



Seattle Civil Service Department

PUBLIC SAFETY CIVIL SERVICE COMMISSION MONTHLY MEETING AGENDA

The agenda is subject to change to address immediate Commission concerns.

DATE: Thursday, November 20, 2025

TIME: [11:30 a.m.](#)

LOCATION: In person [SMT Room 1679](#)

Directions to SMT 1679-Seattle Municipal Tower, 700 5th Ave, Seattle, WA 98104.

In person attendance: Call (206) 233-7118 or (206) 586-1991 to be escorted to the 16th floor from the 4th floor lobby.

Teams Meeting Public Login:

[PSCSC Monthly Meeting | Meeting-Join | Microsoft Teams](#)

Commissioners, staff, and invited guests Login:

Please JOIN via the Teams presenter invitation please do not join the public login.

[Notify staff if you'd like to log in early for a technical check of your audio and video.](#)

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Public Safety Civil Service Commission
Monthly Meeting Agenda
November 20, 2025 @ 11:30 a.m.
 Seattle Municipal Tower Room 1679 and Teams

1.	CALL TO ORDER LAND ACKNOWLEDGEMENT	Commission Chair (PSCSC 2.04)
2.	COMMISSIONER INTRODUCTIONS	
3.	PUBLIC COMMENT	
4.	APPROVAL OF MINUTES	October 9, 2025, PSCSC Monthly Meeting
5.	EXECUTIVE SESSION	May be cancelled if not needed
6.	ACTION ITEMS	
7.	UPDATES/DISCUSSION	A. FIRE AND POLICE EXAM UNIT UPDATES 1. Police Exams (Rachael Schade, Police Exams Administrator) 2. Fire Exams (Yoshiko Grace Matsui, Fire Exams Administrator) 3. Fire and Police Staffing (Hiring/Attrition Numbers) 4. Staffing Update (Andrea Scheele, Executive Director)

		B. EXECUTIVE DIRECTOR BUDGET & DEPARTMENTAL UPDATES 5. Department Update 6. Budget Update C. CASE STATUS REPORT/APPEAL UPDATES 7. Hill v. SPD-PSCSC No. 24-01-004A 8. Rigon v. SPD-PSCSC No. 25-01-032A 9. Johnson v. PSCSC-PSCSC No. 25-07-046A
8.	PSCSC 2025 LOOKBACK	Andrea Scheele, Executive Director Sarah Butler, CIV Operations & Policy Advisor
9.	RECAP-44th Annual Civil Service Conference-October 21 and 22, 2025	Sarah Butler, CIV Operations & Policy Advisor
10.	OLD/NEW BUSINESS	
11.	ADJOURNMENT	Next Meeting Date: December 18, 2025 (10:00 a.m.)

**Public Safety Civil Service Commission
Monthly Meeting Minutes**

October 9, 2025 @ 10:00 a.m.

Seattle Municipal Tower Room 1679 and Teams

1.	CALL TO ORDER Commission Chair (PSCSC 2.04)	Commissioner Greene called the meeting to order at 10:05 am.
	LAND ACKNOWLEDGEMENT	
2.	COMMISSIONER INTRODUCTIONS	The Commissioners were present and introduced themselves: Commission Chair Richard Greene, and Commissioners Tom Applegate and Queniya Mays.
	STAFF, COUNSEL AND GUESTS	Andrea Scheele, Executive Director; Sarah Butler, Operations & Policy Advisor; Staff of the Public Safety Exams Unit; and Teresa Jacobs, Executive Assistant. Joe Levan, Assistant City Attorney/Commission Counsel; Anne Vold, Assistant City Attorney; Representatives of Seattle Fire HR and Seattle Police HR.
3.	EXECUTIVE SESSION	The commission did not go into Executive Session.
4.	PUBLIC COMMENT (GENERAL)	There was no public comment in person or in writing.
5.	APPROVAL OF MINUTES	September 18, 2025, PSCSC Monthly Meeting Commissioner Greene moved to accept the minutes of September 18, 2025, as written. Commissioner Applegate seconded the motion. The minutes were approved.
6.	ACTION ITEMS	POSSIBLE EXAM PROTEST REVIEWS There were no Fireboat Engineer Practical Exam protest reviews submitted.
7.	UPDATES/DISCUSSION	A. FIRE AND POLICE EXAM UNIT UPDATES 1. Police Exams (Rachael Schade, Police Exams Administrator) 2. Fire Exams (Yoshiko Grace Matsui, Fire Exams Administrator) 3. Fire and Police Staffing (Hiring/Attrition Numbers) 4. Staffing Update (Andrea Scheele, Executive Director)

		B. EXECUTIVE DIRECTOR BUDGET & DEPARTMENTAL UPDATES 5. Department Update 6. Budget Update C. CASE STATUS REPORT/APEAL UPDATES 7. Hill v. SPD-PSCSC No. 24-01-004A 8. Englund v. SPD-PSCSC No. 25-01-024A 9. Rigon v. SPD-PSCSC No. 25-01-032A
8.	OLD/NEW BUSINESS	D. REGISTRATION IS OPEN 44 th Annual Civil Service Conference October 21 and 22, 2025 (9 a.m.-4 p.m.)
9.	ADJOURNMENT	The meeting adjourned at 10:34 a.m.

Minutes submitted **November 20, 2025**, by: Teresa Jacobs

Minutes ☐ Approved ☐ Amended

November 20, 2025, by: PSCSC

Signed by PSCSC Commission Chair, Richard Greene

Monthly meetings are recorded, they can be found at:
<https://www.youtube.com/channel/UCglMkgpm-XFGWnnYfMRL4tQ>

Previous recordings may be requested via the public records portal at
<https://www.seattle.gov/public-records>

Budget Summary

Business Unit ID

VC0

Year

2025

11/04/2025

Last Pay Period End Date

Friday, November 14, 2025 01:00 PM Pacific Standard Time (PST)

Last Refreshed Date

\$2,817,650.00	\$0.00	\$67,211.00	\$0.00	\$2,884,861.00	\$66,549.50	\$2,064,543.27	\$2,131,092.77	\$820,317.73
Adopted Budget	Carryforward	Budget Revisions	Budget Transfers	Revised Budget	Encumbrances	Total Expenses	Committments	Remaining Legal Bu...

