Training (schools).
2	D	5	I need staff to professionalize and provide quality training courses.
3	D	1	The department must improve the overall training for all officers. Our training is a joke compared with similar departments. Also the current working conditions, lack of a station, no shower/locker room is unsatisfactory.
3	D	5	Provide better, realistic training.
4	?	?	Get PPOs lots of intensive, high-quality, hands-on training in combat shooting and hand-to-hand combat. Without this training, we're sitting ducks.
4	A	1	Provide more training.
4	B	?	Get a Chief in place that will get rid of the GOB network and discrimination and preferential treatment that is rife within the department. Also improve training opportunities.
4	B	1	Give us more useful training.
4	B	4	Hands on training on how to access information from the computer for all employees.
4	B	1	A lot more officer safety training.
4	B	1	More training (not just knowledge, education, philosophies). Time to practice training (defensive tactics, etc.)
4	B	2	Improve training (outside training offered by WC JTC), improve firearms qualifications by increasing to 4 times a year. **New police station.
4	B	1	More hands-on training.
4	B	3	Proper hands-on training on a monthly or quarterly basis in firearms and defensive tactics.
4	B	3	More training!
4	B	2	Provide more training and educational benefits for patrol officers. Our only source of training now is through departmental video tapes.
4	C	2	More officer survival training; firearms, defensive tactics.
4	C	5	Better training.
4	C	5	Provide off-site training for patrol personnel.
4	C	5	Better/more training.

POLQ1-ADOC

PAGE 1

QUESTION 1: What one most important thing could the City of Tacoma do to improve your job?

CM/CHIEF 001113

City of Tacoma

Police Opinion Survey Results

Executive Summary

July 15, 1996

Prepared by Xerox Quality Services

Table of Contents

Background.....2

Research Methodology.....3

Demographic Findings.....5

Results: Strengths.....7

Results: Opportunities for Improvement9

Results: Desirable Characteristics for Chief of Police11

Results: Priorities for New Chief of Police.....13

Background

The City of Tacoma currently is involved in the process of recruiting and hiring a new Chief of Police. The previous Chief retired in January, 1996. In an effort to incorporate the views of Police Department members into the selection process, the City Manager, Ray Corpuz, decided to solicit information from them on the characteristics that the new Chief should possess.

This also provided a good opportunity to check the current level of employee satisfaction, which is one of the City-wide indicators used to measure implementation progress for total quality. So, department members were surveyed on a variety of key areas that need to be managed successfully to create a positive work environment that achieves high results. Employees also were asked to identify the major strengths and opportunities for achievement for the department.

The project scope included analysis of three demographic groups: rank, years of service, and sector. Results between demographic groups were compared to the overall results and each other to detect noticeable differences—no formal statistical analysis was conducted to determine significant differences. Also, no lower level interactions were analyzed (such as rank and years of service combined or years of service and sector combined). This type of survey identifies key areas that bear further investigation, generally through focus groups that address specific areas of concern or problem-solving teams.

There was a major factor present that undoubtedly contributed to the results. The Tacoma Police Department occupied temporary facilities throughout the survey period. These facilities were crowded and lacked many of the features that members of the department previously had used. This situation has been corrected with the relocation of the department its new facility at the former office of the Washington State Patrol on South Tacoma Way.

STANDARD SECURITY INFORMATION - UNCLASSIFIED

Research Methodology

The City of Tacoma Police Officer Opinion Survey was conducted in February and March, 1996. The survey was designed to determine the current level of employee satisfaction in the department and to gather information from department members on the most desirable characteristics for the new Chief of Police. The survey instrument used three methods for gathering information.

Scaled Statements

The first section of the survey contained statements that gave the respondents an opportunity to agree or disagree, using a five-point rating scale. The statements covered a variety of commonly-accepted topics that can be used to obtain an overview of the organization's current situation. All of the statements used in this survey were written from a positive point of view. A five-point rating scale was provided, as shown below:

- 1 = Strongly agree
- 2 = Agree
- 3 = Neither agree nor disagree
- 4 = Disagree
- 5 = Strongly disagree

Use of this approach generates results that are easy to interpret. When the mean (arithmetic average) for a particular statement is below 2.5, you can conclude that the statement fairly represents the current situation because lower values indicate that more of the participants strongly agreed or agreed with the statement. As the level of disagreement increases, the mean rises; therefore, means between 3.5 and 5.0 indicate an increasing number of respondents who disagreed with the statement.

