

On 3-31-15 at approximately 0805 hours, following a compstat meeting, I was contacted by Capt. Olsen in my office. He said he was having an impromptu, "unpleasant meeting with the Chief" regarding my overtime issue and asked that I join. As we walked into Asst Chief Smith's office, I asked Asst Chief Smith, more in jest than anything, "if I needed a union rep," he laughed and answered "no."

I then walked in Asst Chief Smith's office.

Chief Smith sat at his desk, Chief Straub to his right and Chief Dobrow to his right. Across from them sat me, with Director Cotton to my right and Capt Olsen to my left.

Chief Straub started the conversation by saying he was very disappointed in the 3 of us. He started specifically addressing Director Cotton, saying that she had information yesterday that she withheld from him yesterday.

Then turned to me and said he was disappointed in me and that it is was "my fault" that I had not contacted him sooner about this matter and that I should not have used my chain of command. Later in the conversation he said I "hid behind my chain of command."

He then turned to Capt Olsen and said he had an obligation to talk to him sooner and not let him, the Chief, make a bad decision without more information.

This conversation was approximately 10 minutes and Chief Straub began to raise his voice and become more agitated. He said we all made him look like a "fucking asshole" by not going to him sooner.

I finally spoke and said, I took offense to being blamed for his decision making and disagreed. I told him I had talked to Capt Olsen and Chief Smith on Thursday and they were fully informed.

He said he had been misinformed by Capt Torok and that if he knew the truth he would have made a different decision.

I told him I found it offense that I was getting yelled at for doing my job, being told this was my fault, when I was not the one to misinform him and that Capt Torok should be getting this talk and he was not being addressed.

When I told the Chief I disagreed, he began to get more and more angry. He went on to tell me he had been the Chief of several large departments and had done many things in his career. I told him, I of course had not been the Chief of any department, but I felt he was wrong. When I said he was wrong, the Chief completely lost his temper. He stood up and began to yell at me directly. He was screaming and his face was beat red. He seemed to have a hard time speaking due to his emotions.

At this time he was yelling with profanity. I told him I did not feel that I had to sit here and be yelled at and told him I was leaving. He told me I had better sit down and that he "was playing the Chief card", "to be careful" and that he would consider "insubordination discipline on all of us." He told me I was "going nowhere" and I had to "sit and listen." I told him, "Yes sir" and remained seated, as did everyone else, but him. Chief Straub then said, "Wipe that fucking smirk off your face" as he addressed me. At this point I looked straight at the ground in front of me. I was being told I could not leave, I was being threatened with insubordination, a fire-able offense and now he was interpreting my expression as an inappropriate smirk. Chief Straub yelled for another few minutes at me as I looked at the ground.

He then turned his attention to Director Cotton and told her he blamed her for not telling him yesterday. He said that she knew more and she should have told him. She said that Chief Smith told her that the issue between Griffiths and Torok was being handled. She also said she did not have all the facts and that she was not in my chain of command so it was not appropriate for her to get involved. She said that she had suggested to Chief Straub that he follow up with Lt. Griffiths because she thought there was more to the story regarding Capt Torok's disapproval of my overtime. He continued to yell at her, saying that she "fucked him", made him "look like a fucking asshole" and that she "fucked him in the ass and broke the dick off." Director Cotton was tearing up and it appeared that she was fighting back from crying at this point and he continued to yell at her. Twice she motioned with her hands in a "time out motion" and said "why am I even here?"

Chief Straub appeared irritated that she was beginning to cry and he then began yelling at Capt Olsen. He said that "he sat on this information" and he had an obligation to tell the Chief and "didn't do shit." He continued to berate Capt Olsen. Capt. Olsen tried to speak and explain, but was continuously cut off.

During the remainder of the conversation, Chief Straub was standing, while all the rest of us remained seated.

Chief Dobrow and Chief Smith offered nothing to the conversation.

At this point, I said I find it incredible, that Capt Olsen and Director Cotton are being blamed, but Chief Smith says nothing and bears no responsibility.

I addressed Chief Smith directly and said you were CC'ed yesterday on this same email that Capt Olsen is getting attacked for not sending. I also said that I did not keep either you (Chief Smith) or Capt Olsen in the dark yesterday or Thursday in any way.

***If should be noted, that Director Cotton, who is not in my chain of command, was getting reprimanded for not telling Chief Straub yesterday, when I had met with Chief Smith yesterday morning at 0830hours and told him about all of my concerns. During that conversation he said that he was meeting with Chief Straub at 1100 hours later this morning about this. I sent the CC'd email regarding my concerns to Chief Smith at 1033 hours. I had also sent him an email at 0819 hours asking for any other communication he had received questioning my overtime. When I spoke with Chief Smith at 0830 hours, he volunteered that he had received the 0819 hours email. When I had met with Chief Smith and Capt Olsen on Monday 3-30-15 at 1500 hours he told us that Capt Torok was going to be "reigned in." I told him I was completely unsatisfied with that resolution. That I liken Capt Torok's behavior to that of a school yard bully and that I had complained to the School Principle and this was not a satisfactory resolution.

