



March 5, 2012

Officer Phil Reynolds
Centralia Police Department
PO Box 609
Centralia, WA. 98531

Subject: Personnel Complaint I12-02

Officer Reynolds:

I have reviewed all provided materials associated with this matter and have heard any comments you wished to provide (meeting 02-27-12, union representative present) prior to making a disciplinary decision in this matter. I have determined that you have violated Centralia Police Department Policies & Procedures and Standards of Conduct as follows:

- Policies and Procedures Chapter 1.1.1 - Mission Statement; specifically failure to promote departmental values
- Policies and Procedures 2.1.1 - Oath of Office, specifically: "I will abide by the Centralia Police Department Standards of Conduct and Code of Ethics"
- Policies and Procedures Chapter 4.1.2 - Obeying Orders; specifically employees will subordinate personal preferences and work priorities to the lawful verbal and written rules, duties, policies, procedures, and practices of the department, as well as to the lawful orders and directives of supervisors and command personnel of the department
- Standards of Conduct Chapter 2 - Aiding Other Law Enforcement Officers; specifically failure to self-initiate a response without having to be told to do so by a peer, dispatcher, or supervisor
- Standards of Conduct Chapter 3 - Cooperation with Employees and Other Officials; specifically; failing to seek affirmative ways to cooperate and work with other members of the department
- Standards of Conduct Chapter Six - Insubordination. While I am troubled by the descriptions of your interaction with Sergeant Buster during your January 1, 2012 shift, I do not find that your exercise of union rights during that interaction constituted insubordination. I do find that you have refused to comply (directly or constructively) with established rules, policies, or standard operating procedures regarding backing up officers and filling your day with productive tasks. I also find that the attitude you displayed toward your supervisors and your lack of candor in

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responding to questions during the investigation of this matter violated your duty to cooperate in internal investigations and your prior commitments to me that you would improve your working relationships with your supervisors

- Standards of Conduct Chapter Seven - Maintaining an Acceptable Level of Availability for Work; specifically time lost hiding out on the job
- Standards of Conduct Chapter Nine - Giving a Full Day's Work for a Full Day's Pay; specifically Employee consistently fails to self-initiate activity during time not committed to demand tasks, Parking or hiding in out of the way locations when not on declared surveillance, and spending an atypical amount of time in the station, leaving field work to others
- Standards of Conduct Chapter Twelve - Committing Unsafe Acts or Endangering Others; specifically making oneself unavailable for service or taking self out of service

This is the fourth episode in the past 30 months in which you have been found to violate departmental policies, procedures, and standards of conduct, resulting in formal discipline. The previous violations and discipline imposed include:

2009 2 Day Suspension	Sustained	09A6938	P. Reynolds/329	Oath Violation
	Sustained			Biased Policing
	Sustained			Case Management
	Sustained			Common Sense
	Sustained			Competence
Letter Reprimand	Sustained	09A7669	P. Reynolds/329	Improper Arrest
	Sustained			Professional Traffic Stops
2011 2 week suspension - Retraining in report writing, pursuit policy, use of Taser, police officer ethics - disciplinary work plan including evaluations every three months, no working as on duty supervisor	Sustained	11A-04089	P. Reynolds/329	Excessive Force, Improper Use of Less Lethal Weapons, Prisoner Security, Exercising Common Sense & Promoting Dept. Values, Committing Unsafe Acts - Endangering Self/Others, Report Writing - Dishonesty/Untruthfulness, Displaying Competent Performance & Achieving Competent Performance Results

	Sustained	11A-04839	P. Reynolds/329	Report Writing - Dishonesty/Untruthfulness, Displaying Competent Performance & Achieving Competent Performance Results
	Sustained	09A-17035	P. Reynolds/329	Report Writing - Dishonesty/Untruthfulness
	Sustained	09A-19290	P. Reynolds/329	Report Writing - Dishonesty/Untruthfulness
	Sustained	11A-1614	P. Reynolds/329	Report Writing - Dishonesty/Untruthfulness
	Sustained	11A-2629	P. Reynolds/329	Report Writing - Dishonesty/Untruthfulness

In the two most recent disciplinary disposition letters you were specifically advised that the failure to improve your performance and abide by departmental policies and procedures would place your future employment with the department at risk, specifically;

Closing paragraph, July 2009 letter:

You are a fine officer with many admirable traits and a tremendous work ethic. I believe that you truly want to represent this department in a professional and positive manner. Having said that, I must clearly advise you that this type of conduct is not acceptable and additional policy violations may place at risk your continued employment with the City of Centralia. I am hopeful that you will use these recent experiences to mature in your law enforcement profession with this department. Such maturation is also essential to your remaining as a member of the special weapons and tactics team.