820,317.73	753,768.23	71.56%	28.44%
Available Balance Before Encumbrances	Available Balance After Encumbrances	Percent Spent Before Encumbrances	Percent Available Before Encumbrances

BSL ID And Name	arryforward	Budget Revisions	Budget Transfers	Revised Budget	Encumbrances	Total Expenses	Total Committments	Remaining Legal Budget
BO-VC-V1CIV - Civil Service Commissions	\$0.00	\$67,211.00	\$0.00	\$2,884,861.00	\$66,549.50	\$2,064,543.27	\$2,131,092.77	\$820,317.73
MO-VC-V1CIV - Civil Service Commissions	\$0.00	\$67,211.00	\$0.00	\$2,884,861.00	\$66,549.50	\$2,064,543.27	\$2,131,092.77	\$820,317.73
00100 - General Fund	\$0.00	\$67,211.00	\$0.00	\$2,884,861.00	\$66,549.50	\$2,064,543.27	\$2,131,092.77	\$820,317.73
VCADMIN - Leadership and Administration	\$0.00	\$67,211.00	\$0.00	\$1,031,282.68	\$34,089.50	\$601,813.44	\$635,902.94	\$429,469.24
VCCIV-FIREEXAMS - PUBLIC SAFETY CIVIL SVC EXAMS	\$0.00	\$0.00	\$0.00	\$907,412.34	\$30,555.00	\$429,494.95	\$460,049.95	\$477,917.39
VCCIVILSV - Civil Service Commissions	\$0.00	\$0.00	\$0.00	\$38,753.52	\$0.00	\$511,140.64	\$511,140.64	(\$472,387.12)
VCCIV-POLEXAMS - Police Civil Service Exams	\$0.00	\$0.00	\$0.00	\$907,412.46	\$1,905.00	\$522,094.24	\$523,999.24	\$385,318.22
Revenue - Revenue	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$0.00	\$67,211.00	\$0.00	\$2,884,861.00	\$66,549.50	\$2,064,543.27	\$2,131,092.77	\$820,317.73

**PUBLIC SAFETY CIVIL SERVICE COMMISSION
CASE STATUS REPORT
November 2025**

			OPEN APPEAL/EXAM PROTEST/REQUEST FOR DECISION/COMPLAINT					
Type	CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	ISSUE	Register/Exam/ Position	Issue/Requested Outcome/Status	PRESIDING
A	25-01-032A	Rigon	SPD	9-29-2025	Discharge		Disciplinary Appeal. Appellant is awaiting SPOG decision on possible grievance.	Executive Director
A	24-01-004A	Hill	SPD	5-21-2024	Discharge		1 st Prehearing was held October 24, 2024. 9-3-2025 The parties were granted a Joint Motion for Continuance. The hearing scheduled for September is cancelled. New hearing dates: February 9-13, 2026.	PSCSC
A	25-07-046A	Johnson	SFD	10-10-2025	Committee		Appellant filed an appeal regarding committee selection. Dismissed for lack of	Executive Director

							timeliness. Dismissal Order issued 11-17-2025.	
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Type	CASE NUMBER	APPELLANT/REQUESTOR	CLOSED APPEAL/EXAM PROTEST/REQUEST FOR DECISION				Issue/Requested Outcome/Status	PRESIDED
			RESPONDENT DEPARTMENT	DATE FILED	ISSUE	Register/Exam/Position		
A	25-01-024A	Englund	SPD	8-28-2025	Suspension		Appellant requested to withdraw the appeal. SPOG will move forward with grievance. Dismissal Order issued October 31, 2025.	Executive Director
A	24-01-006A	Englund	SPD	9-23-2024	Suspension		Appellant requested to withdraw the appeal, because the parties reached a settlement. A dismissal order was issued 8-26-2025	Executive Director
A	25-01-004A	Allen	SPD	2-11-2025	Suspension		Appellant requested to withdraw the appeal on 3-5-2025.	Executive Director
A	25-01-001A	Dave	SPD	1-10-2025	Discharge		Appellant requested to withdraw the appeal on 3-11-2025.	Executive Director

RPro	25-05-002RPro	Schenkelberg	Fire	1-31-2025	Eligible Register Expired	Fire Captain	Dismissed for lack of timeliness. Dismissal Order issued 2-21-2025	Executive Director
A	24-01-007A	Willis	SPD	10-1-2024	Suspension		Appellant requested to withdraw the appeal, because the parties reached a settlement. A dismissal order was issued 1-4-2025.	Executive Director

		REQUESTS FOR REINSTATEMENT TO ELIGIBLE REGISTER RFR=Request for Reinstatement (PSCSC 10.03)		
CASE NUMBER	DEPT	DATE REQUESTED	POSITION/RANK	DECISION
25-05-002RFR	Police	1-30-2025	Officer	Request Withdrawn
25-05-004RFR	Police	3-7-2025	Officer	Approved
25-05-008RFR	Police	3-11-2025	Officer	Approved
25-05-010RFR	Police	3-27-2025	Officer	Approved
25-05-011RFR	Fire	4-2-2025	Firefighter	Approved
25-05-012RFR	Fire	4-11-2025	Firefighter	Approved
25-05-013RFR	Police	4-16-2025	Lieutenant	Approved at Rank of Police Officer
25-05-015RFR	Police	4-28-2025	Sergeant	Approved at Rank of Police Officer
25-05-016RFR	Police	4-30-2025	Officer	Approved
25-05-017RFR	Fire	4-29-2025	Firefighter	Not Recommended
25-05-022RFR	Police	8-18-2025	Officer	Request Withdrawn
25-05-023RFR	Fire	8-19-2025	Firefighter	Request Withdrawn
25-05-028RFR	Fire	9-18-2025	Firefighter	Approved
25-05-029RFR	Fire	9-19-2025	Firefighter	Approved

25-05-030RFR	Fire	9-20-2025	Firefighter	Approved
25-05-031RFR	Fire	9-20-2025	Firefighter	Approved
25-05-033RFR	Fire	10-4-2025		Approved
25-05-034RFR	Fire	10-10-2025		Approved
25-05-035RFR	Fire	10-9-2025		Approved
25-05-036RFR	Fire	10-11-2025		Not Separated/On Leave
25-05-037RFR	Police	10-7-2025		Approved
25-05-039RFR	Fire	10-17-2025		Approved
25-05-040RFR	Fire	10-20-2025		Approved
25-05-041RFR	Fire	10-17-2025		Approved
25-05-042RFR	Fire	10-17-2025		Approved
25-05-043RFR	Fire	10-17-2025		Not Recommended
25-05-044RFR	Fire	9-30-2025		Approved
25-05-045RFR	Police	10-31-2025		Approved

	REQUESTS FOR PROBATIONARY EXTENSION RPE= Request for Probationary Extension (PSCSC Rule 12.0)		
DEPT	DATE REQUESTED	POSITION/RANK	APPROVED/DENIED
Fire	1-10-2025	Battalion Chief	Approved
Fire	1-10-2025	Lieutenant	Approved
Fire	1-10-2025	Firefighter	Approved
Fire	2-3-2025	Firefighter	Approved
Police	2-18-2025	Officer	Approved
Police	2-24-2025	Officer	Approved
Police	4-14-2025	Officer	Approved
Fire	4-27-2025	Firefighter	Approved

Police	4-29-2025	Sergeant	Approved
Police	5-5-2025	Officer	Approved
Police	5-29-2025	Officer	Approved
Police	6-17-2025	Officer	Approved
Police	8-1-2025	Officer	Approved
Police	8-11-2025	Officer	Approved
Police	8-15-2025	Officer	Approved
Fire	8-21-2025	Firefighter	Approved
Fire	8-21-2025	Firefighter	Approved
Police	8-29-2025	Officer	Approved
Police	9-2-2025	Officer	Approved
Police	9-2-2025	Officer	Approved
Police	9-3-2025	Officer	Approved
Police	9-15-2025	Officer	Approved
Police	9-21-2025	Officer	Approved
Police	11-1-2025	Officer	TBD
Police	11-8-2025	Officer	TBD
Police	11-10-2025	Officer	TBD

November 4, 2025

Olivier Rigon

Re: Olivier Rigon v. SPD-PSCSC Case no. 25-01-032A

Dear Olivier Rigon:

On September 29, 2025, the Public Safety Civil Service Commission received your email requesting appeal to a termination decision issued by SPD.