The scaled statements covered 13 categories that are found in many employee satisfaction surveys; this will make it easier for the City of Tacoma to compare its results to other benchmarked organizations and to compare results between departments. For many of the categories, more than one statement was included in the survey so that a more comprehensive picture of the situation could be obtained. The categories are shown below along with a brief description of their content and the number of statements that covered the topic:

- Communication—information flow; ability to understand communications; openness of the communication process (five statements)
- Customer focus—commitment to providing excellent service; responding to customer feedback (two statements)
- Diversity—equal opportunity, regardless of diverse characteristics (one statement)
- Empowerment—accountability and authority for decision making; distribution of control within the organization (four statements)
- Work environment—resource availability; safety; working conditions (four statements)
- Management leadership—fairness and honesty; openness (three statements)
- Pride in the organization—satisfaction with being a member of the department and an employee of the City (two statements)
- Recognition—appreciation for performance (two statements)

- Risk taking—clear boundaries; encouragement and support (two statements)
- Supervision—fairness; clear direction; respect and dignity; recognition; participation (six statements)
- Teamwork—cooperation; trust and respect; support (five statements)
- Training and development—opportunity; feedback and coaching; availability (four statements)
- Survey Validation—comfort and candor (one statement)

In addition to determining the mean for each statement, a weighted mean for all the statements in the category also was determined. This allowed analysis of the overall trends.

Ranked Characteristics

The second portion of the survey contained a list of characteristics that might be used to develop a job description or interview questions for the new chief. Respondents were asked to rank the 11 choices from most important to least important. One of the choices, "Relevant Work Experience," asked the participants to choose between two lengths of previous service: 5 to 10 years or more than 10 years.

Open-ended Questions

The last approach used in the survey involved open-ended questions that gave the respondents a chance to input their own comments in their own words. These questions were used to validate information obtained with the scaled statements and ranked characteristics. Additionally, these questions lifted the restrictions of the preformatted approaches so that participants could use their own words, bring up different topics, and expand on their ideas. The following four questions were asked (note that the ranked characteristics portion was placed in the middle of the questions, so they are not in numerical order):

- Question 1: What one most important thing could the City of Tacoma do to improve your job?
- Question 2: What is the one best thing about working for the City of Tacoma Police Department?
- Question 4: Describe three characteristics that you have observed in other police administrators and supervisors that you believe would be critical for the new chief to possess.
- Question 5: Think about problem areas or issues that currently exist in the Tacoma Police Department. What one area would you recommend the new chief take action on first?

Distribution

The survey was distributed over a five-day period. All patrol officers received the survey at shift turn-out meetings, following a brief announcement and a video presentation that introduced the survey's purpose and data collection procedure. Surveys for support staff, detectives, and administrative officers were distributed by mail or at department meetings. All members of the department were encouraged to participate in the survey process and were informed that results would be held in strict confidence. A letter of instruction and a pre-addressed, stamped envelope for returning the survey also were included.

Responses to the scaled questions and the ranking questions were entered into an Excel 5.0 spreadsheet for analysis. Responses for the open-ended questions were typed and sorted in a Word 6.0 document. The analysis focused on identifying key strengths and opportunities for improvement, along with the most highly recommended characteristics for the new Chief.

Demographic Findings

A total of 213 members of the police department responded to the survey. The tables below show the breakout by demographic group. Note that some participants did not include all or part of the demographic information, so the totals for each group are lower than the overall totals.

