city of CINCINNATI

Interdepartmental Correspondence Sheet

Date: September 9, 2015

To: Mayor and Members of City Council

From: Harry Black, City Manager HB

Copies to: Paula Boggs Muething, City Solicitor
Georgetta Kelly, Director of Human Resources

Subject: **Personnel Action - Jeffrey Blackwell**

This memo is to inform you that this morning I terminated Jeffrey Blackwell's employment with the City of Cincinnati, for cause. My concerns regarding Mr. Blackwell's leadership of the Cincinnati Police Department ("CPD") are not new. Mr. Blackwell has not provided the necessary leadership to ensure a cohesive operating environment within the department. As such, morale is at an unprecedented low level, and the general sentiment throughout the department is that Mr. Blackwell's leadership style has created a work environment of hostility and retaliation.

Lack of sufficient and proper communication, particularly within the command staff, coupled with a consistent and pervasive disregard for the chain of command, have had a significantly negative impact on operating cohesion and effectiveness within the department. At a time in which our City, like so many across the Country, is facing a dangerous spike in violence, we simply cannot afford such ineffective leadership. I have repeatedly attempted to direct and assist Mr. Blackwell in addressing these shortcomings, but he has failed to take my direction and accordingly the problems have persisted. Several months ago as a means of addressing CPD communications and organizational unity issues, I solicited the assistance of an outside facilitator to conduct a team building session with Mr. Blackwell and top command staff. However, this effort did not lead to an improvement in working conditions within the department.

These concerns and others motivated me to conduct an exhaustive review of matters relating to the police department. This investigation uncovered serious problems with management and leadership. It is for that reason, and the reasons I will detail further below, that terminating Mr. Blackwell was the first and most important step toward creating a climate in the CPD that will allow it to flourish internally and provide our officers with peace of mind relating to their command structure. An effective leadership structure is essential for our officers to be able to focus their energy on the important and dangerous jobs we have charged them with performing in communities across the City of Cincinnati.

As the chief executive officer of this municipal corporation, I owe it to the men and women of the Cincinnati Police Department to understand the climate within which

they have been required to work, to acknowledge that despite those dire conditions our officers have continued to serve with distinction and honor, to further acknowledge that it is unreasonable to expect these officers to continue to serve with distinction in the existing toxic environment, and that it is my responsibility to take all necessary steps to ensure a professional work environment for our Cincinnati police officers. To fulfill this responsibility, I have taken a number of steps. First I reviewed the climate assessment report (copy attached). The contents of the report led me to consult with the highest ranking officers within the CPD command staff and civilian personnel. These one-on-one conversations, some of which are memorialized in written statements attached hereto, led to some alarming conclusions.

The formal and informal feedback solicited from a variety of sources indicates that Mr. Blackwell uses verbal abuse and insult to convey authority. This is one of the more troubling conclusions I have reached. It is important to note that the incidents that have been relayed to me span the spectrum of rank, gender, and race. Individuals have been threatened and berated, in the presence of subordinate officers, superior officers, and members of the public. This tactic has served to damage morale and has caused a number of officers and CPD civilian employees to seek treatment for anxiety and stress caused by this environment. The attached statements document specific instances of this type of behavior against Barbara Young, a police lieutenant, over a year ago, and more recently against Assistant Chief David Bailey and a civilian employee, Director of Communications Tiffaney Hardy. Each of the instances is corroborated by others.

Equally disturbing, a culture of hostility and retaliation instituted by Mr. Blackwell has put the integrity of the police department at risk. In reaction to the recent story regarding Mr. Blackwell's use of overtime, which chronicled the use of taxpayer money, Mr. Blackwell engaged in several documented and corroborated acts of retaliation. He illegally threatened Assistant Chief Bailey with termination because Mr. Blackwell believed the Assistant Chief was responsible for the story. Mr. Blackwell separately accused Tiffaney Hardy of the same offense and ordered an "investigation" into Ms. Hardy's actions. These are textbook acts of retaliation. It must be reiterated that the information reported by the Cincinnati Enquirer is public information that the Enquirer requested and that the City is required to share in response to such a request. The incidents described here suggest that Mr. Blackwell expected his subordinates to risk defying state law in order to protect his image and, when they did not, engaged in acts of retaliation against them.

Mr. Blackwell has also demonstrated a disregard for the chain of command. Within the CPD, as within any law enforcement organization, adhering to the procedures established by the department and respecting the chain of command is critical to the success of the organization. Mr. Blackwell has alienated and disregarded his executive team – the assistant chiefs – which in turn has led to poor communication to the remaining command staff regarding departmental changes, direction, and objectives. Normally, the command staff would report such information to their direct reports in the districts and other units. Under Mr. Blackwell's management, even this basic communication model was not followed. Instead, Mr. Blackwell hand-selected a group of officers who are not within the leadership structure of the organization and relied upon those individuals in order to make and communicate decisions related to the organization.