On October 1, 2025, Executive Director Andrea Scheele sent you a letter notifying you that your appeal had been reviewed and appeared to be untimely. You were invited to submit additional information regarding the timeliness of your appeal. On October 8, 2025, you responded via email, explaining that you had inadvertently submitted your appeal using the Civil Service Commission appeal form and believed you had 20 days to file your appeal with PSCSC. Upon re-examination of the filing date of your appeal I have confirmed that it was filed within the required timeframe under [PSCSC Rule 21.03 \(Computation of Time\)](#).

Timeliness: To be timely, "a notice of appeal shall be filed with the Commission within ten (10) days of the action that is the subject of the appeal." PSCSC Rule 6.02. You were notified of the suspension decision by the department on September 18, 2025, and submitted your notice of appeal on September 29, 2025. The notice of appeal was submitted to the PSCSC within ten days of notice of the termination decision; therefore, it is timely.

You indicated on the appeal form that you requested your union file a grievance regarding this matter. We ask that you keep us updated about the union's decision and whether they will take up the matter on your behalf. Your appeal will be placed on our docket, but we will not proceed with the next steps until we hear from you on the status of a potential grievance.

Parties may contact our office directly with questions or concerns. When parties contact our office, they are directed to copy (cc) the other party to avoid ex-parte communication.

If you have any questions, please do not hesitate to contact me at (206) 233-7118 or Andrea.Scheele@seattle.gov

Sincerely,

Andrea Scheele
Executive Director

Copy w/ Encl: Updated PSCSC Appeal Form
Final Discipline Action Report

Chief Barnes c/o Mike Fields, Exec. Director HR for SPD
Allen McKenzie, Labor and Employment Advisor, SPD

**NOTICE OF APPEAL TO THE PUBLIC SAFETY CIVIL SERVICE COMMISSION**

The appeal must be received by the Executive Director **within 10 (ten) days**, following the received date or the postmarked date of the final notice from the department to the appellant.

INSTRUCTIONS: Complete all the pages, sign and attach any documents or correspondence that you have received from the Department related to your appeal. Send by postal or hand deliver to the **Executive Director, Civil Service Commissions 700 5th Avenue, Suite 1670, PO Box 94729, Seattle, WA 98124-472** or email to Andrea.Scheele@seattle.gov or Teresa.Jacobs@seattle.gov

An original signature of the appellant or authorized representative is required for appeals.

I. olivier F rigon

Appellant's Full Name	Work Address	Work Telephone
Residence Address	City /State/Zip	Home Telephone/Email
Police Officer	SPD / Patrol	Sgt Hylton
Job Title/Position	Department/Unit	Immediate Supervisor
03/26/2020		
Start Date in Position	City Employee Since, Month/Date/Year	Employee ID #

II. **ACTION BEING APPEALED: (check one)**

☐ Suspension

☒ Discharge

☐ Demotion

☒ Violation of Article XVI of the Charter of the City of Seattle, PSCSC Ordinance or PSCSC Rules
(Please list the rule): 5.001 Standards and Duties (2-10-11)

☐ Other Personnel Related Issue: (Please briefly state the issue): _____

If needed, you may provide the following information on an additional sheet of paper and attach any documents or correspondence that you have received from the Department related to your appeal.

Reason for this appeal (Please include dates, location and action): _____

I believe that the reasons I was terminated were inaccurate and
therefore I should not have been terminated

Remedy Sought (What do you want?): _____

I would like to be reinstated as a Police Officer
for the City of Seattle.

III. **UNION:**

WHAT IS THE NAME OF YOUR UNION ASSOCIATION OR GUILD?

Seattle Police Officers Guild Local Number: 206-767-1150

☒ I HAVE / ☐ I HAVE NOT filed a grievance on the same issues that I identified in this appeal,
with my union or bargaining unit.

- This matter ☐ IS / ☒ IS NOT the subject of arbitration pursuant to a collective bargaining agreement.

IV. **ATTORNEY/AUTHORIZED REPRESENTATIVE:**

An Attorney or a representative is **NOT** required for the appeal process.

- Do you have an attorney or another person representing you for this appeal? ☐ YES ☐ NO
If yes, please have your attorney submit a **NOTICE OF APPEARANCE** to the Commission Office and Department. All documents and information related to the appeal will go to the attorney or representative.

Name: _____
Mark Davis

Firm: _____
Dickerson Davis Ahmed pllc

Address: _____
100 2nd Ave S, Suite 190, Edmonds WA 98020

SEATTLE POLICE DEPARTMENT MEMORANDUM

TO: Chain of Command
UNIT B152F

DATE: September 15, 2025

FROM: Mike Fields
Executive Director of Human Resources

SUBJECT: Final Discipline-Oliver Rigon-OPA 22-0250

Attached are the Cover Letter and Final DAR for Officer Rigon. The Cover Letter and Final DAR need to be given to Officer Rigon via his chain of command. Electronic copies have been or will be provided to all recipients copied on the cover letter.

Please have Officer Rigon sign in the appropriate place below, then complete the bottom section. **On the day of service, scan the completed, signed receipt and send it to SPD_EmploymentCounsel@seattle.gov.** Within 7 days of service, return the original signed receipt to the SPD HR Unit (JC-05-01).

My signature below indicates that I have received the Cover Letter and Final DAR regarding OPA 22-0250.



Oliver Rigon, #8801

9/18/25

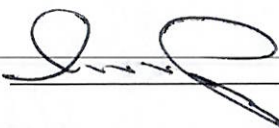
Date

After providing Officer Rigon with the documents, please complete the information below as appropriate.

Served by: LT Adam Thorpe
Rank/Printed Name

Date: 9/18/25

If not served within three days of issuance, provide explanation:

Signature: 

**On the day of service, scan the completed, signed receipt and send it to
SPD_EmploymentCounsel@seattle.gov**
Original receipt should be returned within 7 days to SPD HR Unit (JC-05-01)



City of Seattle

Seattle Police Department

September 15, 2025

Oliver Rigon, #8801
(Hand-delivered)

RE: OPA 22-0250

Dear Officer Rigon:

I want to thank you and your representatives for meeting with the Chief of Police on September 2, 2025, to discuss the recommended discipline arising from the investigation of OPA 22-0250. Based upon the information presented at the meeting, and a review of relevant materials, the Chief has sustained the following allegations:

Violation of Seattle Police Manual, Sections:

- **5.001 - Standards and Duties POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy**
- **5.001 - Standards and Duties. 10. Employees Will Strive to be Professional**
- **5.001 Standards and duties 11. Employees will be truthful and complete in all communication**

A description of the sustained allegations of misconduct and the final disciplinary action is set forth in the enclosed Disciplinary Action Report.

If you have any questions regarding this notice, please feel free to contact me.

