



# STATEMENT FORM

EEO FILE NUMBER  
**2023-0011**

|   |                     |  |
|---|---------------------|--|
| Date<br>May 8, 2023   | Time:<br>9:44 hours | Place<br>EEO Offices, Seattle Justice Center |
| Statement of:<br>8(f)   |                     |  |
| Statement Taken By:<br>Rebecca McKechnie                        |                     |  |
| Transcribed by (Taped/Translated Statements)<br>Vaughn Thompson |                     |  |

MCKECHNIE: Okay we are recording I am Rebecca McKechnie of the Seattle Police Department the date is May 8, 2023, and the time is 9:44 hours the EEO case number is 2023-EEO-0011. I am interviewing 8(f), Serial 8(f), a complainant in this case. This is a voluntary intake interview which is taking place in Suite 537 at Seattle Police Head Quarters in the EEO office. Also present is Seattle Police Officers Guild Union Representative Jen Samson. Um, 8(f) can you please state your name and spell it for the record?

8(f) Yes, 8(f) 8(f), 8(f).

MCKECHNIE: And Jen?

SAMSON: Jen Samson, S-A-M-S-O-N.

MCKECHNIE: And I am Rebecca McKechnie, R-E-B-E-C-C-A M-C-K-E-C-H-N-I-E. This interview is being documented by a recording 8(f) do you understand this interview is being recorded and do you agree to be recorded?

8(f) I do.

MCKECHNIE: And Jen?

SAMSON: Yes.

MCKECHNIE: And 8(f) have you received copies of the EEO advisement, the Garrity Advisement and the Seattle Police Officers Bill of Rights and do you understand them?

8(f) Yes, and I have.

MCKECHNIE: And have you received notification of the allegations made in the complaint?

8(f) Yes.

MCKECHNIE: Under the authority of the Chief of the Seattle Police Department you are hereby ordered to answer all questions asked of you truthfully and completely failure to do so may result in discipline up to and including termination do you understand?

8(f) Yes.



Statement of: 8(f)  
Transcribed by: Vaughn Thompson  
Taken by: Rebecca McKechnie

MCKECHNIE: Under Section 5.002 subset 4 of the Seattle Police Department Manual Retaliation is strictly prohibited this is a reminder that you must not retaliate against anyone involved in this investigation retaliation includes discouraging, intimidating, coercing or undertaking any adverse action against any person because the person has filed or is cooperating in the investigation of any complaint retaliation of any kind will not be tolerated and will be considered a separate and serious violation which may result in discipline up to and including termination do you understand this policy and the consequences for violating it?

8(f) Yes.

MCKECHNIE: Under the authority of the Chief of the Seattle Police Department to maintain confidentiality of this investigation you are hereby ordered not to disclose the information discussed during your interview with any current or former Seattle Police Department employee except with your bargaining unit representative do you understand?

8(f) Yes.

MCKECHNIE: You are giving this interview voluntarily as a complainant and or witness if during the interview your answers reveal violations of the Seattle Police Department Rules or Regulations the interview will be stopped you will be allowed a reasonable amount of time to arrange representation from your union representative or attorney you will receive new notification that your status has changed to that of named employee do you understand?

8(f) Yes.

MCKECHNIE: Okay, so this is just going to be a conversational interview, I'm just going to ask for you to recount your concerns to me and I may ask some clarifying questions. Um, but first just for the record I want to get a little information about you, so how long have you worked for the Seattle Police Department?

8(f) Uh, almost five years.

MCKECHNIE: And what is your current work assignment?

8(f) I am a 8(f) in the 8(f), but I am currently on light duty serving in the 8(f) and the 8(t).

MCKECHNIE: And in the 8(f) who is your was your supervisor?

8(f) Sergeant John O'Neil.

MCKECHNIE: And who is your current supervisor in your light duty assignment?



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8(f) Um, Sergeant Tom Hanley and Sergeant Juan Tovar.

MCKECHNIE: Okay, and so um prior to starting the interview I gave you a copy of an e-mail that you sent to me dated Friday April 28<sup>th</sup> sent at 11:16 hours. Um, and um where you were notifying of a possible um complaint made by you against Sergeant John O'Neil. So, now I'd just like you to tell me about your concern.

8(f) Okay, um I wrote everything down because I thought I was going to have to submit this in writing would you like me to just read it to you?

MCKECHNIE: Whatever you're comfortable with.

8(f) Okay, I'll just start I'll do that because my thoughts are pretty well organized here. On Wednesday February 15<sup>th</sup>, I wrote a blotter post and please since I have this all written down if you want to interrupt me and ask a question then that's great because I won't lose my spot or anything.

MCKECHNIE: Okay.

8(f) Um, I wrote a blotter post about a shooting that occurred in the South Precinct late Tuesday evening I posted about it to the blotter at 9:17 a.m. on Wednesday. And at approximately 10:00 a.m. a TV reporter e-mailed the 8(f) and requested to interview someone about the incident. I was not feeling well that day, I was physically, mentally and emotionally exhausted. I increasingly frustrating situation at work which I had already um reached out to HR about. Plus, elements of my personal life had me feeling one of the highest levels of stress I've ever experienced. I felt as though I could burst into tears at any moment. I did not want to be at work, but I felt an obligation to stay because our office is very understaffed and because I was the most experienced person in the office. I was already in the office when Officer Gulpan, who was at that time temporarily assigned to our unit um started her shift around noon. To update her on what was happening in the office, which is something I would often do, is just kind of get her up to speed on things that happened over the night or that morning. Um, I explained to her that the office had received a request for an interview about the previous night's shooting. I told her I was not planning on doing any interviews that day so unless she wanted to do it, I was going to tell the reporter we wouldn't be able to provide an interview. I did not explain to Officer Gulpan why I didn't plan to do an interview because I knew if I attempted to explain it to her, I would start crying. To the best of my recollection the most I told her was that I was not up for doing any interviews. Officer Gulpan said she would ask Sergeant O'Neil about it and went over to his office. I had not considered discussing my decision not to do the interview with Sergeant O'Neil because I have had the autonomy to accept or decline a request for interviews since I became a 8(f). And since I've been oh and since Sergeant O'Neil has joined the unit, he has not instructed me otherwise um he just wanted to kept up to date on what decisions were being made. I had actually declined an interview earlier that morning and let him know via e-mail.