Such actions outside the chain of command have had a direct negative impact on departmental wide communications. As an example of ignoring chain of command and expertise, Executive Assistant Chief Eliot Isaac described the haphazard way Mr. Blackwell made redeployment decisions without proper deliberation, consultation, or evaluation of the consequences for other units or divisions within the department. This type of poor decision making and communication unnecessarily placed the public and police officers at risk.

Morale is at unacceptably low levels, which hinders department cohesion and effectiveness at a time of great need. The attached Climate Assessment Report, conducted by an independent consulting firm, demonstrates that the vast majority of the police personnel are demoralized and that Mr. Blackwell's leadership style and actions are to blame. Some of the negative assessments and feedback are shocking. "81.5% of survey respondents believe the department has ineffective communications from the Police Chief down to the Patrol Officers." "Police Chief has not clearly defined and communicated a strategic plan, departmental mission or direction." "According to the electronic survey results, on a 10-point scale (10 being excellent), respondents [485 individuals surveyed] rated the overall employee morale at a 2.29."

The findings of the climate assessment have been corroborated by my own investigation. Executive Assistant Chief Eliot Isaac describes the morale to be at an "all-time low... worse than the aftermath of the 2001 civil unrest." Specialist Scotty Johnson states that in his 29 years of service, "I have never witnessed such hostility and lack of respect for employees. These conditions have directly contributed to the low morale and displeasure pervasively haunting the Cincinnati Police Department." Based on my investigation and the climate assessment report, I have concluded that Mr. Blackwell is the primary reason for the low morale.

Mr. Blackwell has also disregarded established procedures for issues such as overtime assignments and has been less than forthright in describing his personal involvement in overtime assignments when directly questioned by members of the elected leadership of the City and members of the City administration. Overtime documents clearly indicate that Mr. Blackwell "pre-approves" overtime for certain individuals for matters that he alone determines to be worthy of overtime, and does so without consultation with the relevant officer's commanding or supervising officers. It has also come to my attention that certain members of Mr. Blackwell's favored group of officers have inappropriately received overtime benefits in excess of what was required by departmental needs. Mr. Blackwell appears to have initiated retaliatory acts against Ms. Hardy when she raised legitimate questions about the use of overtime. The amount of overtime given to people close to Mr. Blackwell requires further investigation to determine whether it constitutes mere favoritism or rises to the level of an inappropriate use of police funds.

In addition to the overtime issue, the documentation of Mr. Blackwell's own work hours is not credible. Mr. Blackwell's travels are well documented and his family continues to reside in Columbus, Ohio, but he has only taken eight hours of vacation in two years of employment with the City. Many officers have described being unable to reach Mr. Blackwell during critical public safety moments even at times when Mr. Blackwell was recorded as in town. Mr. Blackwell has used so little vacation time that he "maxed out"

the amount of vacation time he can roll over into the next year, an unprecedented accrual of vacation after only two years of employment.

I have also learned that Mr. Blackwell has failed to meet an important responsibility as Chief of Police by failing to ensure the integrity of the work environment for the inspections unit and work product for the internal investigations unit, both of which fall within the Professional Standards Section. The work of the internal investigations unit is of the utmost sensitivity and importance. It is critical that the work of this unit remains unimpeachable. And yet, Mr. Blackwell failed to ensure adequate tracking of reports and in some instances lost reports that were submitted to him for final review and failed to timely review and release reports from the internal investigations unit with some reports languishing on his desk for as long as six months to one year.

The attached statements of officers Barbara Young and Ryan Smith demonstrate that Mr. Blackwell engaged in retaliation against the inspections unit for raising legitimate questions about the integrity of their work space for conducting inspections and simply uprooted the unit into an inappropriately secure space without consulting the commanding officer or supervising assistant chief. The statements indicate that Mr. Blackwell went so far as to verbally abuse Lt. Young in the presence of her subordinate officers, without her supervising officers present or even aware of the actions Mr. Blackwell was taking.

Mr. Blackwell also summarily ended the authority of the unit to conduct overtime audits. As a recommendation of the City's Internal Audit team, these audits were conducted quarterly by the inspections unit and had been conducted as such for several years. In order to conduct these audits, the inspections unit would randomly identify officers throughout the department and perform a simple audit by ensuring that each officer had completed the appropriate forms and that all necessary signatures were obtained for each overtime expenditure. When a member of the Quality of Life Enhancement Team complained to Mr. Blackwell that his/her overtime was the subject of such an audit, Mr. Blackwell summoned Lt. Young into his office. He then proceeded to question her authority to conduct the audits and to admonish her for conducting the quarterly audits without the benefit of a conversation with her commanding officer. The inspections unit has not completed an overtime audit since that incident in early 2014.