Sincerely,

Shon Barnes
Chief of Police

/s/ Mike Fields

Mike Fields
Executive Director of Human Resources

Enclosure



City of Seattle

Seattle Police Department

cc: Shon Barnes, Chief of Police
Yvonne Underwood, Deputy Chief
Robert Brown, Acting Assistant Chief
Matthew Hyra, Acting Captain
Bonnie Glenn, Interim Director of OPA
Mike Solan, Union President
Allen McKenzie, SPD Labor and Employment Advisor

Seattle Police Department DISCIPLINARY ACTION REPORT		FILE NUMBER OPA 22-0250	
RANK/TITLE Officer	NAME Oliver Rigon	SERIAL NUMBER 8801	UNIT B152F
SUSTAINED ALLEGATIONS: Violation of Seattle Police Department Policy & Procedure Manual Sections: • 5.001 - Standards and Duties POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy • 5.001 - Standards and Duties. 10. Employees Will Strive to be Professional • 5.001 Standards and duties 11. Employees will be truthful and complete in all communication			
<u>Specification:</u> You and your wife filed for bankruptcy in 2021, as did the real estate company the two of you owned together. The United States Trustee alleged that you engaged in misconduct within the bankruptcy proceedings by, among other things, wrongfully transferring and concealing assets, maintaining inadequate records, and knowingly and fraudulently making false oaths. The Trustee took the extraordinary step of filing an adversary proceeding. Following a trial, the Bankruptcy Court entered an order and judgment denying your discharge. The Court relied on three different provisions of the Bankruptcy Code: 11 U.S.C. § 727(a)(3) (failure to keep adequate records), § 727(a)(5) (failure to adequately explain the loss of assets), and, most significantly, § 727(a)(4) (knowingly and fraudulently making a false oath in connection with the case). You appealed. An Appellate Panel consisting of three United States Bankruptcy Judges found that you “exhibited willful ignorance” of your assets and liabilities, and that your avowed complete reliance on your wife in verifying the accuracy and completeness of the schedules and statement of financial affairs (“SOFA”) you submitted was “at least reckless indifference to the truth”.¹ The Panel affirmed the Bankruptcy Court’s decision to deny your discharge. All three panel judges agreed that you knowingly and fraudulently made false oaths in violation of 11 U.S.C. § 727(a)(4).² You appealed the Panel’s decision, but you abandoned that appeal. The Office of Police Accountability (OPA) commenced its investigation following the conclusion of the bankruptcy proceedings, and determined that your conduct violated three SPD Policies: 5.001(2) (adherence to the law), 5.001(10) (professionalism), and 5.001(11) (dishonesty). SPD Policy 5.001(2) requires Department employees to adhere to all applicable laws, including federal laws. Every federal judge involved in your bankruptcy case agreed that you violated federal law, specifically, 11 U.S.C. § 727(a). OPA accepted the federal judges’ findings, and recommended that the allegation that you violated SPD Policy 5.001(2) should be sustained.			

¹ Judge Gan Memorandum (Appellate Panel majority opinion) at 16.

² Two of the three Panel judges also agreed with the Bankruptcy Court’s finding that that you failed to keep adequate records in violation of 11 U.S.C. § 727(a)(3).

SPD Policy 5.001(10) prohibits employees from engaging in conduct, either on or off duty, that undermines the public trust in the Department, the officer, or other officers. You signed documents and filed them in federal court without taking any meaningful steps to verify the information they contained, and you attested that the information provided was true, correct, and complete, even though it was not. You implausibly claimed to be almost totally unaware of your financial affairs, and asserted that you relied on your wife to provide accurate information for you. Assuming this last assertion is true, it only reinforces the problematic nature of your conduct.

As OPA observed, police officers are professional witnesses, and the “reckless indifference to accuracy and completeness” you displayed during your own high-stakes case casts serious doubts on your ability to take the stand for the City as a reliable witness.³ Your untruthfulness during your bankruptcy proceedings tainted any future testimony you might offer; your credibility will always be a question mark. OPA found that your conduct “resulted in public findings that tend to greatly undermine public trust”.⁴ Accordingly, OPA recommended the allegation you violated the Department’s professionalism policy should be sustained.

SPD Policy 5.001(11) requires employees to be truthful and complete in their communications. The Collective Bargaining Agreement by and between the City of Seattle and the Seattle Police Officers Guild (the “SPOG CBA”) provides: “In the case of an officer receiving a sustained complaint of dishonesty in the course of the officer’s official duties or relating to the administration of justice, a presumption of termination shall apply.”⁵ Formal court proceedings, including Bankruptcy Court proceedings, obviously “relat[e] to the administration of justice”.

“Dishonesty is defined [under the SPOG CBA] as intentionally providing false information, which the officer knows to be false, or intentionally providing incomplete responses to specific questions, regarding facts that are material to the investigation.”⁶ The Bankruptcy Court found that you deliberately made false statements, intending that creditors and the Trustee would rely on the information, and that you would ultimately receive a discharge. The Court also found that you “feigned ignorance” – in other words, you intentionally provided incomplete responses to specific questions, regarding facts material to the Trustee’s investigation.

An elevated standard of review (i.e., more than a preponderance of the evidence) applies in termination cases where the alleged offense, such as dishonesty, is stigmatizing to a law enforcement officer.⁷ Even the Appellate Panel judge who viewed your conduct most leniently stated that there was “substantial” evidence that you knowingly and fraudulently made a false oath.

You argued on appeal that you were unaware of undisclosed assets and transfers, that you relied on your wife’s superior financial sophistication, and that the Bankruptcy Court was wrong to impute your wife’s actions to you. You urged the Appellate Panel to accept your assertions that the errors you made were inadvertent or de minimis, that you were only minimally involved in your company’s business, and that you disclosed everything

³ Director’s Certification Memo dated June 20, 2025 (“DCM”) at 14.

⁴ *Id.*

⁵ SPOG CBA Art. 3.1.

⁶ *Id.*

⁷ *Id.*

you knew. The Panel rejected these arguments, and specifically found your assertion that you were unaware of the \$10,000 you and your wife received within a few weeks of filing your petition to be “not plausible”.⁸

In your OPA interview, you reiterated much of what you told the federal jurists. You claimed you had very little to do with the business you owned with your wife, and you denied being involved in any of the decision-making regarding the bankruptcy filings. You said you trusted your wife to do what she thought was best, and you trusted that what she said was true and accurate.

You told OPA you executed the bankruptcy forms to the best of your knowledge, and you denied intending to hide anything. You acknowledged that it was “probably a mistake on [your] part” to not check the documents yourself before attesting to their accuracy and completeness, but you then again deflected blame onto your wife. You denied making any false oaths, and you denied all of the other allegations against you.

OPA was “unmoved” by your “persistent claims to have been almost totally ignorant of [your] financial affairs”⁹ and found, by more than a preponderance of the evidence, that you intentionally provided false information, which you knew to be false, during your bankruptcy proceedings.¹⁰ As a result, OPA found by more than a preponderance of the evidence that you were not truthful and complete in your communications during the bankruptcy proceedings, and recommended that the allegation that you violated SPD Policy 5.001(11) should be sustained, and that your employment should be terminated.

According to OPA, although there were several serious examples of your lack of candor or reckless disregard for the truth during the bankruptcy proceedings, your representation that you read the initial documents that were filed, and that the information in those documents was true and correct, when in fact you (in the words of the Bankruptcy Court) “‘at best, leafed or skimmed’ the documents or, ‘at worst, signed the documents without verifying *any* of the information’”¹¹ was dispositive.