MCKECHNIE: So, for that e-mail that you sent and declined it did he have a response?



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8(f)

No, I sent it to the 8(f) e-mails so um which is our we call it a proxy that everyone has access to too. Um, and he had no response to that and that was a radio interview not a TV interview but just for clarification. Um, after several minutes Officer Gulpan returned, and she explained to me that since I wrote the blotter post about the incident, she believed I should be the one to provide and interview I told her that just because I wrote the post doesn't mean I have to be the one to provide an interview. This has been historically true in our office. I have done multiple interviews about incidents covered in blotter posts written by other sworn and civilian employees. And especially if a civilian wrote it, they are not allowed to do TV interviews or they are not allowed to be on the record at all it has to be a sworn officer. So, anything that a civilian wrote we had to do the interview for um she repeated that since I wrote it up, I likely knew more about it and said Sergeant O'Neil wanted one of us to do the interview and she thought it should be me. I reiterated that I was not up for doing an interview that day and that I would go and tell Sergeant O'Neil as much, so I asked her if she was sure she didn't want to do it, she said she did not, so I walked over towards Sergeant O'Neil's office. As I walked up to his door, he was walking out I said, "Sarge I'm not going to do that interview, I'm just not up for doing any interviews today". He said, "Do you need to go home?". I said, "I'd like to go home but we have work to do". And he said, "Go home", I said "Okay". And I turned around and walked back to my desk, I changed my clothes I left I didn't say anything else to anyone. Um, so as I wrote in colloquial terms, I would say that I had a 2(b) 2(b) that day, up until that day I had not let my condition affect my ability to do my job, but I had finally reached a breaking point.

MCKECHNIE:

So, can I ask you all you said to Sergeant O'Neil was that you didn't feel up to doing the interview?

8(f)

Yeah.

MCKECHNIE:

But no specific reason as to why?

8(f)

Correct.

MCKECHNIE:

Okay.

8(f)

And he didn't ask. Um, that evening I decided it was clear that my mental health had deteriorated to the point that it was truly impacting my ability to do my job working with a medical provider and SPD HR I applied for, and I had applied for and been approved for 4(d), 1(f) by the middle of the following day. So, Thursday as far as I know Sergeant O'Neil was not in the office that day Thursday, I believe he was working from home, I never saw him or spoke to him. 8(f) at that time the 8(f) and Sergeant O'Neil's supervisor, has since left the department. She sent me an e-mail on Thursday at about 11:00 a.m. and asked me to come and speak with her when I was available, I went to her office that afternoon. 8(f) told me Sergeant O'Neil had asked her to check in with me after what had happened the prior day. I explained to her how I was feeling the day before and that I was going on 4(d), 1(f) for my 2(b) beginning the next day. At 3:54 p.m. I sent an e-mail because I know per policy it has to be in writing to



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8(f) and Sergeant O'Neil stating I would be out on 4(d), 1(f) for at least a month beginning the next day and created an auto reply for my e-mail account. Sometime between then and when I left for the day so between 3:54 p.m. and when I left at about 5:00 p.m. I overheard Sergeant O'Neil call Officer Gulpan and ask her to make herself available that weekend to work and be on call for 8(f) I couldn't hear what he was saying but I could tell it was him by how she was talking and how she was answering um she talked about canceling OT shifts so that she could work the next day which was normally a day off for her. When she was done with her phone call, I said it sounds like Sarge already beat me to telling you but I'm going on 4(d), 1(f) starting tomorrow. And she said something along the lines of okay I hope you feel better um in accordance with my care plan I did not check my work e-mail when I went on 8(f), 1(f) I did not check my e-mail until March 15<sup>th</sup> when a co-worker told me about a job opening within the Department I might want to apply for. I checked my e-mail to find the announcement and used my e-mail multiple times the next couple of days to apply for the position. On March 17<sup>th</sup> I received an e-mail that OPA um case 8(f) had been classified. This was a shock to me because I never saw the five-day notice which was sent on February 23<sup>rd</sup> because I was on 8(f), 1(f) and not checking my e-mail. I also noted that Sergeant O'Neil filed the complaint at 4:52 p.m. on February 16<sup>th</sup> almost 29 hours after the incident but less than one hour after I notified him, I was going on 4(d), 1(f).

MCKECHNIE: Okay, so you notified him you were going on 4(d), 1(f) and then about an hour later he put in an OPA complaint?

8(f) Yeah.

MCKECHNIE: And when you told him that you were going home uh that you didn't feel up to doing the work earlier you said you didn't tell him the reason, why you weren't up to doing the work?

8(f) Correct.

MCKECHNIE: Um, and so was it 24 hours after that conversation that he filed the complaint?

8(f) Yes, 29 hours after that conversation because that was at like noon on Wednesday and then I came back to work on Thursday, but I told everyone that was my last day. And so, I officially sent the e-mail at about 4:00 p.m. on Thursday and then he filed the complaint at 5:00 p.m. on Thursday.

MCKECHNIE: And the e-mail at 4:00 p.m. what did that state?

8(f) Um, I have it in my e-mail I have a lot of e-mails if you need records of them.

MCKECHNIE: Yeah, if you can forward them to me that would be great.



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8(f) Okay, it says, "Hello 8(f) and Sergeant this e-mail is to notify you that I will be out on 4(d), 1(f) starting tomorrow for at least the next four weeks, respectfully Detective 8(f)" and the rest of my signature.

MCKECHNIE: Okay. So, if you could forward me that e-mail and any other e-mails you have um and so um are you what allegation are you making regarding the filing of that OPA complaint?

8(f) I believe that he did it as retaliation for me um uh filing my 4(d), 1(f) my application to go my notice that I was going on 4(d), 1(f).

MCKECHNIE: And do you have any knowledge whether he had any conversations with 8(f) prior to receiving notice that you were going on 4(d), 1(f) about whether or not to file any kind of complaint or reporting any kind of you know refusal for you to do that interview to her?

8(f) I don't know about that: 8(f) and I talked about um kind of a lot of why I had reached that point um as far as things in the office um.

MCKECHNIE: And when did you have that conversation?