Another conclusion reached through interviews with members of the department is that Mr. Blackwell has an unprofessional obsession with publicity and self-promotion, even at the expense of management and the morale of the police department. A particularly egregious and insensitive example is Mr. Blackwell taking "selfies" along the procession route of slain officer Sonny Kim. Mr. Blackwell was in a car that was traveling the procession route, from which he took "selfies," and then later walked along the procession route taking "selfies" with citizens along the route, in a manner that was more reflective of a parade rather than a funeral procession. The climate assessment report also reports widespread complaints about Mr. Blackwell's focus on his own publicity and self-promotion.

Mr. Blackwell also used his position to extract tickets to sporting events from then Commander of the Central Business District, Capt. Paul Broxterman. On several occasions Mr. Blackwell, either personally or thru his staff, would request that team

contacts be utilized to acquire tickets for his personal use for an upcoming game. He was provided with access to tickets at no cost, however, upon repeated requests, Capt. Broxterman became increasingly uncomfortable in reaching out to his contacts on behalf of Mr. Blackwell. Finally, Mr. Blackwell was offered access to tickets at full price; once he was informed of the cost associated with the tickets, Mr. Blackwell was no longer interested in acquiring tickets for that game.

This is only a summary of the reasons leading to my decision to terminate Mr. Blackwell. Sadly, there are many other failures and instances that have contributed to my decision. I thank the brave women and men in uniform for their dedication and service to the City and the civilian work force that works hand in hand with our officers to ensure that the police are able to effectively perform their duties. It is my duty and responsibility to these employees of the City of Cincinnati, and to the citizens of this City, that has led me to make this very difficult but necessary decision. Cincinnati has come a long way through hard work, critical self assessment, and engaging the community. It would be a failure to allow poor, or at least incomplete, leadership at the top of the CPD to jeopardize the progress made. If a Police Chief is adept at community relations but completely fails to communicate his vision or to explain to subordinates how the department's deployment plans are designed to improve community relations, his strength in that area is completely wasted.

This is a critical time in the country and in Cincinnati for relations between law enforcement and the citizenry, and the department needs to move forward. We are reaching out to community leaders and stakeholders during this time of transition. We will also be communicating internally to ensure that the members of the police department are kept abreast of important matters during transition. It is essential for the officers on the street, their supervisors, and the whole chain of command to experience clear, uniform communication through the leadership structure; equal treatment and authority appropriate to rank; respect and appropriate protocol in correction and discipline; and support rather than retaliation in the face of constructive complaints or suggestions. If we do not ensure that our police officers feel this support within the department, we risk attrition, apathy, and even deterioration of department values in the long term.

To ensure continuity in police department operations and also to take the first step in forward movement described above, effective this morning, I made the following interim appointments:

Eliot Isaac, Interim Chief of Police
David Bailey, Interim Executive Assistant Chief of Police
Douglas Wiesman, Interim Assistant Chief of Police

These appointments will begin the process of allowing the department to heal itself and quickly reestablish operational integrity, communications, and moral cohesion and stability. I will be working with the command team to permanently fill all leadership vacancies. I will keep you apprised.

Personal Statements

7-10-14

Kathy Harrell, FOP President
Queen City Lodge 69
1900 Central Parkway
Cincinnati, Ohio 45214

President Harrell,

I, Barbara M. Young, Commander of Inspections Unit, respectfully submit the following response to a meeting held in the Chief's Conference Room held on July 8, 2014, at 3:00pm.

Background:

