

## MEMORANDUM

To: Yakima City Council  
From: Cliff Moore, City Manager  
Date: April 9, 2019  
RE: UPDATE - Police Chief Search Process

Council,

There has been considerable media coverage of the process to identify the next police chief for Yakima. This memo provides a factual, comprehensive review of the process. If you have any questions, please let me know.

1. During Council's annual performance review of the city manager in September 2018, Council stated its expectation that all senior level management positions, including the vacant police chief and budget and finance director positions, needed to be filled by the end of the first quarter of 2019.
2. A classification review was performed and the police chief job description was updated to reflect the contemporary skillset, qualifications and responsibilities of the position.
3. After a competitive RFP process with four qualified firms responding, the City contracted with Public Sector Search & Recruiting to support the search for a new YPD chief. Mr. Gary Peterson (President and CEO of the firm), was the City's search consultant. A contract with Public Sector Search & Recruiting was signed on December 20, 2018.
4. Early in 2019, Mr. Peterson visited Yakima to engage the community, YPD and various stakeholders about the needs of the department and recommended attributes of the new chief. Mr. Peterson conducted interviews with YPD employees including Interim Chief Jones, YPPA members, City management staff, representatives from community and faith-based organizations, business groups, the Chamber of Commerce and non-profit organizations. All seven City Council Members were invited to meet with Mr. Peterson, five were able to do so.
5. On February 6<sup>th</sup> and 7<sup>th</sup>, 2019 Mr. Peterson held open public meetings to gather additional information from the community. The information gathered from the meetings was used to help develop criteria used by the recruiter for screening applicants.
6. An anonymous survey was sent to YPD employees by Public Sector Search & Recruiting to gain additional input regarding the police chief position and current issues facing the police department.
7. The position was advertised nationally and a total of 23 individuals applied. Mr. Peterson conducted preliminary background reviews including media searches on each candidate. He conducted screening interviews utilizing criteria based on the information previously gathered, and he confronted each candidate with any negative articles or issues. Application materials of the top candidates, including resumes and articles, were then reviewed with the city manager and human resources. Utilizing all of the information

gathered during the process, the five candidates identified as most qualified were then invited to interview in Yakima.

8. A comprehensive interview process was developed with collaboration from the recruiter, city manager, human resources and the chief civil service examiner. Each union group representing YPD employees was invited to help shape the questions for the interview panels. Only the Teamster's YPD management group responded.
9. Proctored, structured interviews were held on March 21, 2019. Candidates met with four panels and the city manager.
  - a. The professional panel included County and City prosecutors, the Yakima County sheriff, the Union Gap chief of police and a representative from the Washington State Patrol.
  - b. The community panel included the CEO of Yakima United Way, the president of the Greater Yakima Chamber of Commerce, a local attorney who is a member of the state Hispanic Affairs Commission and Council Member Dulce Gutierrez.
  - c. The union panel included individuals from each union representing YPD employees, including two representatives from the YPPA.
  - d. The senior staff panel included the city attorney, the director of public works, the budget and finance director, the fire chief, the assistant to the city manager and Council Member Carmen Mendez.
10. The city manager debriefed with all panels after the interviews and Mr. Murray was rated as one of the top two candidates by three of the four panels. He was also rated as one of the top two candidates by the city manager.
11. During the afternoon of March 22, 2019 YPD employees were provided an opportunity to meet all candidates in an informal meet-and-greet session held at the City's annex.
12. During the evening of March 22, 2019 the City held an open, public meet-and-greet for all candidates at the Yakima Convention Center. Approximately 45 individuals attended and many left detailed comment cards.
13. The city manager met with Mr. Murray on March 27, 2019 and made a conditional offer of employment with an expected start date of May 1, 2019. The conditional offer of employment is contingent on Mr. Murray successfully passing a detailed background investigation carried out by an independent, third party firm, as well as polygraph, psychological and medical evaluations. Mr. Peterson notified the other candidates of the status of the selection process.
14. A City human resources specialist initiated contact with the third party investigator and Mr. Murray to begin the in-depth background investigation process.
15. All Council Members had an opportunity to meet with Mr. Murray on March 28 or 29, 2019, ahead of him being announced as the next Yakima police chief (again, pending successfully passing a detailed background check, as well as polygraph, psychological and medical evaluations).
16. Mr. Murray signed the conditional offer of employment and was introduced at a press conference as the next chief on March 29, 2019.
17. The City was aware that Mr. Murray had been investigated for allegedly failing to produce a letter under the CORA (Colorado Open Records Act). Mr. Murray himself

disclosed this information during the recruitment process. The allegation was investigated for a year and a half.

18. In Denver, the final responsibility for reviewing and making determinations on such matters falls to the civilian Director of Public Safety who oversees the Conduct Review Office. The Conduct Review Office evaluated more than 1,000 pages of documents and 30 video-taped witness statements. The allegation against Mr. Murray was not sustained. Quoting from the final report:

***The evidence does not demonstrate that Lieutenant Murray had the scienter or the intent to knowingly mislead, obstruct, or otherwise thwart the process of responding to the CORA requests. Based on the foregoing, the allegation that Lieutenant Murray violated RR-105, Conduct Prejudicial, is Not Sustained.***

19. Yakima city manager Moore spoke with the individual in the Conduct Review Office who conducted the final review of this matter. This individual, former Judge Jess Vigil, stated that “Mr. Murray had been exonerated.”
20. Mr. Murray received no discipline as a result of the CORA allegation.
21. When Denver hired a new police chief, that individual was allowed to bring in two individuals to serve as deputy chiefs, a position Mr. Murray had previously held. Mr. Murray and another deputy chief both reverted to their previous civil service rank; a common practice in the Denver Police Department.
22. The City conducted a thorough, rigorous and professional search for our next police chief. Assuming Mr. Murray successfully passes the detailed background investigation, as well as polygraph, psychological and medical evaluations in a timely fashion, Mr. Murray would begin service in Yakima on May 1, 2019.
23. As of April 8, 2019, the City has been informed that the independent firm conducting the background investigation has completed its on-site work in Denver but is still reaching out to other individuals who were not able to meet in person with the evaluator. Once that step is complete, a full report will be issued to the City’s Civil Service Division. This information will be fully reviewed by the human resources department and the city manager to ensure the candidate meets the standards for employment. If successful, the candidate will move forward to the next steps in the hiring process. The Council will be updated as to the status as soon as additional information becomes available.