8(f) That was on Thursday afternoon before I provided the written notice I went and told 8(f) in person um and like I said Sarge wasn't there that day. So, I talked to 8(f) about it and um I felt like it was a good conversation and I got to kind of um explain myself to her um and my one of my big take aways from that is she said that Sergeant O'Neil had asked her to talk to me. And I told her that that frankly was really upsetting to me that he would ask her to talk to me instead of him just talking to me, I don't know why he would as my direct supervisor not have just had a conversation with me about it if it was very clear that I was upset and not acting like myself. I've never refused to do an interview before. I've never I don't have a history of that kind of behavior and so I was really upset that he asked 8(f) to do it and I don't know if what his reasoning for that was, but I think it should have been him.

MCKECHNIE: And was he in the office at that time or at work that day?

8(f) No.

MCKECHNIE: Could that be a reason why he asked her to speak with you because he wasn't available?

8(f) It's possible but we have a history of sending text messages and talking on the phone and he called Jean to talk to her about stuff so I feel like he definitely could have called me. I don't know why he wouldn't.

MCKECHNIE: Um, and so recount for me the conversation that you had with 8(f) on that Thursday afternoon.



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8(f)

Um, I went in, and I told her that um I honestly don't remember if we talked about the incident from the day before, but I talked a lot about how stressed out I was in my position and how exhausted I was and how frustrated I was with how things were being managed. Um, and that a lot of our conversation was about the fact that 8(f) and I had been I felt pretty close before Sergeant O'Neil came into the office she would often come over to our side of the building and have conversations with us and 8(f) is just like a four- or five-person unit. And so even though 8(f) is the 8(f) it's just such a small team so she would come over and talk to all of us, talk to the Sergeant talk to um our two sworn people and Jonah and Travis and she would sit on the floor and talk to us and like it was really casual. And it was good, and everybody knew what was going on and what were the topics and what was the plan. And then when Sergeant O'Neil came in and I told 8(f) this I said I felt like we really um you came you were really distant and you stopped doing that, you stopped coming over and talking to us and she said that um I think I said that I suspected that it was because of him and that he probably wanted it that way and she said "Yeah he wanted to a chance to um you know be the leader of your unit and um like take control of it and um take ownership I guess". Um, and I felt that I told her it left me feeling really abandoned by her um because I have not um even when he first started I mean things between Sergeant O'Neil he when he first started then um he and I had a conversation at a coffee shop about him coming in before I went to have that meeting with him 8(f) told me "Oh, he wants to talk to you about um his plans for the unit and what he wants to do and he's going to probably ask you, you know what do you think we could do what are some of your goals what can you make, what are some ideas you have for the unit". Um, and so I had that conversation with him and it was not like that at all it was really more him um kind of just being like look things are going to change and you're not going to like it and it's going to be tough and I that everything that happened in Florida I could have like while you were in Florida which I can circle back to. I could have technically that was insubordination and so I don't want to see anything else like that ever again um and I left that meeting really, really upset and uh really feeling scared and not valued or appreciated or um yeah. It was a very bad start and then I had a meeting with 8(f) about that meeting with Sarge and I tried to tell her about all the things that I was worried about with him and she said "well he's the only person that applied for the job and he's all we've got so we've just got to make the best of it and try and make it work".

MCKECHNIE:

So, is it normal for uh I mean were a chain of command driven organization so is it normal for um employees to engage more with uh their direct supervisor or more with those higher up in their chain of command?

8(f)

Certainly, with your direct supervisor, so when 8(f) told me that I get it I think from a like chain of command perspective that makes sense. But I also don't think that it means that that person who is the next step up has to be completely absent and I feel like that's what happened is that I really missed out on any connection with 8(f) because from my perception he felt like he had a very tenuous grasp of being in charge of that unit.

MCKECHNIE:

But that would have been her decision right, she could have if she wanted to engage with anyone in her down line, right?

8(f)

Um, hmm yeah that's true.



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MCKECHNIE:

So, you mentioned he referenced something in Florida that he said you could have been cited for insubordination. So, I wanted you to be able to speak with safety I'm not going to consider this to be like any kind of rule violation or anything.

8(f)

Thanks. So, um last summer um it was only myself and Patrick Michaud in the office um and Patrick went out on 8(f) unexpectedly. So, it really left only me in the office for the peak of summer which is historically the most busy time. Um, and so they brought up Sergeant O'Neil on short notice to help out I think he was in the office for two weeks probably somewhere between two weeks and a month. Um, before I had a scheduled vacation Jonah had a vacation, Patrick was out on 8(f), and I had a vacation also. Um, and so I volunteered to stay on call while I was on vacation um because Jonah doesn't get paid for that and that's not really an option um and he was going to get married. So, I wasn't going to do that to him um, so I volunteered to stay on call and make myself available to Sergeant O'Neil because he didn't really have the experience to do everything by himself yet. Um, so an incident happened um with a kidnapping and chase, and it was very complicated, convoluted DV um incident. And I also have the e-mails about this that I can send you but the basics of it are we got information we sent it to he sent it to Captain Hirjak who was in charge of that unit for approval for release and the version that he got approved by Captain Hirjak didn't make sense to me and or I felt it was not accurate. And as a 8(f) accuracy is the most important aspect of what we do, and I was extremely uncomfortable with putting out anything that I deemed to be in the least in accurate. And so I told him that I also it was there was a time difference and by the time it was time to post it it was like the middle of the night I think and I was like look let's just wait until tomorrow where we can talk to someone about this get it clarified and then make sure that what were putting out is the most accurate version of what we can put out. And he said "No". and in his e-mail, I just was looking at them it says "No, please post this version that Captain Hirjak approved we'll deal with the fall out later". And that is the opposite of what you should do as 8(f) Professionals, um and so I said "I think we should just wait until tomorrow: I'm going to sleep it's like 3 in the morning here in Florida. I'm going to sleep, we'll put it out tomorrow". So, I woke up the next day I reached out to the Detectives on the case who are historically the people that know exactly what's going on and can give you the best other than the Patrol Officers the best information of what exactly happened whereas a Captain is usually several layers removed. Um, and so I talked to the Detectives I found out exactly what was happening what were the charges, etc. I re-wrote it and I think that I got Chief Nollette to approve it anyways I got it approved and he perceived that as me um disobeying him and going around him. Um, and was really upset about it and I talked to 8(f) about it at the time and so then when I got back um 8(f) I think basically had sided with me and tried to explain everything to him. Um, and then so then when we went out to coffee which was probably another month after I had gotten back from Florida then for him to bring that up again, I was like I thought we were past this, I thought we had moved on. Um, and I told 8(f) as much and she also was really disappointed that he brought that up again she was like "I thought that he was over that I thought we explained that and everything". Um, and for him to use the word insubordination with me was also really just shocking I no one I was in the military for five years and no one has ever used the word insubordination more than I've ever heard him use that word. Um, so I feel like he's kind of just been holding that against me this kind of like as a basis for how we started.