- Inspections Unit was told approximately 3 months prior to this meeting that they were going to move from the Spinney Complex to District One. Safe Streets was moving from District One into Inspections Unit's space at the Spinney Complex. I was informed this was in the best interest of the Department.
- There was a meeting between Captain Russ Neville, Captain Terri Theetge, Lieutenant John Cordova and myself regarding the specifics of the move. Basically, we all agreed we would make the new space for Inspections Unit comparable to the original space at Spinney in space and security.
    - Carpet and paint for Inspections would be looked into for next year's budget
    - Locks- all doors would get locks
    - Looking into getting a door in between the Quality of Life Office and Inspections Unit Office closing off access to the other offices and keeping Inspections Unit secure.
    - We were unsure who Vonda Morgan worked for, but were assured she would be moving out of the Inspections Unit new space prior to us moving.
    - Numerous other issues like moving companies, completed forms, dates ect.
- Inspections Unit personnel were not excited with the move, BUT complied with the directive, assisted with the packing and unpacking for the move and cleaned the old space to make it acceptable for Safe Streets personnel.
- Safe Streets personnel left their location at District One extremely dirty with a mound of trash, debris and broken furniture in the middle of the office area.
- Vonda was still in her cubicle after the move, directing not so professional comments at Inspections Unit personnel, while stating "I will not leave my space until I am personally told to leave by Chief Blackwell".
- Under my direction due to the prior meetings with my superiors, Inspections Unit personnel contacted facilities management to inquire about putting a door between the two offices and having locks put on the doors.
- I assisted in every effort to clean, move furniture and debris, and make the necessary agreed upon changes to assist with a professional secure work site for the Inspections Unit.

Meeting:

- At 2:45pm, I was told by Sabrina that the Chief would like to have a meeting with Inspections Unit personnel in the Chief's Conference Room. Sergeant Abe Lawson, Sergeant Ryan Smith, Sergeant Brian Norris and I attended the meeting. Chief Blackwell, Lieutenant Emmitt Gladden and Sergeant Donna Dees were also present for the meeting. I had no idea what the meeting was about, I thought maybe the Chief was welcoming us to District One and inquiring what we are responsible for within the Department. I was wrong.
    - As we were taking our seats, Chief Blackwell turned to me in front of my 3 subordinate sergeants and started to personally attack me for **45 minutes**. He started out with saying how he had heard I was unhappy about the move and that if that was the case he would transfer me immediately. Chief stated that I had personally brought down the morale with negativity for the entire 2nd floor. He asked who was I to ask for doors and locks and if I knew who can authorize such purchases? The Chief stated there was no reason to lock up our files or lock the doors. He said our Department is not under CALEA anymore. Inspections Unit personnel can lock their desk drawers. Chief made it clear that Inspections Unit's Office was to be open access 24/7. The Chief went on to say I had no authority to request paint and carpet. The facility we moved into was good enough for Safe Streets personnel and it is definitely good enough for Inspections Unit. Why do I think Inspections Unit deserves carpet and paint?

    - I had been in our new office for only 4 days following the directives from my superiors. I had only talked to 2 individuals, other than Inspections Unit personnel the whole 4 days, Michelle Faulkner and Officer Lisa Johnson. Officer Johnson was a tremendous help in organizing the office and moving certain desks into the Quality of Life Office. Michelle Faulkner was using the central copier and I explained, as I was told by my superiors, that we would be locking the doors soon and I believed a new copier would be provided for her use. But until that time, please go ahead and use this one. All of the plans for Inspections Unit new office space were discussed prior to the move, however now I believe now that no one had told the other office personnel on the second floor.

Conclusion:

- This is definitely the most unprofessional meeting I have ever been involved in over the last 24 years with the Department. I felt I was personally attacked and degraded by Chief Blackwell without cause and in front of the sergeants I supervise.
- The Chief did not consult with my direct supervisor, Captain Terri Theetge or even Ltc Paul Humphries over the issues he perceived with the move. If he would have consulted with his command personnel he would have been aware of the directives given to me. Where was the communication? Who did he get his information from? Inspections Unit personnel has no prior complaints.
- Moving from an office with a security system and locked doors, directives from my supervisors, I was doing exactly what I was directed to do in trying set up the most effective, efficient and professional work space for the Inspections Unit.

BMY

September-8, 2015

Subject: Police Chief Jeffrey Blackwell

I know Police Chief Jeffrey Blackwell to be a good man. As the Cincinnati police chief, I think he had the best of intentions to serve the city well. However, I believe there were times where his conduct was unprofessional, and overall, his management style did not foster a healthy environment within the Cincinnati Police Department.

From May 2013, to August 2014, I served as the Central Business Section Commander. Part of my duties involved being a liaison with the Cincinnati Reds and the Cincinnati Bengals. During that time, there were several occasions where the chief asked me, either personally or thru one of his staff members, to reach out to my team contacts to get him tickets for an upcoming game. Although I was uncomfortable in doing this, on two or three occasions, I was able to get him tickets at no cost. As the chief made repeated requests, I became increasingly uncomfortable in reaching out to my contacts. I believed the chief sensed this, because when he made a request on one particular occasion, he stated he would be willing to pay for the tickets. When I told his staff member how much the tickets would be, the chief was no longer interested in getting tickets for that game.