RANK	COUNT	PERCENT OF RESPONDENTS
Deputy Chief and Captain	5	2.5
Lieutenant	6	3.0
Sergeant	25	12.4
PPO and Patrol Officer	111	55.0
Support Staff	31	15.3
Detective	24	11.9
TOTAL	202	

YEARS OF SERVICE	COUNT	PERCENT OF RESPONDENTS
Less than 1 year	5	2.5
1 - 5 years	44	21.8
6-10 years	50	24.8
More than 10 years	103	51.0
TOTAL	202	

SECTOR	COUNT	PERCENT OF RESPONDENTS
1	26	15.0
2	29	16.7
3	21	12.1
4	20	11.6
Other	77	44.5
TOTAL	173	

Approximately 50% of the members of the department chose to participate in the survey. Overall, the participation rate was excellent for a first survey of this nature. The results obtained can be used as a baseline for future survey comparisons. The sample size is large enough to allow for actionable conclusions.

Participation for other groups reached the following levels:

- Rank—Participation roughly followed the number of eligible department members. In other words, there was approximately the same percentage for each rank group. For the "Deputy

Chief/Captain" group, there were five participants out of nine possible members. Likewise, 111 of approximately 250 PPO/Patrol Officers participated.

- Years of Service—No information on the number of possible participants per group was available.
- Sector—Each of the four sectors had 20 or more participants. The "other" group contained administrative and employees not assigned to a specific sector.

Results: Strengths

Scaled Statements

The survey findings for the scaled statements show that members of the Tacoma Police Department are committed to their customers and have a high degree of organizational pride. In fact, both statements in the "organizational pride" category fell in the top 10 rankings. All 15 demographic groups (rank, years of service, and sector) had "customer focus" and "Organizational pride" in their top five rankings.

Every demographic group included one statement (#22) on "customer focus" in its top five rankings. More importantly, every group had a mean for this statement that was below 2.0, showing very strong agreement. When the data was analyzed by years of service, each of the groups had means of less than 2.0, which indicates that both probationary and long-term employees understand the need to provide excellent service to citizens and businesses.

Overall, the following five statements show the major strengths of the Tacoma Police Department from the view of its employees:

RANK	STATEMENT NUMBER	STATEMENT	CATEGORY	MEAN
1	22	I am committed to excellence in service to our citizens and businesses.	Cus	1.64
2	18	I am held accountable for the decisions I make.	Emp	1.80
3	27	I am proud to be a member of the Tacoma Police Department.	Pride	1.81
4	7	The person I report to is fair in dealing with me.	Sup	2.06
5	35	The person I report to treats me with respect and dignity.	Sup	2.23

Open-ended Questions

Question 2 asked respondents to address "What is the one best thing about working for the City of Tacoma Police Department?" Individual responses were sorted into affinity groups that described their overall theme. As previously mentioned under *Research Methodology*, this provides some insight beyond that obtained from the scaled statements. The following four categories received the most responses:

CATEGORY	PERCENT OF RESPONDENTS
Compensation/Benefits	25.85
People	14.63
Duties/Schedule	10.24
Job security	9.76

Responses in the "people" category indicated a high level of confidence in the capabilities of other members of the department, including supervision. "Duties/schedules" included many mentions about the 4-day, 10-hour shift plan.

STATEMENT NUMBER STATEMENT CATEGORY MEAN

Results: Opportunities for Improvement

Scaled Statements

A similar analysis of the 10 lowest-ranked statements provides some insight into opportunities for improvement within the Tacoma Police Department. Generally, the most significant problem areas involved leadership, communication, and teamwork. Each of these key areas had more than one statement ranked in the bottom 10. There was general agreement in all the demographic groups that these areas were problematic.

The five lowest-ranked statements are shown below:

RANK	STATEMENT NUMBER	STATEMENT	CATEGORY	MEAN
41	2	City management is doing its best to give us good working conditions.	Env	3.82
40	6	I have confidence in the fairness and honesty of City management.	Lead	3.62
39	29	The City of Tacoma does a good job of recognizing outstanding performance.	Recog	3.61
38	4	Police department management keeps us informed about plans, changes, and developments.	Comm	3.61
37	25	Police department management encourages an open and participatory work environment.	Lead	3.58

When the category totals are examined, it becomes clear that there are considerable opportunities for improvement in the areas of recognition and leadership. These two categories were ranked at the bottom of every demographic group. Deputy Chiefs/Captains, Lieutenants, and PPOs/Patrol Officers groups all had means over 3.5 in these categories.