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MCKECHNIE: Do you think that prior incident played a role in his decision to go to OPA with this latest thing?

8(f) Yes.

MCKECHNIE: Okay, um so why did you feel so strongly about if your supervisor is directing you to post something and a Captain has approved the wording of the post why did you as an Officer feel so strongly about not doing so?

8(f) Sure, so I think that 8(f) is not necessarily well understood by a lot of other people in the Department, and I think that we have a duty to it is best for even though in that moment to disagree with um someone who outranks me or to ask for clarification might be more challenging for everybody involved. It is in the best interests of the Department to only put out information that is accurate because if we put out something that is wrong then that ruins the credibility of our office, of the department, of Policing. It is crucial to the occupation of policing in general and really the integrity of the Seattle Police Department to keep things accurate and I understand that even though I am the lowest rank possible in the Department I owe it to everyone involved even if they don't necessarily want to hear it at first to tell them that like hey we should just wait on this, I know you really want to get it out but we need to make sure that what we're putting out is accurate. Because if we have to follow it up and say that was wrong, we put out something misleading and especially at a time where we are facing some of the most scrutiny that we have ever faced it's so important to get it right. And there have been cases in 8(f) where things have been pushed out at the um, I don't want to say encouragement but at the insistence of people higher up on the chain of command and it turned out that they were inaccurate, or they were wrong. And those are things that we continue to receive um push back on.

MCKECHNIE: How does that affect you though as the Officer, I mean if you put that post out, so you expressed your concern about it correct?

8(f) Um, hmm.

MCKECHNIE: And then Sergeant O'Neil said post it anyway, correct? So, had you put that post out how would that have reflected on you?

8(f) My name is on the post first of all um and so it is directly associated with me, and I feel like if someone were to create a complaint about it then I am the first person that they would come to and ask why did you put this out, it's not accurate. Um, it also just causes more work for everyone in the unit if you put something out um I don't I take very seriously what I do and putting my name on things and being um like honest and having integrity. And I'm not willing to put something out I consider that to be in the military we would call it an unlawful order like you have to follow the orders of your supervisors unless they are an unlawful order. And to me that may not be technically unlawful but that goes against everything that this profession, this office, this me as a person it goes against the values of all of those things.



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MCKECHNIE: So, it may not be unlawful, but would it be a rule violation?

8(f) To not post something like that?

MCKECHNIE: No, had you posted something that you felt was not true?

8(f) I think so I'm pretty sure it says in policy that were not allowed to put anything out that's misleading or wrong.

MCKECHNIE: Yeah, so I think if 5.001 standards and duties it says that you will be truthful um and so in taking the stance that your name is on it and your being asked to post something inaccurate did you feel like you were being asked to post something that was untruthful?

8(f) Yes.

MCKECHNIE: And when you declined to do the interview in February was there anything about that declination that you felt was a violation of the rules in anyway? Uh, that request for you to do that interview.

8(f) Um, I think that it was um okay, so your asking was his request for me to do it um a violation of any rules or policies?

MCKECHNIE: Right, in the same way that the prior request may have been asking you to do something untruthful was there any rule that he would have been violating in asking you to do that interview?

8(f) No, I don't think so, I think that that more falls under like I was not in a state to represent the department well but technically I don't think there were any rules or anything I was worried about.

MCKECHNIE: And you mentioned that day that um you declined to do that interview that you were kind of having you know your emotions were high would be fair to say?

8(f) Um, hmm.

MCKECHNIE: And were you worried about maintaining emotional control during that interview?

8(f) Yes, absolutely.

MCKECHNIE: And um I want to talk about some of the other people, some of your peers in the unit you mentioned Patrick and Jonah, did you have other peers other than Padrick and Jonah and Officer Gulpan?



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8(f)

Yeah, um I wrote Officer Gulpan in here because I thought I was formally submitting that, but Jean is what we call her, her name is Judinna but um I call her Jean. Um, sure so Jonah has been there the longest, um he's been there for about ten years, he's a civilian. Um, he is also currently on 8(f). Um, Patrick uh was there for I think seven years-ish, um after he went on 8(f), 1(f) he was involuntarily transferred out of the unit at the towards the end of last year. Um, I when I joined the unit um Sergeant Huserik was my Sergeant he's also been involuntarily transferred out of the unit. Um, and when I was placed in the unit then they involuntarily transferred out Mark Jamison so that I could take his place.

MCKECHNIE:

Um, so those three employees who were involuntarily transferred do you have knowledge as to why they were involuntarily transferred?

8(f)

It is my understanding that no um contract approved reason was provided and that all three of them have filed grievances against their transfers.

MCKECHNIE:

Do you have an idea as to why they were transferred?

8(f)

I personally believe that they were people that the Chief just didn't want in that office anymore.

MCKECHNIE:

And do you have any idea as to why the Chief wouldn't have wanted them?

8(f)

Um, I think that um in the case of Mark and Patrick that it was more of a um I think the way he worded it in there um from what I heard is that he told them that the unit was going in a new direction. And so, I think that is what um Chief Diaz wanted is just someone different or people who are going to see things differently um or more willing to do things the way that he wanted them done, I think. And then in the case of Sergeant Huserik I again these are just my personal feelings is that I believe that he was transferred out because he spoke up and said something to Mayor Harrell in a meeting um that contradicted what Mayor Harrell wanted and I think that um Chief just wanted him out of there because I think he felt like Sergeant Huserik made him look bad.

MCKECHNIE:

And so, is part of the is it possible that part of the reason Sergeant O'Neil was running things differently was part of that that the Chief wanted things done differently?

8(f)

Um, yes.

MCKECHNIE:

Did Sergeant O'Neil ever communicate to you or any of your peers that he was doing what the chain of command was instructing him to do?

8(f)

Yes.

MCKECHNIE:

Um, did Jonah have any issues with Sergeant O'Neil in the same way that you had?



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8(f) Yes.

MCKECHNIE: And did Patrick have issues with Sergeant O'Neil in the same way that you had?

8(f) Um, I think so, but I definitely didn't talk to Patrick about it very much.