One evening, Cincinnati Bengals Coach Marvin Lewis asked Chief Blackwell to stop by the stadium and address his team after a team meeting. The chief gave a five to ten minute speech. As he was walking out of the meeting room, Chief Blackwell turned towards the team and stated, "I need tickets."

The Central Business Section has a small number of personnel. As the commander, I was always politicking to get more officers, as were all my fellow commanders. One particular day in 2013, Chief Blackwell attended a second shift roll call. He told the officers and myself he was going to increase our staff significantly within a week. That promise was never filled. Unfortunately, it was a common theme during his tenure. He would promise transfers and reallocation of personnel frequently, but rarely would it occur.

From August 2014, to June 2015, I served as the Patrol Administration Commander. During my time on the administration floor of headquarters, I experienced first-hand the dysfunction and lack of communication the chief had with his assistant chiefs. There are two sides of the administration offices – the chief's office is on one side and the assistant chiefs' offices are on the other. My office was next to the assistant chiefs' offices. I believe I saw the chief visit one of his assistant chiefs' offices once during my 10 months in that assignment. I listened to the assistant chiefs' frustration regarding the lack of communication and direction the chief had with them. They clearly felt powerless in the day-today operations of the Department.

As a member of the command staff, I feel that the Department currently lacks direction. Unfortunately, I believe the chief has little regard for the opinions and suggestions of his commanders. Instead, he relies on the counsel of his inner circle. The chief's inner circle, which

includes non-supervisors and civilians, is often allowed to circumvent the chain of command, leaving middle managers and command officers powerless. I believe morale among command officers is the lowest I have seen in my 27 years with the Department.

There is no doubt Chief Blackwell has excelled in community outreach. He is passionate in reaching out to the youth in our city and he strives to provide them with guidance and hope. Sadly, he has failed to do the same within our Department.

Respectfully,

Captain Paul F. Broxterman, Jr.

Professional Standards Section Commander

9.4.15

NOTARIAL SEAL
STATE OF OHIO

Paula Boggs Muething, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Facing the possibility of a no confidence vote orchestrated by the Fraternal Order of Police, Chief Jeffrey Blackwell called a news conference on 9/2/15 in which he appeared to be outraged and shocked by this action. It is my intention for this document to illustrate the level of dysfunction caused to the Cincinnati Police Department under the management (not leadership) of Chief Jeffrey Blackwell. Keep in mind this document in no way will capture all of the events which have adversely impacted this agency over the two year reign of Chief Blackwell but they will provide at least my perspective of the current internal climate.

Management Team

In most functional police agencies business is conducted through regular collaboration with the Department's top commanders. From the onset, Chief Blackwell essentially ignored recommendations from his command staff and instead set up an alternative advisory team who he considered as "loyal". This group would regularly meet behind closed doors and make determinations regarding a myriad of operational issues. Once these decisions were made, they were sometimes never even so much presented as at least general information to the senior command staff. Initially, this body, referred to throughout the Department as the "real command staff", consisted of Ms. Ellie Topham, Ms. Sabrina-Burton Simonson, Lt. Emmet Gladden, Lt. Lisa Davis and members of the Public Information Office. Recently, however, the Police Chief alienated members of the Public Information Office and replaced their involvement with Lt. Danita Pettis. The reward for the Lieutenants' loyalty was unlimited and unsupervised overtime and on call status city owned cars, which was the subject of recent investigative media reports. Ms. Topham, not having the ability to receive overtime, was reportedly promised an expanded role in the Department. Officers in the field soon became resentful about what was perceived to them as the unfettered squandering of overtime by the Police Chief's Staff while their overtime is constantly scrutinized and limited by Department supervisors. Although the Police Chief denied personally authorizing this overtime at a recent Law and Public Safety Committee meeting held on 8/31/15, Department commanders have indicated otherwise and have documentation to support their claims.

Control of Auditing and Internal Investigations Functions

Prior to Chief Blackwell's tenure, the Department Inspection Section had the responsibility for various auditing functions. These audits were designed to alert Department commanders to any irregularities that may need additional investigation or correction before they became more serious issues. When the Inspection Section attempted to conduct an overtime audit of the Quality of Life Team, Lt. Barb Young was told by the Police Chief they did not have his authority to conduct the audit and were told to cease auditing functions until told otherwise. Their Inspections Section office was immediately moved from the Spinney Field complex to the second floor of 310 Ezzard Charles Drive presumably for control or humiliation purposes. The unit was then later reassigned to report directly to Chief Blackwell.

When I took over the Support Bureau, I installed a new Lieutenant, Jay Johnstone, as commander of the Youth Services Unit. Lt. Johnstone and I agreed the unit utilized an inordinate amount of overtime prior to us being assigned to the bureau. To make sure the unit was operating in accordance with Department standards, I requested Inspections Section conduct a top-down audit of the entire operation. Chief Blackwell denied the request indicating this was not a priority for the Department.

