

POLICE CHIEF FACES ANGRY RANKS - FITZSIMONS' POLICIES RILE SOME COPS

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The grumbling is there, in the precinct houses, on the beat and in the pages of *The Guardian*, the official newspaper of the Seattle Police Officers Guild, buzzing like radio static that can't be tuned out

Chief Patrick Fitzsimons can hear it rumbling up from the ranks to his 10th-floor office in the dour, brown box that is Seattle's Public Safety Building. And he agrees that the voices of protest from angry officers in his department are hard to ignore.

The discontent is part of the legacy of six years of opening opportunities in the Seattle Police Department for more minorities and women as well as some of the toughest discipline the city's finest have ever faced.

Fitzsimons isn't sure how many of his 1,064 officers are deeply dissatisfied, but he guesses it is probably more than the 10 percent estimated by his aide, Lt. Doug Dills, a former Police Guild president.

Time and time again, the same complaints are voiced, mostly by white male officers with 10 to 20 years in the department: Too many promotions of women and minorities "out of order," and excessive disciplinary action.

But, Fitzsimons says, that is the way things are. Affirmative action is here to stay _ "the Police Department should reflect the community" _ and he expects and will enforce high standards of conduct from his officers.

The chief sees a measure of irony in the case of Linda Whitt, a particularly controversial disciplinary incident. He fired Whitt, a promising woman officer, for brutality against a rape suspect. The dismissal triggered an attempt at a no-confidence vote against Fitzsimons at the Police Guild's April meeting. It was tabled after much bitter discussion. It may come up again.

In another case widely criticized in the ranks, Fitzsimons four years ago fired two officers who got drunk and drove through a black neighborhood in the Central District, firing their service revolvers into the air.

Many officers felt that firing was too harsh, especially for officers whose records had been almost spotless in the past. One of the officers had been emotionally distraught over the recent death of his child.

Fitzsimons insists that he feels the anguish, too, and that's what makes his job very difficult.

"I want to be a supportive chief who protects officers who are doing their job," he says. "You don't see the protection of a standard that says you don't get drunk and shoot up the neighborhood."

"Pat is a very tough disciplinarian," says Professor Ezra Stotland, who heads the Society and Justice Program at the University of Washington. "There's no question about that. The only problem is that if you discipline someone very severely and make it public, you ruin their chances for other things."

The anger simmering in the ranks has begun to tear at the police union itself. President Bill Conn, a south precinct sergeant, was vilified in an anonymous letter because of his friendship with Dills, who was labelled contemptuously as the chief's "official food-taster."

Dills moved into the chief's office several weeks ago, replacing Capt. John Pirak, who went on to head the burglary division.

Dills, with some embarrassment, says he has become a Fitzsimons "convert."

"The longer I'm here, the more I see the complexities that he deals with," says Dills.

Fitzsimons, a 55-year-old former New Yorker, a college-educated Irishman who has not one single cop in his family tree, tilts his Eastern-tuned nose to the wind and nods knowingly at the familiar political scents.

Seattle officers see Fitzsimon's Big Apple twang, his aura of big-city street smarts and Eastern machine politics intruding on what they see as their city's more innocent ways.

Fitzsimons laughs at some of the labels he hears hung on him _ "Attila the Hun," "The Ayatollah" _ and suggests that police politics in Seattle are not exactly bush league.

Some Fitzsimons supporters say the dissatisfied officers are following the lead of the State Troopers Association, which helped defeat Republican Gov. John Spellman last November. They wanted to dump their chief, Neil Maloney, who was replaced as soon as Democrat Booth Gardner took office in January.

Councilman Norm Rice, who is running against incumbent Charles Royer for mayor, says so far that he has no plans to make a campaign issue out of the Police Department or its chief.

Fitzsimons is neither "one of the boys" nor the kind of "cop's cop" that many officers saw in one former chief _ George Tielsch, the stiff-lipped and upright man who lifted the department from the humiliation of the bribery scandals of the late 1960s.

An incident at the funeral of a slain Tacoma police officer earlier this year illustrates the gulf between Fitzsimons and "the troops."

Conn wrote in the February issue of the guild's newspaper that while King County Police Chief Vern Thomas arrived at the funeral and sat with his officers, and Snohomish County Sheriff Bobby Dodge did the same with his officers, "I saw the chief come in and was escorted to the front row of the church to sit with other dignitaries."

An exasperated Fitzsimons asks, "What do you say if you are the Seattle chief and the Tacoma chief and the Tacoma city manager invite you to sit in a place of honor?"

But Fitzsimons acknowledges that, regardless of the fairness of the criticism, it is a symptom of his image problem with some officers.

He even asked Conn for advice on where he should sit for the funeral of Seattle Officer Dale Eggers, who was shot to death in the robbery of a bank, where he had been moonlighting as a security guard.