One other category showed some trends that warrant immediate investigation. Statement 3, "Police Department management treats all employees equally, regardless of their gender, race, religion, or other diverse characteristics," was designed to gather information about diversity within the department. Overall, this category received a mean score of 3.34, which shows a tendency toward disagreement.

Open-ended Question

Question 1 addressed the City's opportunities for improvement. Respondents gave their views on "What one most important thing could the City of Tacoma do to improve your job?" The four most frequent responses are shown below:

CATEGORY	PERCENT OF RESPONDENTS
Training	16.13
Equipment	16.13
Facilities	16.13
Leadership	15.67

The "Equipment" category contained frequent references to the take-home car program, firearms, and computer equipment. Many respondents who mentioned the need for better equipment also requested improved facilities. The need for adequate space and lockers, showers, and physical training facilities were mentioned frequently.

Results: Desirable Characteristics for Chief of Police

Results: Prioritized Characteristics For New Chief

One portion of the survey provided respondents with an opportunity to rank 11 characteristics that are commonly associated with the position Chief of Police. Overall, the following rankings were obtained (lower means equate to more important characteristics):

STATEMENT	RANK	MEAN
Ability to reason and make decisions	1	3.35
Ability to communicate with fellow workers and supervisors	2	3.71
Ability to analyze information and solve problems	3	4.18
Relevant work experience (more than 10 years)	4	5.03
Skills for persuading or motivating others	5	5.82
Technical knowledge/professional certifications	6	6.28
Ability to deal effectively with the collective bargaining unit	7	7.40
Relevant work experience (5 - 10 years)	8	6.56
Ability to interact regularly in person with the public	9	7.09
Attention to detail	10	7.81
Ability to provide day-to-day work directions to others	11	7.91
Public speaking skills	12	8.22

Leadership skills, such as decision-making, communication, and problem-solving, were ranked as most important.

Relevant work experience fell in the next strata of results. You might note that "relevant work experience" is listed twice. This is because the respondents who selected the "5 - 10 years" option did not rank experience as highly as those who selected the "more than 10 years" option. Technical knowledge and union relations skills also fell in the middle of the ratings.

Ability to direct day-to-day work activities, public speaking skills, and attention to detail were the lowest ranked characteristics. The results for the demographic groups were surprisingly similar. Over 70 percent of the groups listed "ability to reason and make decisions," as the most important criteria. The abilities to communicate with fellow workers and supervisors and to analyze information and solve problems were also ranked consistently at the top for all groups.

Open-ended Question

Question 4, "Describe three characteristics that you have observed in other police administrators and supervisors that you believe would be critical for the new Chief to possess" gave respondents an opportunity to introduce other criteria for selection. In this case, the five most frequently suggested characteristics were:

CHARACTERISTIC	PERCENT
Leadership	15.40
Fairness/objectivity	12.96
Involved/accessible	12.41
Champion	11.85
Communications/interpersonal relationships	10.74

Results: Priorities For New Chief

Open-ended Question

The last area that participants were asked to address involved priorities for the new Chief. Question 5 asked, "Think about problem areas or issues that currently exist in the Tacoma Police Department? What one area would you recommend the new Chief take action on first?" Unlike the other open-ended questions, this one generated results with a very wide spread between categories, as shown below:

CATEGORY	PERCENTAGE
Resources	32.18
Leadership	13.37
Equal opportunity	8.91
Work focus	8.91

The "leadership" comments called for the new Chief to break down current hierarchies, improve administration, and focus on reorganizing middle management.

Concerns on "equal opportunity" reflected perceptions of favoritism in training and promotional opportunities.

The category "work focus" included many suggestions for eliminating desk jobs and social-service positions. Several areas were recommended for reorganizations.

Comments on the need for better resources (including facilities, take-home cars, firearms, and staffing) occurred almost three times as often as the next highest category. It can be assumed that this category would receive a less prominent position if the survey were conducted under the current conditions because the facilities recently have been improved.