

## Piccolo, Mike

---

**From:** J Pendleton (Drink Spokane / Spokane Daiquiri Factory)  
<jpendleton@spokanedaquirifactory.com>  
**Sent:** Thursday, July 14, 2016 9:06 PM  
**To:** Piccolo, Mike  
**Cc:** Griffin, John; Spokane Downtown Daiquiri Factory  
**Subject:** RE: Response to Police Guild Reply on Ethics Complaint against Officers Roberge and Wuthrich

Please consider this email as a Response to Police Guild Reply on Ethics Complaint against Officers Roberge and Wuthrich:

Spokane Police Guild President John Griffin President of the Spokane Police Guild has acknowledged receipt of the Ethics Complaint against Officers Roberge and Wuthrich.

In replying to this complaint we can all agree that John Griffin has read the complaint and has also acknowledged that the complaint contains evidence that Officer Roberge has provided false information to Washington State Liquor Control Board and City Of Spokane Public Officials. It also contains evidence that Officer Wuthrich was aware of Officer Roberge actions as he was notified of them before they were forwarded to other City of Spokane Officials in a mass email.

A violation of state law RCW 9A.72.080 and other sections of Chapter 9A.72 RCW: PERJURY AND INTERFERENCE WITH OFFICIAL PROCEEDINGS and other Federal Laws.

Spokane Police Guild cited the collective bargaining agreement with the City of Spokane and SMC 01.04A.160 applicability to this complaint.

The Spokane Police Guild bargaining agreement contains a clear grievence procedure they can take in this matter. They can choose to do that, but they can not use SMC 01.04A.160 and the bargaining agreement as a shield for two Spokane Police Officers accused of violating it's own Spokane Police Department Canons and attempt to render the City Of Spokane useless to enforce SMC 03.10.040 Biased Free Policing. Which states:

A. The City of Spokane is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair and equitable manner.

D. The Spokane Police Department shall maintain policies consistent with this section.

The City Of Spokane, Spokane Police Department, and Officers of the department are clearly aware of the actions of these officers but have taken no action in this matter.

The Spokane Police Department Policy Manual states

### 340.3.9 SUPERVISION RESPONSIBILITY

The following actions are misconduct:

- (a) Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department and the actions of all personnel comply with all laws.
- (b) Failure of a supervisor to appropriately report known misconduct of an employee to

his/her immediate supervisor or to document such misconduct as required by policy.  
(c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.

#### 340.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Personnel Complaint Procedure Policy Manual § 1020 and RCW 41.12.090.

It is the City Of Spokane responsibility to not violate it's own Municipal Code Section 03.10.040. It is the responsibility of the City of Spokane to make sure the Spokane Police Department is not only "maintaining policies consistent with this section" but is also actually enforcing those same policy's and are in compliance.

The Spokane Police Guild wants it's officer to not "participate" in the process maintaining or enforce those policy's and attempting to prevent the City Of Spokane Ethics Commission from doing so while at the same time they are not doing so. This is also a violation of state law RCW 41.56.100 that states in part:

A public employer is not required to bargain collectively with any bargaining representative concerning any matter which by ordinance, resolution, or charter of said public employer has been delegated to any civil service commission or personnel board similar in scope, structure, and authority to the board created by chapter 41.06 RCW.

A Public employed Police Officer that has blatantly lied doing his duty is a matter of ethics. Dishonesty in our Police force should not be tolerated.

For these reasons we must allow the City Spokane hear this complaint. The results from hearing this complaint will provide more substance to the officers in all of these city departments to take appropriate action for they have already failed the citizens of Spokane by witnessing these events and taking absolutely no action to set president in reversing this behavior by these Officers or others.

J. Pendleton  
Pendleton Enterprises LLC  
832-602-6819  
208.918.1045

On Jul 12, 2016 1:04 PM, "Piccolo, Mike" <mpiccolo@spokanecity.org> wrote:

>

> Mr. Pendleton and Mr. Griffin,

>

>

>

> Please find attached a copy of the initial response to the ethics complaint filed today by the Police Guild on behalf of Officers Roberge and Wuthrich pursuant to the e-mail I sent out last week. The response will be provided to the Ethics Commission. The Commission is meeting tomorrow on a different matter and will try to schedule a subsequent initial meeting to address the preliminary jurisdictional issues pursuant to SMC 1.04A.110 D. The Commission will not address the merits of the complaint at this meeting. I will let you know as soon as possible when the Commission schedules the initial meeting.

>

>

>