Unlike Tielsch, who ran the department from 1970 to 1974, Fitzsimons seems at ease with journalists. He shows considerably more political acumen than many of the city's politicians, cultivating contacts among influential business and civic leaders.

Tielsch was the commander-on-a-horse leader that officers who were young in the early 1970s craved. He tolerated no guff from the media, or politicians, both of which he kept at arm's length.

Officer David Estes, a 14-year veteran, sums up the feelings of many officers of his generation about Tielsch in a letter soon to be published in the guild newspaper.

"Under his stern but personal leadership, Seattle police became one of the best departments nationwide," Estes writes.

"Tielsch had one fatal problem. He was an honest, strong, forceful and popular chief serving a liberal Democratic power structure. He didn't last long, obviously. When he left, his ideas and influence remained.

Every chief since has been judged by what Chief Tielsch was."

If some guild officers are unhappy, black officers are not.

When Fitzsimons came to Seattle, the guild was suing the city over the affirmative-action program and the Black Law Enforcement Association was suing the guild over what it said was the failure to represent the interests of black officers.

"I couldn't even speak to those guys in the same room," recalled Fitzsimons.

Eventually, the guild lost its lawsuit against the city. The black officers lost their suit, too, but by then affirmative action was an entrenched principle.

Since 1975, Seattle has gone from having about 40 minority officers to 117 _ about 11 percent of the force _ says police Personnel Director Jim Yearby. Where there were 21 black officers, there are now about 50, says Lt. John Mason, president of the black officers' group.

There are now 82 women officers, up from a mere handful in 1975. Most of those gains have been since Fitzsimons' arrival, in 1979.

Some minority officers who have been promoted benefited from selective certification, a procedure under which a woman or minority candidate can be lifted out of order on the eligibility list and advanced more rapidly.

"I think he's done positive things for the Police Department in terms of affirmative action and overall," Mason says of the chief.

"We support him 100 percent."

Fitzsimons' rapid promotion of some women and minorities is another sore point with some officers.

"Most of us don't have any objection to giving someone a break at some point because they are minorities," said one longtime sergeant who has been passed over a number of times for promotion to lieutenant.

"It's just that the same people, over and over, get promoted out of order."

Estes also sums up the resentment over the way officers were treated after the 1984 siege at Yesler Terrace following the slaying of a King County police officer by a deranged tenant with a sword. The tenant, Robert Baldwin, was shot to death when police stormed the apartment.

"Following the incident, the officers were subjected to an internal investigation that treated them like criminals," wrote Estes.

But Estes urged his fellow officers to remember that, "first, our chief is a police officer. Through initiative and hard work he achieved his position. He is a leader in his own right. As such we should respect him. Calling him names only demeans the person who does it and disgraces us as a group."

The case of Officer Whitt, fired for allegedly shattering a rape suspect's testicle with a swift knee to the groin, has become a lightning rod for dissatisfaction with Fitzsimons' disciplinary policies.

"I honestly feel that if it had been a white male involved, you wouldn't have heard a word," says Fitzsimons. "Some people have trouble believing a woman could act that way."

A police chief who has hired and promoted more women and minorities than any chief in Seattle's history is faced with enforcing a stiff standard for officer conduct. Whitt said she was not guilty.

Fitzsimons concluded that she was.

"Some guys say, 'Well, he had a record and he lost a testicle _ so what?'" says Fitzsimons.

The suspect was never charged with rape. The woman who was thought to be the victim told police that her participation in sex with the man was entirely voluntary. The suspect's "punishment" had been premature.

Fitzsimons gave Whitt one more chance before the Public Safety Civil Service Commission acted on her case. A confession would have saved her future in law enforcement.

With her lawyer, Lawrence Linnville present in the chief's office, Fitzsimons looked at Whitt and said, "Is there something you can tell me? I'd like to save a career."

"He wanted her to confess to something she didn't do," said Linnville.

Fitzsimons is saddened by the Whitt case. She was considered a capable officer. But having decided on the matter of her guilt, the issue for Fitzsimons became one of believability.

Stotland, the UW professor, is sold on Fitzsimons and sees him as cast in a difficult role, bringing racial balance to the department while assuring high standards of conduct by his officers.

It is a task that would seem to call for some of those qualities Mayor Charles Royer only half-jokingly described in 1978 when the city was searching for a new chief. He said the chief should be "a combination of Mohandas Gandhi and Genghis Kahn."

• **Caption: PHOTOCOLE PORTER / SEATTLE TIMES: POLICE CHIEF PATRICK FITZSIMONS WALKS THROUGH PIONEER SQUARE WITH BEAT OFFICERS JOHN MYERS, LEFT, AND ROY LAMBE. COLE PORTER / SEATTLE TIMES: SEATTLE POLICE PUBLIC-INFORMATION OFFICER GARY FLYNN, LEFT, AND CHIEF PATRICK FITZSIMONS CONFER AT A CRIME SCENE LAST YEAR**

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