



- 1 2. Deborah A. Kirby  
 2 3. Joseph A. Bundy  
 3 4. Michael J. Darland  
 4 5. Peter M. Habib  
 5 6. Charles E. Meinema  
 6 7. David T. Olsen  
 7 8. Donald L. Ramsdell  
 8 9. D. P. Van Blaricom  
 9 10. Philip G. Lindsay, M.D.  
 10 11. Berryman Edwards, M.D.  
 11 12. Jolin Lowry

## II. EXHIBITS

- 14 1. I/A Investigation of Lt. Kirby directed by Chief Arreola  
 15 for 1) insubordination; 2) improper use of electronic  
 16 mails & 3) questioning the actions of another lieutenant  
 by Charles Meinema  
 9/19/97 to 11/3/97
- 17 2. Disparate treatment of Lt. Kirby memo to David Brame from  
 18 Charles Meinema  
 3/4/99
- 19 3. Administrative Report re: Lt. Kirby memo to David Brame  
 20 from Charles Meinema  
 3/17/99
- 21 4. Administrative Report Directive memo re: Lt. Kirby to  
 22 Charles Meinema from David Brame  
 4/8/99
- 23 5. Response to Directive of 4/8/99 from Charles Meinema to  
 24 David Brame re: Lt. Kirby  
 4/11/99

25

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- 1 6. Communications between Lt Stanley Fisk and Lt. Joseph  
2 Kirby & related memo by David Brame  
5/12/99 to 5/27/99
- 3 7. Tacoma Police Department Memo from Ray Roberts to Joseph  
4 Kirby re: Documentation of Oral Reprimand, Insubordina-  
5 tion & Unsatisfactory Performance  
11/3/99
- 6 8. General Staff Meeting Minutes - Harrison Range  
10/17/00
- 7 9. Public Employment Relations Commission Notice  
8 2/3/00
- 9 10. Public Employment Relations Commission Complaint charging  
10 Unfair Labor Practices by Lt. Kirby.  
6/14/00
- 11 11. List of 15 "Self-Branding" authored by Tom Peters
- 12 12. Washington State Criminal Justice Training Commission  
13 Basic Law Enforcement Academy Officer/Evaluation/Grade  
Sheet for Joseph Kirby  
1/5/83 to 3/23/83
- 14 13. City of Tacoma Probationary Review Records - Evaluation  
15 of Employee Serving Probationary Period - Final Report  
for Joseph Kirby.  
1/5/84
- 16 14. Ft. Steilacoom Comm College Transcript/Grade Record of  
17 Joseph Kirby for Assoc in Law Enforcement degree  
1984
- 18 15. Tacoma Police Department Memo of Commendation #84182120  
19 to Joseph Kirby and W. Foster.  
7/3/84
- 20 16. Letter to Police Chief from Citizen re: Joseph Kirby  
21 9/4/84
- 22 17. Tacoma Police Department Memo of Commendation Numbers  
23 85015065/84014500 to Joseph Kirby and others  
1/16/85
- 24 18. Tacoma Police Department Award of Merit to Joseph Kirby  
25 9/29/86

