



**PIERCE COUNTY CIVIL SERVICE COMMISSION  
MINUTES OF SPECIAL MEETING  
Tuesday, April 28, 2009**

**AGENDA ITEM I: Call to Order**

A special meeting of the Pierce County Civil Service Commission (PCCSC) for Sheriff's Employees was called to order at 5:08 p.m. on Tuesday, April 28, 2009. The meeting was held in Courtroom 100, 930 Tacoma Avenue South, Tacoma, Washington.

**COMMISSIONERS PRESENT:** Commissioner Richard Sokolowski, Chair; Commissioner Gail Merritt-Smith; Commissioner Michael Branchini

**STAFF PRESENT:** Sandy Pietz, Chief Examiner; Phil Prettyman, Deputy Prosecuting Attorney

**AGENDA ITEM II: Hearing of Appeal – Bryan Cline**

Chair Sokolowski stated the purpose of the special meeting is to hear an appeal by Bryan Cline regarding his termination as a Deputy Sheriff and that he would entertain opening statements at this time if the parties are ready to proceed. Ms. Donna Masumoto, Deputy Prosecuting Attorney representing the Sheriff's Department, and Mr. Brett Purtzer, representing Mr. Cline, stated they were ready to proceed.

Ms. Masumoto clarified that she and Mr. Purtzer had discussed the exhibits and there was agreement that the exhibits are what they purport to be. Mr. Purtzer stated his agreement.

A summary of proceedings follows; a complete transcript of the proceedings is available in the Civil Service Office for review or purchase at the cost established by Pierce County for copies of public records.

**Opening statements:**

Ms. Masumoto stated the issue here is whether the Sheriff's order terminating Mr. Cline's employment was made in good faith for cause. She stated that Mr. Cline, during a period between January and August of 2007, obtained almost 50 different prescriptions for controlled substances, commonly known as painkillers, and that he had made various misrepresentations to treatment providers in order to obtain the prescriptions. In August 2007, a criminal investigation was initiated, and the Prosecutor's Office filed criminal charges on three counts of prescription fraud. The Sheriff's Department then initiated an internal affairs investigation. At the conclusion of the internal affairs investigation, the Department issued an order of termination of Mr. Cline's employment. Ms. Masumoto stated that it is the County's position that the decision to terminate was made in good faith for cause.

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Mr. Purtzer stated that the facts as stated by Ms. Masumoto are not disputed, and the issue here is whether [Mr. Cline's actions] were in any way deleterious to his performance, and that the conduct he engaged in was not during job-related hours nor were there any job-related deficiencies that the County will be able to point to. Mr. Purtzer summarized Mr. Cline's employment history with the Sheriff's Department, and noted there had been no issues of discipline up until this time. Mr. Purtzer mentioned that while on paid administrative leave, Mr. Cline testified in various criminal prosecutions.

Mr. Purtzer advised the Commission that Mr. Cline was injured on the job in 2006, and was treated for significant pain as a result of the injury. He stated Mr. Cline was charged criminally in September 2007 and petitioned for Pierce County Drug court in January 2008. Mr. Cline completed the drug court program and the felony charges were dismissed. Mr. Purtzer stated that there is no dispute with Mr. Cline obtaining the medications, but that the issue is whether the termination was appropriate under the circumstances. He asked that the Commission reverse the Sheriff's decision and determine that a lesser sanction is warranted.

At the request of legal counsel, Chair Sokolowski suspended the hearing to a break at 6:05 p.m. The hearing reconvened at 6:12 p.m.

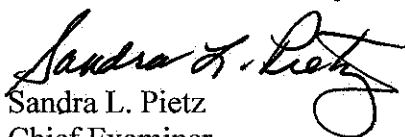
The hearing continued with witness testimony and presentation of exhibits.

The hearing was suspended for a break at 6:59 p.m. and reconvened at 7:25 p.m.

**ADJOURN:**

Following arguments presented by legal counsel(s), the meeting was adjourned at 8:28 and continued for deliberations to May 4, 2009, beginning at 5:00 p.m. at a location to be announced.

Respectfully submitted:

  
Sandra L. Pietz  
Chief Examiner