Internal Investigations Section was also reassigned under Chief Blackwell after the Chief expressed his disagreement with the prosecution of the Police Officer Kevin Jones case. After he indicated in a staff meeting the Department had no right prosecuting Officer Jones, he then admonished the investigating Sergeants Brent McCurley and Don Scalf for planning a meeting to discuss the incident with the prosecutor. Shortly thereafter, Lt. Emmet Gladden issued an email directing an organizational change placing Internal Investigations Unit directly reporting to the Police Chief.

Once the Police Chief managed to take over the Internal Investigations Section, cases languished for long periods of time before being resolved. It is my opinion Chief Blackwell took control of these functions to have the ability to personally manipulate investigations and audits. Unfortunately, these decisions have exposed the Department and City to undue risk.

Self-Promotion

Perhaps the most offensive component of Chief Blackwell's administration has been his obsession with his own promotion. In addition to routinely not being punctual, events and meetings have been held up even longer while the Police Chief's entourage gets in proper position to take photographs and video footage at his direction. These photographs supplement the scrap book compiled daily by the Police Chief's receptionist.

Claiming to be national expert on civil unrest due to his involvement with the Collaborative Agreement (short of him reading the agreement I know of none), Chief Blackwell was not shy about becoming involved in the incidents in Ferguson and Baltimore. Chief Blackwell was quick to grab the national spotlight and criticize those departments handling of those incidents well before the actual facts were ever made public. Ironically, Chief Blackwell was able to opine on a national platform on how other cities should be conducting their affairs, when he was unable to communicate even a most basic operational plan or strategy to his own department.

In my opinion the most repulsive act occurred during the funeral services for fallen officer Sonny Kim. Once again, Chief Blackwell used this tragedy as an opportunity to gather more photographs and public exposure. In fact, during the procession to the cemetery, Chief Blackwell and his carload of guests treated the procession as if they were part of a parade driving from one side of the road to the other and leaning out the window waving at bystanders and taking selfies. As one could imagine, officers involved in this event were embarrassed and outraged.

Instead of promoting the City of Cincinnati and the Department as some have claimed, Chief Blackwell's travels have been viewed by the rank and file as self-serving and arrogant.

Communication

This is the easiest topic to cover because there is little communication. Despite recommendations to increase communications with the Department's command staff after a mediation attempt in the latter part of 2014, communication became even more deficient. Chief Blackwell attempted to have lunch with a few Captains and set a schedule of standing staff meetings on Monday and Wednesday mornings. Sadly, most of those meetings never occurred due to cancellation by the Chief Blackwell. Sometimes we would be waiting as long as a half hour in the conference room for the meeting to start before someone from his office would advise us the Chief would not be able to attend.

In many cases the Chief would go out of town and not communicate this information to the Assistant Chiefs. In some of those cases, nobody was even designated as the Acting Police Chief in the event of a critical situation. Even when critical events did occur, there we some instances where the Police Chief would supposedly be in town but could not reached.

In the office setting, I was not welcome to visit the Police Chief's office when I had issues. I was only admitted to the office after being formally summoned by Lt. Emmett Gladden and Ms. Sabrina Burton-Simonson. Chief Blackwell acted as if he was too important to personally ask me to his office.

Chief Blackwell even tried to prevent communication between the senior command staff and the rank and file. Annual In-Service Training affords the Police Chief or an Assistant Chief one hour to update personnel on the direction of the Department. For the 2014-2015 training Lt. Lisa Davis informed the Police Academy Commander, Captain Douglas Wiesman, the Chief did not want the Assistant Chiefs speaking in this forum. Instead, she would assist producing a video of the Police Chief delivering the message to one of the classes and have it taped for future discussions when the Police Chief could not personally appear. This was met with anger and disgust by personnel having to watch the video. In one of the classes, I decided to personally address the group. A female officer sat though my presentation and at the end she thanked me coming and asked, "How much longer do we have to put up with this?" (Referring to Chief Blackwell)?"

Treatment of Personnel

There is no doubt in my mind the Chief has created the most divisive atmosphere I have ever seen in this Department. The problems started with the Police Chief's staff, or entourage, who were from the beginning allowed free reign. Shortly thereafter, some developed a level of arrogance that rendered them unpleasant and abusive toward coworkers and subordinates. The climate in and around the Police Chief's office is degraded to the point we now have a record number or personnel seeking psychological services to cope with the work environment. Others have simply filed hostile work environment complaints. Sadly, Chief Blackwell is attempting to make the problem even worse by perpetuating dissention along racial lines.