Employee Response:

An attorney representing the Seattle Police Officers’ Guild spoke on your behalf at the *Loudermill* meeting. She argued that just cause does not exist to terminate your employment, and she claimed that the Department bears the burden to prove every element of the just cause test by clear and convincing evidence.

The attorney contended that your conduct did not meet the definition of “dishonesty” as that term is defined in the SPOG CBA. She argued that you did not knowingly and fraudulently mislead your creditors, and that ample evidence proves you had only limited involvement in your wife’s real estate business, and no knowledge of her other financial dealings. The attorney stated that you signed the schedules and the SOFA believing them to be true and accurate. Although the documents may have in fact been inaccurate, she continued, “dishonesty means more than mere inaccuracy” under the SPOG CBA.

The attorney insisted that you did not intend to mislead the Bankruptcy Court, you simply relied on your wife, and because you genuinely believed that your wife provided accurate information, you could not have intentionally provided false information to the Court.

⁸ Judge Gan Memorandum at 18.

⁹ DCM at 13.

¹⁰ DCM at 15.

¹¹ DCM at 15, *quoting* the Order of the Bankruptcy Court.

The attorney cited parts of the opinion authored by Judge Spraker, one of the Bankruptcy Judges on the Appellate Panel, in support of the Guild's position.¹² Specifically, she pointed to Judge Spraker's observations that the Bankruptcy Court's decision focused predominately on your wife's actions rather than yours, and that the Bankruptcy Court made no findings with respect to your involvement in several of your wife's business dealings. The attorney stated that according to Judge Spraker, the lower court made no adverse credibility finding with respect to yourself,¹³ and she argued that Judge Spraker's findings demonstrate a lack of clear and convincing evidence to prove you were dishonest.

The attorney closed her presentation by discussing your good service record and lack of prior discipline. She characterized you as an asset to the Department and said there is no evidence your conduct during this personal bankruptcy matter affected your ability to serve.

After the attorney concluded her remarks, the Guild president read a statement prepared by you. In that statement, you provided some background information about meeting your wife, moving to this country, and starting a family. You wrote that your involvement in your wife's business was minimal at first, and increased over time, but that you never had access to company financing. You wrote that the COVID pandemic devastated "our" business, and "we" prioritized finishing projects and repaying investors, even to the point of losing your home to foreclosure. You described your role in the business as supportive, and helping where you could. You wrote that your wife has always run the business.

You told me, in your prepared statement, that you filed for personal bankruptcy protection on the advice of an attorney, and that this was an extremely stressful process, particularly since you had a young family to care for. You described your marital community's finances as extremely complex, and stated that gathering all of the documentation was challenging, confusing, overwhelming, and that you and your wife followed your attorney's advice to include everything to the best of your knowledge. You wrote that much of what was produced later on in the process in response to notices of deficiency were items to which you did not have access to at the time of your original filings, or which you overlooked as unimportant, although you did not specify what information this was, why you did not have access to it, or why you felt it was unimportant. You confirmed that you were represented by counsel throughout the bankruptcy proceedings, and you blamed one of those attorneys for failing to timely submit some documentation to the Trustee. You said that sometimes only your wife met with the bankruptcy attorney, and sometimes you met with the attorney together.

A Sergeant spoke next. He described you as a phenomenal officer with great integrity. He said you always tell the truth, and when you make a mistake, you don't sugar coat it. He said you would never purposefully lie, in his opinion, and that it would be a disservice to the City to terminate your employment. He provided me a folder consisting of statements attesting to your character, and commendations you have received.

I granted, on a non-precedent-setting basis, the Guild's request to allow your wife to speak at the *Loudermill* meeting. She also discussed how the two of you met and started a family together. She described you as the children's caregiver while she worked a full time job, then opened a real estate business. She explained, like you did, that the business was doing well until the COVID pandemic hit, then she detailed her efforts to repay

¹² The Guild's attorney characterized Judge Spraker's opinion as a dissenting opinion; in fact it was a partial concurrence, partial dissent.

¹³ Counsel was mistaken. In fact, Judge Spraker wrote: "The bankruptcy court found Mr. Rigon not credible as to his knowledge of the Trust rather than the Sands companies." See Spraker Partial Concurrence Partial Dissent ("Judge Spraker Opinion") at 4.

creditors, and her decision to file for business bankruptcy, then personal bankruptcy, on the advice of an attorney. Your wife also described being stressed and confused, and having “papers all over the place” as a result of two moves. She said that the bankruptcy attorney advised her to file as much information as she could, and that she could always amend it. She said she followed this advice.

Your wife told me that it was difficult for her to sit down and explain everything to you, and that it made more sense to her to just put all of the information down on paper then ask you to take a “quick glimpse” at it, although she knew you would not understand it. She said in retrospect she should have allowed you be more involved, but due to the difficulty of explaining everything to you, she made the decision to be responsible for your marital community’s finances. She expressed regret that you are facing career-altering consequences as a result of her pursuing her dream of financial independence. She claimed that neither of you did anything wrong intentionally, you thought you were doing the right thing, but it was a difficult situation.

Your wife told me that although losing your paycheck would be significant, losing your job would mean a lot more to you than just losing a paycheck. She said that you love your team, it is like your second family, and you are the only person she knows who looks forward to Mondays. She implored me not to terminate your employment.

Determination of The Chief:

I recognize the profound effect that a sustained allegation of dishonesty has on a police officer’s career. I listened carefully to the arguments and information presented at the *Loudermill* meeting and gave this matter thoughtful consideration. I have decided to terminate your employment. I will summarize my reasoning below, although this is only a summary.

As a threshold matter, I disagree with the Guild’s attorney that “clear and convincing” is the applicable evidentiary standard. Counsel is correct that this case triggers the SPOG CBA provision referencing an “elevated standard of review (i.e. – more than preponderance of the evidence)”. However, Counsel cited no authority supporting her assertion that by “more than a preponderance of the evidence” the parties to the SPOG CBA meant “clear and convincing evidence”. She relied instead on repetition to drive the point home. But repeating a statement does not make it true.

I believe that the appropriate standard of review, in the event my decision is appealed, is “substantial evidence”. And, as Judge Spraker determined:

substantial evidence supports the [bankruptcy] court’s decision that [you] knowingly and fraudulently made a false oath by failing to disclose the sales of the Denny Street Properties and the income received from those sales.¹⁴

Judge Spraker wrote that he “would end the analysis there”.¹⁵ I could too. However, I will go further. Without conceding that I am required to make such a finding to support termination in this case, I do find that the evidence that you were intentionally dishonest is clear and convincing.

¹⁴Judge Spraker Opinion at 1.

¹⁵ *Id.*

Neither you nor the Guild's attorney disputed the Bankruptcy Court's factual finding that you "swore [your] initial bankruptcy documents were true and correct and there were no omissions" on multiple occasions.¹⁶ Nor did either of you dispute the Court's finding that you falsely "declared under the penalty of perjury that [you] read the summary, the schedules, the SOFA, and affirmed the responses are true and correct."¹⁷ According to your own trial testimony, you did not actually review the documents, you did not have enough information to know if the answer to each question was true or false, and you did not take any steps or try to determine whether the information was correct.¹⁸

The question is not – as Counsel contends – whether you believed the documents were accurate when you signed them. You knew that you had not read the documents or affirmed their accuracy, but you swore that you had done so. That is intentional dishonesty. Your reason for providing this untrue information under penalty of perjury is beside the point.