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- 1 19. Tacoma Police Department Memo of Commendation, Case  
2 Numbers 86-166-407 and 86-154-429 to Joseph Kirby and  
3 others  
4 6/18/86
- 5 20. Tacoma Police Department Memo of Commendation - Off-duty  
6 Assistant to On-Duty Officers to Joseph Kirby  
7 8/17/87
- 8 21. Tacoma Police Department Memo of Commendation to Joseph  
9 Kirby  
10 9/6/90
- 11 22. City of Tacoma Probationary Review Record - Evaluation of  
12 Employee Serving Probationary Period for Sergeant for  
13 Joseph Kirby  
14 4/15/91
- 15 23. Interoffice Memo re: Appreciation from Raymond Fjetland  
16 to Joseph Kirby  
17 7/26/94
- 18 24. Interoffice Memo re: Arrest from Michael Darland to  
19 Joseph Kirby  
20 7/26/94
- 21 25. Tacoma Police Department Intra-Departmental Memo from  
22 Michael Moorhead to Joseph Kirby re: Commendation -  
23 Shooting  
24 8/3/94
- 25 26. San Antonio Police Department letter to Joseph Kirby re:  
assistance in capital murder case  
8/16/94
- 27 27. City of Tacoma Probationary Review Record - Evaluation  
28 of Employee Serving Probationary Period for Lieutenant  
29 re: Joseph Kirby  
30 4/23/96
- 31 28. Tacoma Police Department Intra-Department Memo from Capt.  
32 Paul Mielbrecht to Joseph Kirby for Commendation - Gang  
33 Homicide Investigation  
34 6/13/97
- 35 29. City of Tacoma Probationary Review Record - Evaluation of  
Employee Serving Probationary Period for Police Captain  
re: Joseph Kirby  
7/14/99

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- 1 30. City of Tacoma Probationary Review Record - Evaluation of  
2 Employee Serving Probationary Period for Police Captain  
re: Joseph Kirby  
9/13/99
- 3  
4 31. Tacoma Police Department Intra-Departmental Memo from  
Joseph Kirby re: 4<sup>th</sup> Month Probation Report Rebuttal with  
5 attachments.  
9/21/99
- 6 32. City of Tacoma Probationary Review Record - Evaluation of  
7 Employee Serving Probationary Period for Police Captain  
re: Joseph Kirby with attached memo to file concerning  
8 Temporary Captain Kirby's performance, dated 11/9/99.  
2/17/00
- 9 33. Independent Medical Examination Report by H. Berryman  
10 Edwards, M.D. re: Joseph Kirby for 8/28/97 injury  
4/30/99
- 11 34. Independent Medical Examination Report by H. Berryman  
12 Edwards, M.D. re: Joseph Kirby for 8/28/97 injury  
12/9/99
- 13 34A. Letter from H. Berryman Edwards, M.D. to Andrew Michels  
14 re: Joseph Kirby  
1/26/00
- 15 35. Tacoma Police Department Intra-Departmental Memo to all  
16 personnel from James O. Hairston, Chief of Police, re:  
Pending Litigation, Kirby v. City of Tacoma, et al.  
17 1/24/00
- 18 36. Message from Joseph Kirby to Mike Darland re: Notifica-  
18 tion of Misconduct of Captain William Meeks  
11/28/01
- 19  
20 37. Bureau Level Investigation of Joseph Kirby from complaint  
20 by Peter Laney from incident on 6/3/02  
6/3/02 to 8/2/02
- 21  
22 38. Interoffice Memo from Joseph Kirby to Bob Blystone and  
22 Dave Brame re: Memo for Record - Written Protest  
8/26/97
- 23  
24 39. Interoffice Memo from Joseph Kirby to Chief Arreola re:  
24 ULP Meeting - Necessity for Rescheduling  
5/5/98
- 25

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- 1 40. Interoffice Memo from Ray Roberts to Paul Mielbrecht re:  
2 Lt. Kirby  
8/4/98
- 3 41. Interoffice Memo from James Hairston to William Woodard  
4 re: Concern about Behavior in the Workplace (Lt. Joe  
Kirby)  
8/4/98
- 5 42. Grievance of Lt. Joseph Kirby re: Violation of U.S.  
6 Constitution, Bill of Rights, Civil Rights Act submitted  
7 to Philip Arreola by Tacoma Police Union Local #6  
8/5/98
- 8 43. Tacoma Police Department Intra-Departmental Memo to  
9 Philip Arreola from William Woodard re: Disciplinary  
Findings & Recommendations Lt. Joseph Kirby  
8/14/98
- 10 44. Memo from Captain P. Mielbrecht to Asst Chief W. Woodard  
11 re: Conduct - Lt. J. Kirby  
8/17/98
- 12 45. Tacoma Police Department Intra-Departmental Memo from  
13 William Woodard to Philip Arreola re: Findings and  
14 Recommendations: Harrison Range Incident - Lt. Joseph  
Kirby  
8/18/98
- 15 46. Interoffice memo from Charles Meinema to David Brame re:  
16 Disparate Treatment  
5/4/99
- 17 47. Interoffice memo from David Brame to James Hairston re:  
18 Personnel Issue  
5/21/99
- 19 48. Tacoma Police Department Intra-Departmental Memo from Ray  
20 Roberts to Joseph Kirby re: Documentation of Oral  
21 Reprimand, Insubordination & Unsatisfactory Performance  
11/3/99
- 22 49. Electronic mail re: Internal Affairs #00-02-019 of Joseph  
23 Kirby re: Delivery of Awards to Jolin Lowry conducted by  
24 Lt. Howatson  
2/22 and 2/23/00
- 25

