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SEP 29 2003

PUBLIC SAFETY CIVIL  
SERVICE COMMISSION

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

In the matter of the appeal of

**RICHARD ROBERSON,**

Appellant

v.

**SEATTLE POLICE DEPARTMENT**

Respondent

**FINDINGS  
AND ORDER**

**PSCSC No. 03-001**

Testimony, documentary evidence, memoranda and arguments have been received and evaluated. At the hearings held on July 28 and July 29, 2003, the Commission heard testimony and reviewed evidence. The Commission now makes the following Findings of Fact, Conclusions and Order.

**I. APPEARANCES**

- 1.1.1 Appellant: The Appellant was not represented by counsel.
- 1.1.2 Department: The Seattle Police Department was represented by C. Christine Maloney, Assistant City Attorney, City of Seattle.
- 1.1.3 Commission: Noreen Skagen, Commission Chairperson; David Bown, Commissioner; Joel A. Nark, Commissioner; and Mary E. Effertz, Interim Executive Director.
- 1.1.4 Witnesses: Patrick Chang, SPD; Tom Byers, SPD; Police Chief R. Gil Kerlikowske; Ronald Murray; SPD; Richard Roberson, Appellant; Shawn Swanson, Federal Way Police Department; mother of juvenile; and Cindy Granard, SPD.

**II. FINDINGS OF FACT**

- 2.1.1 Richard L. Roberson is an Officer of the Seattle Police Department.
- 2.1.2 On May 13, 2002 Officer Roberson, while on duty and in uniform, disciplined an eight-year-old chronic runaway by spanking him.
- 2.1.3 On May 16, 2002 Officer Roberson, left an off-duty uniformed job to take over an on-duty officer's call to pick up the eight-year-old runaway [Exhibit 16]. Officer Roberson then returned the runaway to the child's home and administered corporal punishment by spanking the child.

- 2.1.4 On December 26, 2002, Chief of Police R. Gil Kerlikowske sustained the finding of misuse of force and imposed the following discipline: A suspension without pay of two nine-hour days, a transfer to another precinct and appropriate training regarding police/juvenile offender contacts.

III. CONCLUSION

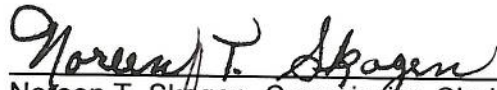
- 3.1 The Commission has jurisdiction over this appeal.  
3.2 The Seattle Police Department has not violated the Public Safety Civil Service Rules of Practice and Procedure and the Department acted properly and with just cause in the disciplinary action taken against Appellant.

IV. ORDER

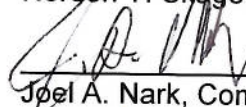
The appeal of Richard Roberson is hereby dismissed with prejudice.

Signed at Seattle, Washington this 29<sup>th</sup> day of September, 2003

PUBLIC SAFETY CIVIL SERVICE COMMISSION  
OF THE CITY OF SEATTLE



Noreen T. Skagen, Commission Chairperson



Joel A. Nark, Commissioner

n/a

David Bown, Commissioner (recused 7/29/03)