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# What Happened with Chief Burbank?

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I lost confidence in Chief Burbank after a string of difficult personnel matters, the most egregious of which involved his response to confirmed sexual harassment incidents.

Rather than firing him at that time, I reluctantly agreed to give him an opportunity to make significant changes in his department – changes he promised would improve an Anglo, male-dominated culture within the SLCPD, and prevent further sexual harassment.

Chief Burbank failed to implement many of those changes over the period of a year, even when pressed repeatedly by myself and my staff.

The incident was distressing to me personally, and to residents. Many people have asked me what happened; why I waited, and why I handled it as I did. While I stand by my decision, and regret that the public was not privy to the history of conflict between the Chief and myself, I empathize with their distress. After listening to many constituents over the past 3 months, I understand better why this has been so upsetting.

When I made the decision, I was frustrated by my inability to reach agreement with the Chief on how sexual harassment should be handled. Despite much public perception to the contrary, my decision was not political. In fact, this was a personnel matter that I felt needed immediate resolution. It reflected what I believed, then and now, to be in the best interest of the victims, our police department, and our community.

Following is a chronology and some personal reflections on events over the one-and-a-half years since this issue emerged:

- In 2014, three women officers filed sexual harassment complaints against Deputy Chief Rick Findlay that were investigated and confirmed by the SLC Employment Discrimination Office and by a Citizen Review Board. Both reviews recommended Chief Burbank take disciplinary action against Mr. Findlay. The women at that time chose to not reveal their identities.
- I have established a method of management and accountability with my Department Directors that involves bi-weekly meetings with the group and regular meetings individually. Although my Chief of Staff and Chief Operating Officer (COO) handles most of the communications between me and the Department Directors, all know that they can contact me directly at any time.
- After meeting with my COO, my Human Resources (HR) Director, and a City Attorney, Chief Burbank agreed to demote Mr. Findlay with a significant pay reduction, and to take specific actions to prevent further sexual harassment in the department. At that time, Mr. Findlay was on paid leave awaiting disciplinary action. Chief Burbank failed to implement this agreement, despite several inquiries by my COO about the status of Mr. Findlay's demotion and the agreed changes.
- After several months of back and forth between my office and the Chief about the delays, the Chief allowed Mr. Findlay to resign with full retirement benefits – never having been demoted.
- I was dismayed with the Chief's to implement our agreement, and with his favorable treatment of Mr. Findlay. His refusal to act, in my view, amounted to insubordination. After a number of tense meetings involving myself, my COO, the City Attorney, my HR staff and Chief Burbank, I agreed to give him another opportunity to implement the agreed actions to address sexual harassment within the SLCPD. These actions were spelled out in a [letter of reprimand](#).

- My difficult decision to allow the Chief to keep his job at that time was based on his years of service, his standing in the community, and the apology he offered at the time – which included his acknowledgment that the situation was not handled properly. I trusted then that he would make the improvements.
- In the ensuing months, the HR Department monitored the chief’s progress toward implementing the agreement, and on several occasions questioned him about his lackluster response. HR and my COO insisted he step up progress and show meaningful results.
- In June 2015, nearly one year after Mr. Findlay’s departure, the media reported the three women had filed a notice of a claim in federal court. I responded publicly that sexual harassment is unacceptable in Salt Lake City. I expressed sympathy for the victims, and was outraged over the situation.
- My outrage was due in part to the Chief’s response, which failed to recognize the seriousness of sexual harassment. Rather than offering acknowledgement or apology, he instead insinuated it was Mr. Findlay who had been victimized – telling a reporter that Mr. Findlay “paid a heavy price” for what he had done. The chief continued to stand by his decision a year earlier to allow Mr. Findlay to remain on administrative leave until he could collect full retirement benefits.
- Acting on my orders, my COO contacted Chief Burbank to inform him his response was unacceptable, that I was considering further personnel action against him, and that by the end of the week, I wanted a written accounting of how his department had handled the sexual harassment claims.
- The following day, the chief and I discussed the situation. During our extremely heated conversation, he continued to insist he did the right thing by allowing Mr. Findlay to stay away from the department, and then resign. I was in total disagreement, and informed him I intended to finally resolve this on-going

issue. I again asked to see his report on the matter, and requested an in-person meeting with him and my COO as soon as possible.

- The chief responded with further delays. He first said he was traveling until the end of the week. I reluctantly agreed to meet with him at the beginning of the following week. When the time came, I was informed he was on vacation and unavailable.
- This was extremely frustrating. Not only did he fail to submit the report I requested, but accommodating his schedule, on his terms, resulted in a complicated disruption of a visit to SLC by more than 200 local government leaders – which I was hosting.
- Finally, on a Thursday afternoon – forced to break away from the visiting delegation – the meeting occurred. I told Chief Burbank I intended to resolve the issue immediately, and that once we agreed on an outcome, we would announce it that afternoon together, or I would do so independently.
- I suggested three options for resolution: he could apologize to the victims and to the city for failing to address the matter in accordance with our agreement; he could resign; or I would terminate him. I said I was open to any other options or suggestions.
- Chief Burbank chose to resign.

This unfortunate series of events has gone largely unreported – despite providing the chronology of my and my COO’s actions, and despite providing documentation and in-depth interviews about my experience.

Chief Burbank served this city admirably in many respects. But his failure to take seriously the issue of sexual harassment, and to follow my directive to institute change in the department – even when I gave him multiple opportunities to do so – was simply unacceptable.

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