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- 1 50. News Tribune article, "Tacoma officials go online on city  
2 time",  
3/13/00
- 3 51. Interview of Lt. Joseph Kirby by Lt. Howatson & Sgt.  
4 Yuhasz re: I/A #00-02-1019 re: Delivery of Awards to  
Jolin Lowry  
5 3/15/00
- 6 52. Electronic mail from James Howatson to Joseph Kirby re:  
7 completion of I/A #00-02-019 Delivery of Awards to Jolin  
Lowry  
8 3/31/00
- 9 53. Tacoma Police Department Intra-Departmental Memo from  
10 Joseph Kirby to James Hairston re: Notice of Malicious  
11 and Wanton Disparate Treatment and Harassment  
12 4/20/00
- 13 54. I/A #00-02-019 Delivery of Awards to Jolin Lowry  
14 investigation file concluding "finding not sustained" by  
15 Michael Darland and sent to Joseph Kirby  
16 4/26/00
- 17 55. Tacoma Police Department Investigation of Release of  
18 Investigative Reports to the Media by Joseph Kirby;  
19 closed by Michael Darland and sent to Joseph Kirby.  
20 9/1/00
- 21 56. Electronic mail from Mike Darland to Charles Meinema and  
22 Joseph Kirby  
23 3/13/01
- 24 57. Investigation for charges of insubordination and  
25 unsatisfactory performance of Joseph Kirby re: drawing  
post on the whiteboard.  
9/01 to 5/30/02
58. A Strategic Plan for the City of Tacoma Police Department  
prepared by Carroll Buracker & Associates, Inc.  
5/24/01
59. Tacoma Police Department, Organizational Structure from  
A Strategic Plan for the City of Tacoma Police Department  
5/24/01
60. Tacoma Police Department Performance Audit Assessment  
Team Final Report to the City Council  
1/29/02

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- 1 61. History of the Tacoma Police Department by Officer Erik  
Timothy from 1885 to 1990's.
- 2
- 3 62. Lost Officers "Gone but not forgotten" of the Tacoma  
Police Department from 1892 to 1997
- 4 63. Tacoma Police Department directories/organizational  
charts
- 5
- 6 64. Memo from Captain Mielbrecht to Assistant Chief Meinema  
re: Lt. J. Kirby Inquiry  
9/26/97
- 7
- 8 65. Medical records  
9/15/98-1/3/00  
Philip G. Lindsay, M.D.  
1101 Madison St. #1260, Seattle, WA 98104  
206 622-5454
- 9
- 10 66. Medical bill  
9/28/99-3/26/01  
Philip G. Lindsay, M.D.  
1101 Madison St. #1260, Seattle, WA 98104  
206 622-5454  
\$1,675.00
- 11
- 12
- 13
- 14 67. Fitness for Duty Evaluation of Joseph Kirby  
9/10/98 to 2/21/99  
Gary Henriksen, M.D.
- 15

16 DATED this 2nd day of January 2003.

17 MESSINA BULZOMI

18

19 By 

20 JOHN L. MESSINA 4440  
Attorneys for Plaintiffs

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