

April 11, 2017

TO: Mayor Ted Wheeler

FR: Anna Kanwit, Director Bureau of Human Resources

RE: Marshman Investigation: Initial Findings

At your request I will review the full IPR investigation into allegations that Chief Marshman violated Police Bureau directives concerning conduct, training and truthfulness and provide findings to you. I have not received the full investigation but at my request I was provided a confidential summary report on April 10, 2017 with sufficient information to allow me to make a finding as to whether Chief Marshman engaged in any conduct that if substantiated, would lead to a recommendation for termination. As discussed more fully below, based on the information I received it is clear that Chief Marshman did not engage in conduct that would result in termination, and in fact may not have violated any Police Bureau directives.

Background:

On March 24th, in a telephone conversation with you and Maurice Henderson, you advised me the Auditor and the head of IPR came to your office and told you they had begun an investigation into Chief Marshman and a member of the command staff, Lt. Leisure. The investigation resulted from two allegations; one, that Chief Marshman directed Lt. Leisure to sign an attendance sheet on the Chief's behalf noting attendance at a training he did not actually attend and two, that statements made by Lt. Leisure and Chief Marshman during the investigation did not match, raising questions of integrity and truthfulness. Under the Police Bureau's discipline matrix, untruthfulness, if proven, is a termination level offense, so I advised you that both the Chief and the Lieutenant should be placed on paid administrative leave pending the outcome of this investigation.

Investigation Summary:

This information is based on the summary report only. There will be a complete findings report after I review the full IPR investigation.

Internal Affairs commenced this investigation into an allegation that Lt. Leisure signed a training attendance roster for the Chief. Lt. Leisure stated the Chief had told the lieutenant the chief would be late to the training and to sign in on his behalf. Chief Marshman stated that he did not tell

Ted Wheeler, Mayor

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Lt. Leisure to sign the roster for the chief. Because of discrepancies between Lt. Leisure and Chief Marshman's statements an additional investigation was commenced focusing on truthfulness. There is no question the Chief did not attend the training in question but whether he directed a subordinate to sign the roster indicating attendance.

In a subsequent interview Lt. Leisure said the Chief had not directed him to sign the attendance roster on his behalf. The class instructor also stated that although Lt. Leisure asked if he could sign in for the Chief, there was no indication the Chief had directed Lt. Leisure to do so. Chief Marshman denied he said anything to Lt. Leisure about signing the attendance roster on the Chief's behalf. Statements by other witnesses did not support the allegation the Chief had directed Lt. Leisure to sign the attendance roster indicating attendance.

Conclusion:

Based on the information contained in the summary investigation report, I find that Chief Marshman did not violate the Police Bureau's directive on truthfulness and while it appears that he did not violate any bureau directives, I will reserve making that finding until I have reviewed the full investigation. Based on this preliminary finding I recommend that Chief Marshman be returned to full duty as soon as possible.

Cc: Maurice Henderson
Mark Amberg