MCKECHNIE: What were some of the issues that your aware of that Jonah was having?

8(f) Um, I really couldn't speak to specifics because I don't know but I would say in general it seems like um Sergeant O'Neil um felt like Jonah was constantly pushing back and unwilling to just kind of say yes and go ahead with things. Um, and I think that's because Jonah has been in that office a very long time and has a lot of knowledge about strategic communications and what that truly that profession is all about in a way that um Sergeant O'Neil and to a certain extent even myself don't know. Even though I have a communications background um and I think that Jonah wanted to do things in the way that he thought was best for the Department and when he had conflict with Sergeant O'Neil about what Sergeant O'Neil just wanted to happen. Then he they Jonah wanted a why basically like okay I get that you're asking that but what is our goal why are we doing that what is our, what are we hoping to gain, what is the plan for stuff like this. And I think um Sergeant O'Neil could never provide that and just kind of was like just do it.

MCKECHNIE: Did Sergeant O'Neil ever indicate that he didn't know the why that he was just following orders from higher up?

8(f) Um, occasionally but then he also would say that he was they were his decisions you know I would say things like I know that this is not just coming from you this is coming from the Chief so I'm not trying to hold this against you. But he would say that sometimes no this is me this is what I want to do I have my own ideas for this office and what I want to happen.

MCKECHNIE: Okay, um was there anything about the ideas of what he wanted to happen that was a rule violation in anyway in your opinion?

8(f) Um, I don't think so, no.

MCKECHNIE: Okay, I'm going to get ready to wrap it up here but before I do does SPOG have anything you want to add?

SAMSON: Yeah, you kind of touched on it a little bit so when you were in the military you what was your role in the military, what was your?

8(f) I was a mass communication specialist.

SAMSON: Okay, so you have a history in communications?



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Taken by: Rebecca McKechnie

8(f)

Yes.

SAMSON:

Journalism?

8(f)

My degree is in communications as well.

SAMSON:

And Sergeant Huserik were you aware of his background before he was on the Department?

8(f)

Yes.

SAMSON:

And what did he do?

8(f)

He was in media, he worked at a news station in Oregon.

SAMSON:

And what did 8(f) do prior to being with the Police Department?

8(f)

8(f) was also a journalist.

SAMSON:

And Jonah?

8(f)

Uh, Jonah was also a journalist.

SAMSON:

Okay, um and do you know what uh Sergeant O'Neil's prior assignment was?

8(f)

Um, I know that most recently he came to us from doing Use of Force Reviews um because he had been moved out of the 8(f) unit.

SAMSON:

Okay, and do you know the reasons why?

8(f)

I understand, and he talked to us about the fact that there had been an EEO complaint um regarding something that happened in 8(f)

SAMSON:

And listening to what you said there, there has been a massive amount of turnover in the unit and apparently if people in the unit do not toe the line, then they are involuntarily transferred. Do you feel that this complaint, which I don't know if it was actually clarified for the record but the OPA complaint against you was classified as insubordination, correct?

8(f)

Um, I that was his allegation is that there was insubordination.

SAMSON:

So, do you feel that in an attempt to get you out of the unit and not involuntarily transfer you out of the unit, in an attempt to get you out of the unit this complaint was filed against you in an attempt to get you out of the unit?



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8(f) Yeah.

SAMSON: Okay, that's all I have.

8(f) I also, I have a lot of other things that I mean when I first e-mailed you about, I told you that I was having all of these problems and issues with him do you want me to talk about those now or is that separate from this specific complaint and investigation?

MCKECHNIE: Well, it's your time to tell me what your concerns are.

8(f) Okay.

MCKECHNIE: So, whatever they are.

8(f) Okay, um so in this instance um one of my issues with it is that I feel like for him to call what I did insubordination is just inaccurate from the get-go. Because he never said 8(f) you must do this interview, he told Jean one of you needs to do it. And then had Jean, who wasn't even a 8(f) at the time, come and tell me one of us has to do it and I think it should be you. So, he let her decide who got to be the one to do it and technically by serial number she outranks me but in that office she doesn't it's I was a pocketed employee. I've been a 8(f) for years and she hadn't been, so I feel like in that case how is she also not insubordinate? If he wanted one of us to do it and she said no, then I don't think that it's insubordination either both of us are insubordinate or really, I think neither of us are. Um, I also feel like he knew that if he called it insubordination then that makes it a mandatory report you have to report insubordination. Um, and so I feel like for him to say that gave him an excuse to do it and kind of gave him leverage um and I can see him saying well I had to report it because it was insubordination. Where really it wasn't insubordination, and he easily could have just this is not that insubordination is in the rules for like in my mind the most it comes from safety issues and like emergency situations. Where like this is life or death do what I say or something terrible is going to happen this is not one of those situations and he could have just changed his order and said "Okay" or he could have done the interview.

MCKECHNIE: Okay, so did you hear from Sergeant O'Neil directly that he told Jean one of you have to do it, or was that coming from Jean?

8(f) From Jean.

MCKECHNIE: Um, is it possible that that's not the conversation that how it happened?

8(f) It's possible.

MCKECHNIE: Is it possible that he told Jean that you need to do it and that's just how she kind of conveyed it?



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8(f) That's possible but if he was worried about that and if he wanted it specifically to be me, he could have I mean our offices are like from here around the corner right there. He was right there the whole time, and he could have just come and said, "I want you to do this interview, why won't you do this interview?" or "Why do you not want to?" And so yes, that is possible that she misconstrued his meaning.

MCKECHNIE: But following that her telling you that uh you went and had a conversation with him, correct?

8(f) Yes.

MCKECHNIE: And you explained why you didn't want to do the interview?

8(f) Well, I didn't get a chance to explain the why, but I told him that I wasn't up for doing it, he never asked me just sent me home.

MCKECHNIE: Okay.

8(f) Which I also feel like to me indicates that he realized that something was wrong and that I was not myself and that I should not be at work and that I was unwell. And he could tell in that moment that I was so upset or unwell that I needed to go home it seems like he should have understood that what I was doing was not it wasn't I didn't say I didn't want to do the interview because I wanted to like it wasn't about him it wasn't about the order it was about I don't feel good enough to do this interview. And I think he just took it really personally and totally didn't understand or ignored really everything that was going on with me. And also, the fact that he told 8(f) to check on me the next day also indicates to me that he knew something was wrong I was not well, I was I needed checking in on. This was not me just being a back talking, sassing person who was just saying no, I'm not being a petulant employee I just something was very wrong. And so, for him to say that to 8(f) also indicates that he knew that, and he still filed this complaint against me.

