

**Update from the District: Information on Closed Session Personnel Matter for
Thursday, February 12, 2015**

The circumstances and allegations involving District police personnel are disappointing to all of us. Mistakes in judgment were made that reflect poorly on all involved. While some of us may disagree on any ultimate discipline issued, the process required by the collective bargaining agreement and by law has been followed.

Summary of Investigation. After learning of the incident, the Chief immediately initiated his investigation, and evaluated whether having the officer continue to work during the investigation posed a risk to the community. He determined that the officer posed no risk. The personnel investigation as to the officer is now final. Formal notification of discipline and the required offer of a hearing before discipline is imposed was made in early January. While we can all probably agree that the due process requirements could have proceeded in a more timely manner, that issue will be addressed separately by the Board.

Description of Process. The District's Board of Directors is a policy-making body. Personnel matters are handled by the Chief of Police and General Manager, and are regulated by law in terms of disclosure. Under the District's policies, except for the Chief of Police who is a direct report to the Board, the full board gets involved in personnel matters only after discipline is issued and only if it is subsequently challenged by way of an administrative appeal. In those cases, the Board sits as an adjudicatory/appellate body.

As a matter of law, the District cannot talk about the substance of police officer discipline. If an officer chooses to waive privacy rights, he or she can do so. That has not happened in this matter.

What we can disclose is the following:

- Sgt. Barrow was notified of the discipline and, on January 12, 2015, it became final.
- He had the right to appeal that proposed discipline through a hearing process.
- While the Board was apprised of this incident when it occurred, it has not been involved in any further discussions about the matter because of its potential role as the appellate forum for Sgt. Barrow.
- Once the discipline became final and *well before any media attention*, the Chief was scheduled to inform the Board, at the next closed session, of the outcome of his investigation and his decisions regarding discipline.

This Thursday, in a properly noticed closed session, the full board is set to receive an update on the status of the investigation and any disciplinary decisions made by the Chief. The Board will be briefed by the Chief in detail at the closed session meeting. If the Board does not believe the Chief acted appropriately, the Board can and will take appropriate action to address this issue with the Chief.