For purposes of the intentional dishonesty analysis, whether you intentionally concealed assets from your creditors is also immaterial. However, I do agree with OPA that the record is replete with examples of your lack of candor or reckless disregard for the truth. In addition to OPA's reasoning and my own consideration, I give substantial deference to the judicial findings of the Bankruptcy Court, including that you "exhibited willful ignorance of [your] assets and liabilities". Thus, even if the evidence of your intentional dishonesty were insubstantial, unclear, and unconvincing – which it is not – I would still find that you were at least incomplete in your communications in the bankruptcy proceedings and sustain the allegation.

I did not find your wife's testimony, including her inability to adequately explain her actions in moving money around, to be compelling. Regardless, I am solely concerned with your own dishonesty. It was your actions – not your wife's – which would oblige our partners at the City Attorney's office to have to disclose your demonstrated lack of integrity to defense counsel pursuant to *Brady*¹⁹ if I were to continue to employ you. Paraphrasing OPA, because you did not act with honesty and integrity in your personal legal proceedings, your future usefulness as a professional witness for the City is marginal at best.

The allegation you violated SPD Policy 5.001(11) is sustained. Neither you nor your representatives disputed that you violated SPD Policies 5.001(2) and 5.001(10), and OPA's analysis and findings are persuasive. Those allegations are also sustained.

The mitigating information that was presented at the *Loudermill* meeting did not overcome the presumption of termination for a sustained complaint of dishonesty involving the administration of justice articulated in the SPOG CBA. Even if no such presumption existed, I would terminate your employment, despite the mitigating information presented.

Honesty, integrity, and credibility are essential in police work. All four Bankruptcy Judges found that you made a false oath. OPA conducted a thorough and fair investigation, and concluded, by more than a preponderance of the evidence, that you were not truthful and complete in your communications. I agree with the Judges and with OPA. Just cause exists to terminate your employment and that is my decision.

¹⁶ See Order of the Bankruptcy Court at p. 11, ln. 16-18.

¹⁷ Order of the Bankruptcy Court at 11, 18-20.

¹⁸ Order of the Bankruptcy Court at 12, 2-7.

¹⁹ *Brady v. Maryland*, 373 U.S. 83 (1963).

FINAL DISPOSITION	
Termination	
DATE	BY ORDER OF
9/15/2025	 CHIEF OF POLICE

APPEAL OF FINAL DISPOSITION

Appeals to a Commission:

SWORN EMPLOYEES: Public Safety Civil Service Commission

See Seattle Municipal Code 4.08.100. Employee must file written demand within ten (10) days of a suspension, demotion or discharge for a hearing to determine whether the decision to suspend, demote or discharge was made in good faith for cause. Information on the process for filing a claim with the Public Safety Civil Service Commission may be found on the Commission's website.

Alternative Appeal Options for Represented Employees:

Consult your collective bargaining agreement or union representative to determine eligibility, notice periods, and details of the disciplinary grievance process. Any remedy available through a collective bargaining agreement is an alternative remedy and not in addition to an appeal to the Public Safety Civil Service Commission or Civil Service Commission.

1 **BEFORE THE CITY OF SEATTLE**
2 **PUBLIC SAFETY CIVIL SERVICE COMMISSION**

3 **In the matter of**

4 **Douglas Johnson,**
Appellant

5 v.

6 **Public Safety Civil Service Commission,**
Respondent

DISMISSAL ORDER

PSCSC No. 25-07-046A

7
8 **BACKGROUND**

9 This matter was initiated by a Notice of Appeal ("Appeal") letter by Seattle Fire Department
10 employee Fire Captain Douglas Johnson ("Appellant") received by the Public Safety Civil Service
11 Commission ("PSCSC") on October 10, 2025¹. The Appeal states that the action appealed is: "This
12 Notice of Appeal is timely for appropriate reasons. The procedural harm and exclusion are
13 continuing in effect, and I was not provided written notice or confirmation of the decision's non-
14 appealability until September 2025. The appeal is therefore filed promptly upon receipt of that
15 confirmation." Appeal, at p. 1.

16 Regarding specific dates of alleged PSCSC actions, one date referenced by the Appellant is
17 September 11, 2025. In part, the Appellant states: "On September 11, 2025, I was notified by
18 PSCSC staff that I was excluded from participation on PSCSC committees based on unspecified
19 "behavior." Appeal, at p. 1. Another specific date to which the Appellant refers related to alleged
20 PSCSC actions is September 24, 2025. In part, the Appellant states: "... I was later informed on
21 September 24, 2025, that a PSCSC investigation had been initiated under Rule 9.29 regarding
22 events from June 2024, over fourteen months earlier." Appeal, at p. 1. The Appellant also states, in
23 part: "... At no point prior to September 24, 2025, was I provided notice of any pending
24 investigation, complaint, or referral." Appeal, at p. 1.

25
¹ The appeal letter from the Appellant is dated "Sept. 10, 2025" but events it describes occurred subsequent to that date, and the letter was received by the PSCSC via email dated October 10, 2025.

1 August 14, 2025, which is not referenced by the Appellant, is the material date at issue in
2 this Appeal. On that date, an email was sent to the Appellant by Thivia Mogan, Senior Fire Exams
3 Analyst for the Public Safety Exams Unit. In that email, Senior Fire Exams Analyst Mogan, on
4 behalf of the Exam Development Committee, stated:

5 Thank you for your application to the Battalion Chief/Captain Promotional
6 Development Committee. At this time, you have not been selected as a member
7 of this committee. We sincerely appreciate your interest to participate in this very
8 important process and continued dedication to serving the Seattle community.

8 Exhibit 1.

9 Regarding references to alleged specific rule or law violations, the Appellant refers to
10 PSCSC Rule 3.03 and Rule 9.29. Rule 3.03 does not exist. Rule 9.29 states:

11 9.29 PROHIBITED EMPLOYEE CONDUCT IN EXAMINATIONS.

12 a. Any person who by themselves or in collusion with another person does or
13 attempts to cheat, obstruct any other person's right of examination, disclose the
14 content of an exam or aid in doing so, or make a false representation regarding
15 an examination, will be disqualified from the civil service exam process, and may
16 also be subject to investigation for possible policy violations by their appointing
17 authority.

18 b. Departmental members of a promotional exam development committee who
19 engage in prohibited conduct such as discussing or disclosing exam related
20 information with individuals not on the committee, will be disqualified from exam
21 development processes, and may also be subject to investigation for possible
22 policy violations by their appointing authority.

23 c. Exam participants are notified of and required to follow instructions related to
24 conduct while participating in an exam and/or at the exam site. Failure to follow
25 instructions related to conduct at the exam may result in a candidate being
disqualified from the exam process.