MCKECHNIE: Was there anything about the incident that you were going to maybe have to do an interview forum that where you had expressed any concern about anything posted or any concern about the Department's actions or his actions?

8(f) No.

MCKECHNIE: And just to clarify also when he gave you permission to go home basically like do you need to go home, and you said yes did you feel like at that moment he was also giving you permission to go home and then not do the interview?

8(f) Absolutely, yes.

MCKECHNIE: And so, in having that permission to go home did you feel like that was disobeying him?



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8(f) Uh, no he it's like he changed his orders from making me do the interview to telling me instead your new orders are go home.

MCKECHNIE: Okay, um could it be that Jean refused to do it you mentioned that you were more experienced than Jean and Jean was new. Do you think that the reason Jean didn't want to do it is because this was a really high-profile case, and she didn't feel competent enough to do it?

8(f) I don't think so, she's definitely done other I mean this guy it was a shooting he was non fatally, non-lethal, non-life-threatening injuries and at that point Jean had already done interviews at Homicides. So, I feel like probably not.

MCKECHNIE: Okay, um and I know you told me that you spoke to 8(f) about your concerns about Sergeant O'Neil and after you spoke with her, you spoke with her on more than one occasion, correct?

8(f) Um, hmm.

MCKECHNIE: And after you spoke with her did you see any change or any difference?

8(f) No, I think that um 8(f) felt really stuck which is what she told me when I um talked to her after Sergeant O'Neil and I went to coffee is that she basically was like he's the only person that applied he's all we've got, we've got to try and make the best of it and maybe things will get better.

MCKECHNIE: But she was his supervisor, right?

8(f) Um, hmm.

MCKECHNIE: So, if she wasn't happy with his performance, she could have taken some action?

8(f) Yes.

MCKECHNIE: So, did you see any action being taken?

8(f) No.

MCKECHNIE: And when you didn't see any action being taken did you escalate it further up the chain of command, did you ever mention anything for example to Chief Diaz?

8(f) No, but I feel like Chief Diaz is the one who wanted Sergeant O'Neil to be in that position so I don't think that I would not have been comfortable going to Chief Diaz and talking to him about my concerns when he's the one who put him in that position.





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MCKECHNIE: Okay, um so other than what you've told me here today um is there uh anything else you want to report about this?

8(f) Yes.

MCKECHNIE: Okay.

8(f) Sorry, I'm.

MCKECHNIE: Okay, go ahead.

8(f) Thank you. Um, so in the um complaint that he wrote that uh 8(f) has been instructed to do interviews whenever possible and feasible. Um, which I think is not accurate um we have multiple times declined to do interviews that are um either we know that they are not um going to benefit the Department or there with a reporter that we don't think is um a reputable reporter or we know they are just going to be um exploiting the victim. Um, we have a history of choosing which interviews we want to do, and which interviews we don't. Um, so I just think that that's an inaccurate thing to say.

MCKECHNIE: Was that history that you have did that pre-dated this kind of new direction?

8(f) Yes, since before Sergeant O'Neil the whole time that I've been in that office.

MCKECHNIE: Okay, but since the new direction has that been kind of the direction from the Chief that they want more interviews?

8(f) Um, I remember an interview request that we got for a um a TV show where they wanted to um interview a Detective about a cold case or something like that and we determined that this type of show really exploited the victims and was less about actually trying to help solve the crime. And um uh 8(f) basically was like yeah, we should not do this um and so at that point 8(f) was 8(f) could say yes or no, and we didn't even um I mean it's not like 8(f) would ask the Chief about that, that was just a decision that 8(f) would make. And so, I would say that we still had the option to decline ones.

MCKECHNIE: But not you as the Officer it would have been above Sergeant O'Neil in the chain of command, is that right?

8(f) For something like that and also a lot of times there were things that once Sergeant O'Neil got in the office and he wanted to know more about stuff, and he wanted to know what was happening and he wanted to be the one who was making these decisions. Um, I think that before Sergeant O'Neil got there then me or Jonah easily would have, or Patrick could have told that person we just know we already knew this we already knew about those type of shows and they are not something that benefits us or the victim at all. So, we would have easily just declined it and without even consulting the Sergeant because we had been trusted to know how to do our jobs and then when he was there it was a much more micro-managing type of vibe. And so, we started including him in that



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information so that he would know what decisions we were making and not making and um a lot of times he didn't know the answer so instead of just asking us about it he would just go and ask 8(f) Which was also frustrating because he would tell us to our faces that he thought that we were really good at our jobs and that we were great at what we do but he wouldn't really ask us for advice and help, and guidance and training and education.

MCKECHNIE: Do you feel like the reason he wasn't asking you though is because of what he was hearing from the chain of command about this new direction?

8(f) I don't think that that should have prevented him from asking about what we have done historically and also just kind of like very basic nuts and bolts of what how to do that job. Um, but I understand that some people are not comfortable asking people who that they outrank how to do things.

MCKECHNIE: Could he have been going to 8(f) because he wanted to do things the way that she expected them to be done?

8(f) Uh, that's possible.

MCKECHNIE: Okay, did you have anything else you wanted to add?

8(f) Yes. Um, so um in the e-mail that you sent me it lists all the different things that HR can help with and so I kind of copied and pasted all those bullets and wrote down a couple of examples of things that I noticed that fall within those areas. Um, so the first one is communication issues um so when Jean came up to our office then um, he told me that I would be training her and so I started training her. And um then over one weekend um I think it was over the over New Year's Eve um I'm going to find the text messages. He had

MCKECHNIE: And when you say he you mean Sergeant O'Neil?