For me personally, the struggles with Chief Blackwell started when I attended a meeting and had a puzzled look on my face regarding a comment made by Lt. Lisa Davis which was later brought to my attention by the Chief. A short time later, I received a performance evaluation noting my facial expressions. It is my opinion, Lt. Davis at a minimum had input on my evaluation. For the most part after I filed a grievance relative to the evaluation, there was a period of relative peace where Chief Blackwell would simply just ignore many of my requests or initiate conversation only when he needed something handled. Recently, however, Chief Blackwell has made accusations indicating I was the one responsible for initiating news stories surrounding overtime and Department spending. In one conversation Chief Blackwell suggested I would no longer be working here (CPD) while in another he threatened Insubordination charges. At the Law and Public Safety Committee meeting on 8/31/15, Chief Blackwell indicated I would not be needed to provide testimony on the new District Five facility project despite being requested to do so by the Committee Chair, Councilmember Christopher Smitherman. I had to leave the meeting only to return an hour or so later after being recalled by Councilmember Smitherman.

Conclusion

I have been involved in this agency for over 28 years and I have seen a number of administrations. I have seen screaming sessions, back biting and I personally have been called my share of names. Some of that is to be expected when a lot strong personalities get in the room and discuss passionate issues. I've participated in a number of strong arguments but at the same time understood everyone in the room is seeking the same thing – How best to take care of our people and protect our citizens. I also realize I am not always right but I at least listen to those around me who can help. Chief Streicher and Chief Craig both would come to the table and listen to those they thought could help them succeed. Both of those leaders had the mindset they were here to serve their agency and the community.

It is my opinion; Chief Blackwell came to this agency with a much different idea of how the Department and citizens can serve him. Due in part to this thinking the Department has suffered great damage. Even in the worst of times, I have never seen this Department in such a state of hopelessness. The strength in this agency has always been the ability of our front lines to soldier on and accomplish the mission in spite of administrative shortcomings at the top of the organization. I look at the faces of our front line personnel and supervisors and can clearly see they feel as if they have been marginalized and beat by this administration. The toughest thing for me is I have served with these people and know many of them personally. Some of them look to me for answers but often I can offer little.

At a time where the City administration has made public safety a priority and has clearly done their part, I feel as if the police leadership has failed in this regard.

The current morale of the Cincinnati Police Department appears to be at an all-time low. In my current role as Executive Assistant Chief and in my prior position as a Police Captain, it has been common place for rank and file officers to tell that they feel unsupported by Chief Blackwell. These officers convey that their peers who are assigned to uniform patrol feel taken for granted by the Chief and have no clear direction from the top. Many have expressed that the work environment is worse than the aftermath of the 2001 civil unrest. Listed below are my observations regarding Chief Blackwell's interactions with Tiffany Hardy and Assistant Chief Dave Bailey.

During the past four or five months, I have noticed a clear downward spiral of professional decorum with Chief Blackwell in his interactions with members of the department staff. One such interaction occurred in late June 2015, during the planning process for Officer Sonny Kim Funeral. I was assigned as a Captain to the Police Department's Patrol Administration Section. I was tasked with assisting with officer deployment and funeral logistics. While attending a meeting of all department Captains, essential Lieutenants, Assistant Chief's (at the time Jim Whalen and Dave Bailey) and the Chief was when I realized things were becoming extremely unprofessional. The chief was running late for the meeting and the assistant chiefs decided to proceed. Chief Blackwell called via telephone and directed Tiffany Hardy, a civilian member of the department, to stop the meeting until he arrived. Ms. Hardy clearly feeling uncomfortable at the directive asked me to assist. I agreed and conveyed the chief's message to Assistant Chief Bailey. Assistant Chief Bailey chose to proceed with meeting.

Upon Chief Blackwell's arrival he entered the meeting noticeably irate but allowed the meeting to continue. Following the meeting he immediately summoned Ms. Hardy and I to his office where he immediately asked, "Which one you wants to explain to me where the ball was dropped." I responded that I had no idea what ball was dropped. He demanded an explanation of Ms. Hardy as to why the meeting was not stopped. She stated the she passed the request on to me. I explained the directive was passed on to the highest ranking staff member in the room but the meeting still proceeded. He stated, "Okay, I will deal with him." Chief Blackwell then proceeded to berate Ms. Hardy in front of me regarding a typed error on a Facebook post she completed. He told her she was making too many mistakes, she was smarter than that, and she needed to better. Chief Blackwell's tone was very demeaning and belittling toward Ms. Hardy. She was very visibly shaken and unnerved.