Closing paragraph, July 2011 letter:

This is truly the final opportunity for you to make some fundamental changes in your approach regarding your relationships with supervisory staff in this department and to abide by the policies and procedures adopted by this agency. Future violations of departmental policy will be dealt with in the most severe terms and may result in your dismissal from employment. Having said that, I truly wish you the best in your future work with the department and hope that you will view this as a wake up call. If you have any questions, please feel free to contact me.

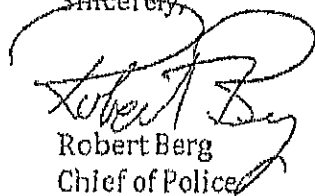
It is clear to me that the previous attempts to modify your behavior, improve your performance and approach to being a police officer in this department have been unsuccessful, despite the discipline imposed and, the re-training offered. The facts surrounding this complaint and your lack of respect for those placed in positions of authority in this agency has interfered with the efficient operation of this department.

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I have preliminarily determined that, in accordance with the Centralia Police Department Standards of Conduct Discipline and Termination Policy, your employment will end with the City of Centralia effective March 22, 2012. The many policy violations detailed above, coming after repeated counseling and serious discipline for many other performance failures, proves to me that you are either incapable or unwilling to correct your behavior and conduct your duties in a manner that comports with Department policies and meets reasonable performance expectations. In addition, these latest performance failures reveal that you have not only failed to improve your interactions with your supervisors, you have also undermined the trust and confidence that they and your peer officers must have in you for you to function effectively within the Department. For all of these reasons, I believe that your termination is appropriate.

You are relieved of duty immediately, your law enforcement authority is rescinded, and you are placed on administrative leave until March 22, 2012. In accordance with Section 14.1.1 of the CPD Policy and Procedure Manual, you may request a hearing with the chief of police. (This hearing is not to be confused with the grievance procedures as outlined in section 36.2 of the collective bargaining agreement.) Such hearing must occur prior to March 22nd. If a hearing is not requested or if a hearing is held and the decision is not reversed, your dismissal from employment will be effective at the end of your scheduled shift on March 22, 2012.

Sincerely,



Robert Berg
Chief of Police

Enclosure: Electronic (PDF) copy of the materials associated with 112-02

cc: City Manager
City Personnel Director
Centralia Civil Service Commission



CENTRALIA POLICE DEPARTMENT PERSONNEL COMPLAINT

EMPLOYEE P Reynolds		ID 307	CITATION # I12-02
COMPLAINT DATE 01/05/2012	COMPLAINANT Sgt C Buster #307	<input checked="" type="checkbox"/> Statement attached;	CASE #
DATE OF INCIDENT 01/01/2012	LOCATION OF INCIDENT Mellen St Facility		
ALLEGATIONS			
<input type="checkbox"/> Crime: criminal violations will be referred for criminal charges. You will be given Miranda warnings.			
<input type="checkbox"/> Excessive Force: the use or threatened use of unnecessary force against a person.			
<input type="checkbox"/> Arrest: a person was improperly or unlawfully taken into custody.			
<input type="checkbox"/> Entry: entry into a building or onto property was improper or unreasonable force or means were used to gain entry.			
<input type="checkbox"/> Search: the search of a person or property was improper or unlawful.			
<input type="checkbox"/> Harassment: action, inaction, or method was predicated on irrelevant factors: race, sex, appearance, age, etc.			
<input type="checkbox"/> Demeanor: offensive behavior or language, or giving the appearance of conflict of interest.			
<input checked="" type="checkbox"/> Serious Rule Violation: insubordination, neglect of duty, false reports, etc.			
<input type="checkbox"/> At-fault traffic collision.			
<input type="checkbox"/> Other:			
NARRATIVE Officer Reynolds has shown a pattern of hiding out and not handling calls or backing up his fellow officers.			
On 01/01/2012, Officer Reynolds was doing this again. When I attempted to question Officer Reynolds about this, he refused to answer my questions, instead asking me if his answers could lead to discipline. By his actions, Officer Reynolds continues to show he does not wish to participate in patrol activities and has contempt for any sort of supervision.			
Policies the employee is alleged to have violated:			
WITNESS	<input type="checkbox"/> Statement attached:	ADDRESS/PHONE	
Officers C Butcher, B Croy, C Withrow			
WITNESS:	<input type="checkbox"/> Statement attached:	ADDRESS/PHONE:	
EMPLOYEE PRESENT:	<input type="checkbox"/> Statement attached:	EMPLOYEE PRESENT:	<input type="checkbox"/> Statement attached:
SIGNATURE OF COMPLAINANT:	#307		
COMPLAINT RECEIVED BY:			ID# CDR/302
SIGNATURE OF INVESTIGATING SUPERVISOR:			
SIGNATURE OF SUBJECT EMPLOYEE:	P. Reynolds		020212