8(f) Yes. So, um I'm sorry okay so um I was supposed to be training Jean and I was training Jean and um he went out of town on New Year's Eve but um was still checking things and getting we get group one text messages, so we are kept apprised of everything that is going on. Um, and a shooting happened I guess it wasn't on New Year's Eve it was a day before or a couple of days before and um he texted myself and Jean about the incident and I was sleeping, and my phone is set so that text messages don't wake me up. I get woken up for phone calls because of being on call all the time sometimes you get group ones for something that is not a 8(f) emergency and so I don't want to get woken up for um something that I don't there is nothing for me to do, there is no action for me to take on it. But dispatch would call me if there is an emergency that I need to know about, so my phone is set so that I don't hear text messages, so I slept through text messages he texted me and Jean and said, "Hey what's going on with the shooting?". And Jean was up, and she responded she said I'll call the Sergeant and find out. She called the Sergeant and responded to um the group text between the three of us um and she said told him about it I have those other text messages and she told him



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what happened and said I'll write it up. So, I woke up in the morning and I saw that what he had said, what she had said, she said she'd write something up about it and then I checked and saw that she had already posted something about it, which was a surprise to me because I thought I was training her and everything else I had been um going over her posts um editing them, checking them, talking to her about things just providing feedback like you would if your training someone. And so, for her to just put something live on the blotter and post it to the public without having someone check it I was very surprised by that, but I figured you know what he probably said just go and do it they probably had their own conversation and he approved it. Because they already have a previous prior relationship and I'm sure they were communicating with each other I don't mean like a romantic relationship I just mean a close friendship. So, I let it go and I didn't say anything and then he texted me on Saturday and he said "I've noticed over the past few days at times you do not respond to my texts or e-mails in a timely fashion if at all. "Is there a reason for this?". I said, "What did you need a response on, I slept through all the shooting stuff this morning, so it was handled by the time I woke up". He said "The shootings is exactly what I needed a response to you were on call if you did sleep though it at some point you should have responded and let me know what happened with you, moving forward I will need a response to each and every e-mail or text I send if you are on call or on duty. In some cases, a simple acknowledgement will suffice." And I said "Copy". So, I filed this under um in my notes I put it under communication issues because again I don't think that technically outside this is not a policy issue, he has a right as a supervisor to demand that of me. But I do think that as far as leadership goes it demonstrates a complete lack of trust in me and instead of talking to me about it and asking why I didn't or what is happening or telling me that Jean is not in training anymore that Jean is good to go, and she can post whatever she wants. He just said you need to respond to everything I ever send you which to me is crazy, we send a lot of e-mails all the time and a lot of them don't require a response like he will send me the Chief's brief and I started just saying copy, received to things like that because they are not things that we talk about, it's just to me that is like super micro-managing thing. Um, another communication issue we had is that apparently, he wanted to change the way that we made corrections to the blotter um we used to just do it where we would edit the post and put a strike through, through um whatever we had noted that needed. Sometimes we'll say Thursday and it was supposed to be Wednesday, so we go back we cross out the word Thursday and we replace it with the word Wednesday right next to it, so people know for um transparency that there has been an edit made. Um, but we still have the accurate and updated information there and he changed the way that he wanted that done. Um, I sit right next to Jean, and I heard Travis who is the web master come over and talk to Jean about a blotter post and they were talking about how we do the changes differently they want it to do it with an asterisk and put things in italics and put something at the bottom of the post. And I overheard them talking about it, but nobody told me Jean didn't tell me, Travis didn't tell me, Sergeant O'Neil probably should have told me because he's in charge and he makes the decisions should have told me. Nobody told me about it until at least a week later and at that point either Travis or Jean asked me they were like oh do you know were doing the changes like this now and I was like nope nobody told me that. Um, he also sent me a text message one time um so when we post things to um the blotter, we also post them too.

MCKECHNIE: Before we go on with that how did the blotter post change get communicated to the others.



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8(f) I don't know I assume a phone conversation, or I mean an in-person conversation.

MCKECHNIE: Was there some kind of meeting that maybe you weren't able to attend?

8(f) No.

MCKECHNIE: Okay.

8(f) Um, so when he um part of the "new" way of doing things once he got there is that they just wanted us to put out tons of information they just if anything happens post about it could it be a post, make it a post. Um, which this is just in my opinion from a strategic communication standpoint that does not make sense you probably should have a strategy to what your posting, why your posting, when you posting. Um, there should probably be some thought and logic and planning going into it um but again that is not a policy thing they can say that if they wanted just a bunch going out, they can have a bunch going out. Um, so when we do post so I was working on a weekend and I responded to two different scenes and I covered a bunch of other stuff that they had put um significant incident reports for I think I did five different posts that day, which is a lot for a weekend. I worked all day from when I got a homicide call out until that evening at probably like 7 or something. Um, and he sent me a text message that evening and said just no context and said, "Please don't forget to check e-mails while on call". And I responded and I said, "I literally worked ten hours today and I think I responded to all of them, did I miss something?". And he said "Not that I'm aware of, an officer said that they were going to send something to SPD news on something they may have just wanted to make sure we didn't miss it. I'll be tied up for about two hours and I know you worked a ton this weekend so far". And I responded and I said "Okay". So, to me that is a communication issue because if he is looking at Twitter to see what we're posting or looking at the blotter to see what were posting which I would assume he would be then why would he start this conversation with please don't forget to check e-mails. I'm obviously working, I'm doing stuff, I'm putting things out and you for him to act like I'm just start that conversation as if I hadn't been doing anything or I had been doing less than what was expected of me was infuriating. I felt disrespected, invalidated and like he just couldn't be bothered to even look at the work that were putting out. Um, so again communication issue I understand that's not that's just how he communicates.

MCKECHNIE: And did how you felt about it change after he clarified why he had sent that that he was expecting that you were going to be getting some kind of an e-mail?

8(f) Um, it at least gave me it did at least give me some explanation however I feel like it would have been so much better conveyed to me if he had just said that at the beginning. Because this please don't forget to check e-mails while on call is very vague and of course I'm checking e-mails while I'm on call that is something we have always done and is expected of me, I've been doing it and if he had looked at the e-mail account, he could have seen that I had been responding to e-mails. Um, so my request in that specific case would be just provide the context upfront like hey I'm expecting an e-mail from an officer about something that might have happened just want to make sure that you keeps a



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heads up for it, that seems very reasonable, and I would not have been mad if he had said something like that. Um, and I there is another part of that one that I was thinking of, but I forgot.

MCKECHNIE: Well, if you think about it, we can come back to it.