21 Regarding specific reference to Rule 9.29, the Appellant indicates, in part (emphasis added):

22 On September 11, 2025, I was notified by PSCSC staff that I was excluded from
23 participation on PSCSC committees based on unspecified "behavior." No rule
24 citation, written notice, or opportunity to respond was provided. I was later
25 informed on September 24, 2025, that a PSCSC investigation had been initiated
**under Rule 9.29 regarding events from June 2024, over fourteen months
earlier.**

1 I understand Executive Director Scheele has indicated that this exclusion “is not
2 appealable.” However, because these actions resulted in the loss of access to
3 PSCSC duties, privileges, and opportunities without notice, cause, or opportunity
4 to be heard, they are effectively adverse employment actions and thus subject to
5 appeal under PSCSC Rule 3.03 (Appeals by Employees) and **Rule 9.29**
6 **(Disciplinary Investigations)**.

7 Appeal, at p. 1.

8 **LEGAL AUTHORITY**

9 Such appeals submitted to the PSCSC are governed by the PSCSC Rules of Practice and
10 Procedure above referenced, including PSCSC Rule 6.19, which states:

11 a. Any employee or department who is adversely affected by an alleged violation
12 of Article XVI of the Charter of The City of Seattle, the Public Safety Civil Service
13 Ordinance or the Public Safety Civil Service Commission Rules of Process and
14 Procedure which does not fall under Rules 6.01(a) or (b), may within ten (10)
15 days of the alleged violation, submit a written complaint to the Executive Director
16 requesting review.

17 b. The complaint shall follow the same as Appeals, described in Rule 6.02. The
18 Executive Director will review the complaint and determine appropriate action.
19 Such action may include investigation into the alleged violation, decision by the
20 Executive Director, and/or referral of the matter to the Commission for decision or
21 a hearing subject to the same rules as an appeal.

22 The Appeal is untimely as a matter of law. Pursuant to PSCSC Rule 6.19.a., the Appellant
23 was required to submit a written complaint “within ten (10) days of the alleged violation.” See also,
24 Rule 6.02, which is referenced in Rule 6.19.b., and which requires a notice of appeal to be filed
25 “within ten (10) days of the action that is the subject of the appeal.”

Based on the Appeal and associated documents submitted by the Appellant, as well as
other communications material to this matter, the action or decision that is the basis for the Appeal
is the decision by the Promotional Exam Committee to not select the Appellant to serve on the
Battalion Chief/Captain Promotional Development Committee. As above described, the Appellant
was informed of this decision on August 14, 2025, which is more than ten days from when the
Appellant filed his Appeal on October 10, 2025.

1 The other dates to which the Appellant refers relate back to the foundational action at issue
2 here, which is described in the August 14, 2025 email. For the sake of argument, and without
3 agreeing that other dates described by the Appellant are material to the timeliness issue here, this
4 Order will consider such other dates as well in reaching the conclusion that this Appeal is untimely.

5 Regarding such other dates, and for the sake of argument, the Appellant asserts, in part,
6 that on or around September 11, 2025 he “was notified by PSCSC staff that I was excluded from
7 participation on PSCSC committees based on unspecified “behavior.”” Appeal, at p. 1. One of the
8 two documents Appellant submitted along with his Appeal is an email chain that includes an email
9 message dated September 5, 2025 from PSCSC Public Safety Exams Manager Mike Nelson to
10 Appellant communicating the decision not to select the Appellant to participate on the promotional
11 exam development committee at issue, and stating: “You were not selected because of your
12 inappropriate treatment of CIV staff members at the June 2024 Battalion Chief oral boards.” That
13 email chain also includes a response from Appellant dated September 9, 2025 to Mike Nelson
14 regarding, as described in part by the Appellant, the “decision to deny me a committee seat based
15 on a finding of inappropriate behavior.” That email chain also includes an email dated September
16 11, 2025 from Douglas Johnson to Doug Johnson.

17 For the sake of argument regarding another date referenced by the Appellant, the other
18 document the Appellant submitted with his Appeal is an email chain that begins with an email
19 message from him to Mike Nelson (cc’ing Helen Fitzpatrick, Seattle Fire Department, Executive
20 Director of Administration) dated September 12, 2025 with the subject, “Follow up to request.” That
21 email chain also includes a response dated September 15, 2025 from Andrea Scheele, PSCSC
22 Executive Director, to the Appellant with the subject, “RE: Follow up request – Follow-Up on
23 Committee Selection Inquiry.” In that email message and in response to the Appellant’s inquiry
24 about why he was not invited to serve on the PSCSC development committee for the 2026 Battalion
25 Chief/Fire Captain exam, Executive Director Scheele stated, in part:

1 ... As Mr. Nelson shared, you were not invited due to concerns regarding your
2 conduct during the 2024 BC oral boards process. CIV/PSCSC staff routinely
3 assemble committees to aid in development of civil service exams, and they may
4 consider past or ongoing conduct in selection, including conduct currently under
5 investigation. Committee member selections are part of their regular duties and
6 are not subject to appeal.

7 That email chain also includes an email dated September 15, 2025 from Douglas Johnson
8 to Doug Johnson.

9 As described above, the Appeal states that the action appealed is: "This Notice of Appeal is
10 timely for appropriate reasons. The procedural harm and exclusion are continuing in effect, and I
11 was not provided written notice or confirmation of the decision's non-appealability until September
12 2025. The appeal is therefore filed promptly upon receipt of that confirmation." Appeal, at p. 1.
13 Presumably, the "receipt of that confirmation" is in reference to the email message described above
14 from Executive Director Scheele dated September 15, 2025. As also described above, the
15 Appellant refers as well to a date of September 24, 2025 in relation to receiving notice that an
16 investigation had been initiated related to the Appellant's conduct.

17 The Appeal is untimely as a matter of law because, as above described, the Appellant has
18 failed to establish that the Appeal was brought, as required by Rule 6.19.a., within ten days of the
19 alleged violation. See also, Rule 6.02 (requiring appeals to be filed within ten days of the action that
20 is the subject of the appeal). The alleged violation or action occurred more than ten days before the
21 filing of the Appeal, which was filed on October 10, 2025. Therefore, the Appeal related to the
22 alleged violation or action is untimely. See, e.g., *Pleuss v. City of Seattle*, 8 Wn.App. 133 (1972).

23 The material action at issue here which is foundational to the alleged violation is the
24 decision by the Civil Service Department staff to not select the Appellant to serve on the Battalion
25 Chief/Captain Promotional Development Committee. The Appellant was informed of this decision
on August 14, 2025, which is more than ten days from when the Appellant filed his Appeal on
October 10, 2025.

1 Regarding one of the other dates that is included in the Appeal, based on the emails
2 provided by the Appellant he was also informed about not being invited to participate in the PSCSC
3 development committee for the 2026 Battalion Chief/Fire Captain exam via email from Executive
4 Director Scheele on September 15, 2025. However, as above described, the Appellant was initially
5 informed about this decision on August 14, 2025. For the sake of argument, and not agreeing that
6 the September 15, 2025 date is the date of the alleged action or alleged violation at issue, the
7 Appeal would still be untimely because the October 10, 2025 date of filing is more than ten days
8 from September 15, 2025.