When I spoke about Chief Smith, he acted like he was knocked out of a daze. Chief Smith then said in the meeting, "this is on me", and that he had intended to approach me today and ask my permission to forward my email to the Chief and that he has not sent the email to the Chief.

Chief Straub seemed irritated that Chief Smith was taking responsibility and then said "I will look at your email and address it then." He stormed out of the room and Chief Dobrow followed him out of the office. I then addressed Capt Olsen and asked if I could be excused. He said yes.

I left the office, returned to my office and documented my recollection of the conversation.

It should be noted in 22 years of police service, I have never been addressed in such a disrespectful and colorful manner by any SPD supervisor, much less the Chief of Police.

Mark Griffiths

Griffiths, Mark

From: Smith, Selby L.
Sent: Tuesday, March 31, 2015 3:31 PM
To: Straub, Frank
Cc: Dobrow, Rick; Cotton, Monique; Olsen, Eric; Griffiths, Mark
Subject: RE: Overtime

Chief; I accept FULL responsibility for the lack of information that was not conveyed to you, to include Capt. Olsen's prior approval of this OT. My understanding is that this prior approval was discussed with Capt. Torok the day of the initial discussion. I sincerely apologize to you, my own staff and AC Dobrow and Dir. Cotton. This will not happen again...I will work with Capt. Olsen and Lt. Griffiths to resubmit for his overtime for the time that he spent on those days. I will work with Capt. Olsen and AC Dobrow on all our overtime and ensure that this does not occur again. Selby

Selby L. Smith
Assistant Chief
Director of Investigations
Spokane Police Department
Cell – 509-368-4238

From: Straub, Frank
Sent: Tuesday, March 31, 2015 2:29 PM
To: Smith, Selby L.
Cc: Dobrow, Rick; Cotton, Monique; Olsen, Eric; Griffiths, Mark
Subject: Overtime

Selby:

I am in receipt of your email as well as the related documents. I have reviewed all them and reach the following conclusions:

- 1) It appears, according to the documentation provided by Lt. Griffiths that he made a series of phone calls, 17, regarding two major scenes on March 19, 2015. Lt. Griffiths is in my opinion entitled to an hour of overtime. If those phone calls extended beyond an hour, Lt. Griffiths should be compensated accordingly.
- 2) It appears, according to the documentation provided by Lt. Griffiths that he made, and received, a series of phone calls, 23, during two days (March 20-March 21, 2015). Lt. Griffiths requested one hour of overtime. In my opinion, Lt. Griffiths is entitled to an hour of overtime. If, in fact, those phone calls extended beyond an hour, Lt. Griffiths should be compensated accordingly.
- 3) Captain Olsen approved Lt. Griffiths' overtime for the days in question. Therefore, Captain Olsen owned his decision and should have conveyed his authorization to Captain Torok. Had he done so the issue would have been resolved or it could have been "bumped up" to Assistant Chiefs Smith and Dobrow for resolution.
- 4) Although individuals copied on this email were aware of the specific details regarding Lt. Griffiths' overtime request (eg. the number of calls and/or amount of time involved) the information was not conveyed to Assistant Chief Dobrow or me. Without this information, we made our decision to deny the hour of overtime as we believed it was one phone call, made on one day. We were totally in the dark about the number of calls, two instances, and multiple days, until we read the email from Assistant .

I consider this failure to bring all of the information that each of you had, in parts or in total, to my attention. Your failure to resolve the situation at the appropriate level as well as your failure to convey accurate information in a timely manner caused me to make an erroneous decision and contributed to several days of unnecessary and inappropriate bad feelings, comments and angst. It flies in the face of my repeated discussions with members of the department concerning "my open door policy, that things should not fester in the locker room, and that I can only fix what I know about." I expect more, and better, from all of you regarding the conveyance of information.

- 5) Regarding the conduct of the Association, and or officers thereof – it seems that this is a matter the Chief should not be engaged in. I am disappointed that this is one of several instances that I have become aware of where individual members feel inappropriately or improperly represented by their Association. I would hope that if the Association, or members thereof have current or unresolved issues with my leadership, that they bring them to my attention so that we can work through them.

I would hope that we have all learned some valuable lessons from this event and that it does not occur again. Please advise me of the final compensation to be given to Lt. Griffiths so that he is compensated appropriately for his time on March 19, 20 and 21st.

Frank