8(f) Um, okay the next tenant is um work place differences I when Jean was no longer on training all of the sudden and was posting things then um a couple times then she and I started working on the um same incident started writing something up about it or I was about to start writing something up about it and I find out she has already started writing it. And so I suggested and I have these e-mails I suggested that if um why don't we just let everybody know what were working on while were working on it or before we start working on it so everyone knows what's getting written up and what isn't getting written up and he said um and in the e-mail he said "yes communication is key, please just let me know what you're working on before you start writing it" and I said "Well, why don't we just let everybody know what we're working on there is no need for like secrets about what people are writing everything goes out to the public. Why don't we just e-mail everybody?" And he said something along the lines of "after much thought on the matter we're going to do it my way, I just want you to let me know". And so, he like was cutting off the lines of communication between us as co-workers which to me is crazy from a team building perspective and also a efficiency and productivity standard, why would you be bottle necking the information like that, why would everybody not need to like I don't see any reasoning whatsoever for that other than for him to demonstrate that he's in control. And like to try and show that he is in control and has power over that office, it was incredibly frustrating.

MCKECHNIE: Could it be that he felt like it would be a distraction um you know more e-mails coming in that were things that you wouldn't need to necessarily worry about because someone else was handling it, I mean you mentioned the office being understaffed?

8(f) I don't think so because to me that would have taken, I would have known faster what was already getting handled it would have been a relief to know that things were getting handled, what things were getting written about. So, I didn't have to waste any of my time starting to research things or look things up or call people before I started on a project. I don't think so. Um, oh that's the other thing that I had thought so I do want to bring up that there have been we Sergeant O'Neil and I on at least two occasions have had conversations just the two of us um one of which after that New Year's Eve where um jean was off of training. He and I had a conversation probably about a month later in person in his office and we both um I think that it was productive in the sense that we both got to say how we had felt about a couple of conflicts that we had had in the office. Um, I think both of us got to explain ourselves as far as why we were upset when that person said this and why he was upset when I did such and such. Um, and so I will say that we did have a productive conversation there um unfortunately I think that it mostly was based on us kind of just airing our past upsets and our past grievances and so it did feel like it cleared the air in a sense but there was no plan for going forward and there was no um like there was no plan for anything to change unfortunately. And so, it was a good conversation um and, but it didn't really lead to any differences being made um I think both of us left the meeting feeling good because we go to say how we had felt



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about stuff and have the other person acknowledge that. Um, and I do think that he was respectful and did listen in that sense um but neither of us provided any options or requests as far as going forward with stuff. Um, and I will also say that one of the things that he has requested of me that I feel like I've done a good job with complying um is that he told me that he prefers as far as his um kind of managing style he prefers for people to say yes first and say like yes, I'll do that before providing any feedback or questions or concerns or criticism or anything like that. And um so when he told us that I said okay I understand that, and I have made an effort to do that going forward.

MCKECHNIE: Has that helped?

8(f) I think it did help a little bit. I think that it probably kept him from getting um more upset about other times when I did still have questions and concerns about things that we were getting asked to do or like assignments and stuff like that. Um, so I don't think it's measurable, but I do think it helped um but other than that I don't think that he has really provided very much other guidance on what would work better for him.

MCKECHNIE: So, I don't want to cut your interview short, but I have a meeting that's going to start at 11:00.

8(f) Okay.

MCKECHNIE: Um, we can continue this interview or if you have you know more than we can wrap up here in about five minutes um but again I don't want to cut you short. Um, so I'm more than happy to you know uh continue it at a different session.

8(f) So, the rest of my stuff like I told you is just this is not stuff that I feel like is um like policy or rule or like actually violations these are just like concerns that I have about him being a manager in this organization. Um, I will say that the only other thing that I think um might fall into some of that stuff is my comments about favoritism um because I do think that um he and Jean being friends previous to her getting assigned in that unit and this being the second unit that she has followed him to essentially um that's created some issues and then also I know that he has spoken ill of me to other employees in the office. Um, and I feel like he also is I don't know kind of like trying to build a case against Jonah to get him kicked out of the office. Okay, so maybe there are a few other things I feel like are beyond that.

MCKECHNIE: Um, so just since this is an EEO complaint what um uh age, race and gender do you identify as?

8(f) I am 36, I am 8(f), and I am female.

MCKECHNIE: And you mentioned that Jean you think he shows favoritism um as best of your knowledge uh what age, race, and gender is Jean?

8(f) I think Jean is 38 or 39, she is female, and I believe she is Asian Pacific Islander.



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MCKECHNIE: Okay, and then Jonah you mentioned he also has issues with um what do you understand Jonah's age, race, and gender to be?

8(f) Jonah is 39 and White, and 9(a) and Male.

MCKECHNIE: Okay, did you have anything else you wanted to add in reference to the EEO portion of the complaint?

8(f) No, I suppose the rest of it will just be you will have to tell me if you think that any of the other things rise to that I don't think they do but I'm not the expert.

MCKECHNIE: And you were reading from something would you be able to share a copy of that with me?

8(f) Yes, sure, those are my notes.

MCKECHNIE: Okay, and you mentioned some e-mails that you have if you could send those as well?

8(f) Yes.

MCKECHNIE: And you mentioned some text messages do you feel they are relevant, and you want to provide them?

8(f) Sure.

MCKECHNIE: Uh, did you have anything more you wanted to add right now?

8(f) No.

MCKECHNIE: I just want to go on the record and say if you think of something later and you want to re-schedule an interview or you want to send me something by e-mail either way is fine.

8(f) Should I should we have another interview or like a continuation of the interview to talk about the other things that are my concerns?

MCKECHNIE: We certainly can yeah, it's your call whether you have more you want to tell me.

8(f) I would like it all to be documented.

MCKECHNIE: Okay.

8(f) So, yes.



Statement of: 8(f)  
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- MCKECHNIE: Alright, Jen, did you have anything more you wanted to add?
- SAMSON: No, thank you.
- MCKECHNIE: So, before we can close other than what you've already told me today were there any other times that you feel like Sergeant O'Neil engaged in any kind of harassment or discrimination based on your protected class or your age, race, or gender?
- 8(f) No.
- MCKECHNIE: And based on what you've already told me here today was there any other time that Sergeant O'Neil engaged in any kind of harassment or discrimination against any other SPD employee because of their protected class such as age, race, and gender?
- 8(f) Not that I know of.
- MCKECHNIE: Okay, then with your permission I'm going to end the interview on the basis that we are going to re-schedule and add more to it.
- 8(f) Yes, thank you.
- MCKECHNIE: So, the date is still Monday May 8, 2023, and the time is 10:58 hours and I am turning off the tape.