9 The Appellant refers as well to a date of September 24, 2025 and he describes that date in
10 relation to receiving notice that an investigation had been initiated regarding his conduct related to
11 events in June 2024. The September 24, 2025 date is immaterial to the timeliness of the Appeal
12 because it relates to a notice of investigation and not to the alleged violation or action at issue,
13 which is the decision not to invite the Appellant to participate on the PSCSC development
14 committee for the 2026 Battalion Chief/Fire Captain exam. However, even if, for the sake of
15 argument, that date is material to the timeliness issue, which it is not, the Appeal would still be
16 untimely because the October 10, 2025 date of filing is more than ten days from September 24,
17 2025.

18 In *Pleuss*, the plaintiff, who was a firefighter, resigned from the fire department and later
19 contended to the Firemen's Pension Board that his resignation was not voluntary. The city
20 contended that the resignation was voluntary, and the court agreed. In so doing, the court referred
21 to a provision in the Charter of the City of Seattle as it existed at that time which stated, in relevant
22 part: "... one who is removed must demand investigation within ten days after his removal and, in
23 the absence of such a demand, the removal is complete and, of course, will not be interfered with."
24 *Id.* at 136. In agreeing with the city's decision, the court stated, in part: "The review must be
25 demanded 'within ten days after his removal.'" *Id.* at 136. The court explained further that the

1 plaintiff “knew the facts when he resigned,” “he was aware of his remedies,” and “[i]nstead, 9
2 months later he brought the action below.” Id. at 136-37.

3 Similarly, here Rule 6.19.a., as well as Rule 6.02, provide that the complaint or appeal at
4 issue must be brought within ten days of the alleged violation or within ten days of the action that is
5 the subject of the appeal. The Appellant has failed to establish compliance with Rule 6.19.a. or Rule
6 6.02 and, therefore, the Appeal is untimely as a matter of law.

7 Pursuant to Rule 6.05, in relevant part: “... Upon a determination that the appeal is not
8 timely, the Executive Director may issue a written order of dismissal with prejudice (“with prejudice”
9 meaning ineligible for refiling), setting forth the basis of the dismissal.”

10 This Appeal is dismissed because it is untimely as a matter of law, so this Order does not
11 reach other issues, such as whether the Appellant has stated a claim upon which relief can be
12 granted.

1 **ORDER**

2 Pursuant to PSCSC Rules 6.19, 6.02, and 6.05, the Executive Director has reviewed and
3 considered the Appeal and documents filed and related therewith and determined appropriate
4 action. It is hereby ordered, pursuant to PSCSC Rules 6.19, 6.02, and 6.05, that the Appeal is
5 untimely as a matter of law and this matter is dismissed, with prejudice.
6

7 Dated this 17th day of November, 2025.
8

9 FOR THE CITY OF SEATTLE PUBLIC SAFETY CIVIL SERVICE COMMISSION

10 *Andrea Scheele*

11 Andrea Scheele
12 Executive Director, Public Safety Civil Service Commission
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CERTIFICATE OF SERVICE

I, Teresa R. Jacobs, declare under penalty of perjury under the laws of the State of Washington, that on the date below, I caused to be served upon the below-listed parties, via the method of service listed below, a true and correct copy of the foregoing document: **DISMISSAL ORDER**.

Party	Method of Service
Appellant: Douglas Johnson Douglas.Johnson@seattle.gov sfddug@hotmail.com	☒ E-Mail
Respondent: Public Safety Civil Service Commission Andrea Scheele, PSCSC Executive Director andrea.scheele@seattle.gov	☒ E-Mail

Dated this 17th day of November, 2025, at Seattle, Washington.

Teresa Jacobs

Teresa R. Jacobs, Executive Assistant
Public Safety Civil Service Commission

Sept. 10, 2025

Dear Commissioners,

I respectfully submit this Notice of Appeal under PSCSC Rules, seeking review of actions that have affected my civil service status and participation rights. This appeal concerns procedural and jurisdictional issues, not the underlying allegations under review.

On September 11, 2025, I was notified by PSCSC staff that I was excluded from participation on PSCSC committees based on unspecified “behavior.” No rule citation, written notice, or opportunity to respond was provided. I was later informed on September 24, 2025, that a PSCSC investigation had been initiated under Rule 9.29 regarding events from June 2024, over fourteen months earlier.

During this period, I was also denied participation in at least two PSCSC committees, including the Captain and Battalion Chief Promotional Development Committee. These exclusions materially affected my professional standing and opportunities for civil service involvement. Historically, committee selection has been a **joint process between the Seattle Fire Department and the PSCSC**, involving collaborative input rather than a unilateral decision by one party. The absence of consultation or notice from either entity represents a significant departure from established practice. At no point prior to September 24, 2025, was I provided notice of any pending investigation, complaint, or referral.

I understand Executive Director Scheele has indicated that this exclusion “is not appealable.” However, because these actions resulted in the loss of access to PSCSC duties, privileges, and opportunities without notice, cause, or opportunity to be heard, they are effectively adverse employment actions and thus subject to appeal under PSCSC Rule 3.03 (Appeals by Employees) and Rule 9.29 (Disciplinary Investigations).

This Notice of Appeal is timely for appropriate reasons. The procedural harm and exclusion are continuing in effect, and I was not provided written notice or confirmation of the decision’s non-appealability until September 2025. The appeal is therefore filed promptly upon receipt of that confirmation.

I request that the Commission:

1. Assert jurisdiction over this matter to review the procedural fairness of my exclusion and the denial of appeal rights.
2. Require production of the July 3, 2024 referral and any documentation authorizing or supporting the committee exclusions.
3. Clarify that “under investigation” status alone does not justify exclusion from committee participation absent written notice and due process.
4. Affirm that decisions labeled “not appealable” cannot be used to insulate potentially retaliatory or procedurally improper actions from Commission oversight.

This appeal is submitted in good faith to protect both the integrity of PSCSC processes and my right to fair treatment under City and Civil Service policies. All statements herein are supported by contemporaneous correspondence and documentation in my possession.

Sincerely,
Captain Douglas Johnson
Seattle Fire Department

A solid black rectangular box used to redact the signature of Captain Douglas Johnson.

Scheele, Andrea

From: Mogan, Thivia
Sent: Monday, November 10, 2025 2:05 PM
To: Scheele, Andrea
Subject: FW: 2026 BC/Captain Promotional Exam Development Committee

From: Mogan, Thivia <Thivia.Mogan@seattle.gov>
Sent: Thursday, August 14, 2025 4:04 PM
To: Andrews, Drew <Drew.Andrews2@seattle.gov>; Johnson, Douglas <Douglas.Johnson@seattle.gov>
Cc: Matsui, Yoshiko <Yoshiko.GraceMatsui@seattle.gov>; Snowberger, Amy Jo <AmyJo.Snowberger@seattle.gov>; Nelson, Mike (CIV) <Mike.Nelson2@seattle.gov>; Branum, Byron <Byron.Branum@seattle.gov>
Subject: 2026 BC/Captain Promotional Exam Development Committee

Hello,

Thank you for your application to the Battalion Chief/Captain Promotional Development Committee. At this time, you have not been selected as a member of this committee. We sincerely appreciate your interest to participate in this very important process and continued dedication to serving the Seattle community.

Best,
Thivia



Thivia Mogan (she/her)
Fire Exams Analyst, Senior
Public Safety Exams Unit | Civil Service Commission
thivia.mogan@seattle.gov
206-947-4868