On July 27, 2015, I was appointed to the Executive Assistant Chief position and assumed the duties of the Support Bureau Commander. During first week, Assistant Chief Whalen, Assistant Chief Bailey and I were summoned to Chief Blackwell's office. This was the first meeting that I was included in as a member of the senior staff (Chief and Assistant Chiefs). On this occasion Chief Blackwell was noticeably irate as the meeting began and immediately asked Assistant Chief Bailey for a written report regarding patrol deployment for the Summer Safety Plan. Assistant Chief Bailey attempted to explain that it had not been completed because he had responded to an incident that prevented him from being in the office to complete it. They began to debate the issue in a heated exchange that resulted in nothing being accomplished and everyone leaving the room frustrated. Assistant Chief Whalen noticing my astonishment stated to me, "See why we can't get anything done."

In the following weeks I attempted to mediate the relationship between the Chief and Assistant Chief Bailey by engaging in individual conversations with both, however, I achieved little success. Chief Blackwell told me during one conversation that if Bailey did not change he was going to banish him out of headquarters to an off-site location in the same manner that former Chief Streicher did with then Assistant Chief Janke.

During this time period communication between Chief Blackwell and the senior staff was either minimal or contentious, until the media presented a story regarding the use of overtime in the department. During conversations with the Chief he blamed Assistant Chief Bailey for creating the media story and providing the media with information about him. During that same period of several days, I was having a conversation with Assistant Chief Bailey when he was summoned to the Chief's office. Assistant Chief Bailey was in with Chief Blackwell for several minutes when he exited appearing extremely distraught. Assistant Chief Bailey then stated to me that the

chief threatened to fire him. Following the meeting Chief Blackwell explicitly told me to longer try to mediate as he was done with Bailey.

A few days later at the department's Cincystat meeting a confrontation between Chief Blackwell and Assistant Chief Bailey occurred again. A few minutes prior to the start of the meeting Assistant Chief Bailey and I were seated in a row of three chairs arranged in the front the room with an open seat between us where we placed our hats and folders. The Chief entered the room and approached Assistant Chief Bailey and told him to move over so he could sit in the chair Assistant Chief Bailey was sitting in. Assistant Chief Bailey responded by stating that he would move to another chair so there would be more room for us all to sit. The Chief sternly responded, "Sit right here, that's an order." This forced the three us to sit right next each other as other seats were available and in manner that we had not done in prior meetings in the same location. Assistant Chief Bailey sat down visibly shaken and upset. The conversation was witnessed by the rest of the command staff and as the City Staff was entering the room. I overheard several of the Captains comment that it was very demeaning and belittling on the part of the Chief to treat someone in that manner.

Finally, on Monday 8-31-15, during the morning staff meeting an additional argument occurred between Chief Blackwell and Assistant Chief Bailey. The Chief began his discussion by directing Assistant Bailey and I to designate units to be either eliminated or downsized in order to place officers back into the Districts needing personnel. Both Bailey and I agreed that a redeployment of personnel was needed but did not think it was best to do it on the fly and especially in the presence of administrative personnel who were also in the room. The Chief refused to listen and vehemently demanded that we designate the people because he was tired of the criticism. An argument ensued between Bailey and the Chief as we haphazardly chose personnel to reassign. The Captains were all called and ordered to report immediately to headquarters and were told to choose personnel by the end of the day to reassign.

During my first month as an assistant chief I have tried to assist the chief by aiding in processing administrative work that several of the Captains have complained that were never processed. Specifically Internal Investigation Summaries have been a point of concern as both the current and prior commanders complained about the failure of approvals for cases that required discipline. I was able to convince the chief to allow me to process a few but not the entire backlog. Additionally, I instructed his adjutant, Lieutenant Gladden, on how to show the chief to formally finalize Use Force investigations and other cases in our Employee Tracking System (ETS). I have attempted to mediate the relationship between the Chief and Assistant Chief Bailey with little success. It has clearly deteriorated over the past two years and is sadly beyond repair.

Eliot K. Isaac

9/8/15

Leadership observations pertaining to Chief Jeffrey Blackwell.

Captain Michael John, Badge C4

At the request of Paula Boggs Muething, I was requested to provide a written account of my personal observations and experience regarding the management practices of Chief Jeffrey Blackwell.

I was assigned to the Chief's Office during Chief Blackwell's initial three months, prior to my promotion to Captain in January 2014. I recognize, two of the three assistant chiefs reporting to Chief Blackwell had been in direct competition with him for the position of Chief, and the third had previously competed for the position prior to the appointment of James Craig. This caused an obvious climate of discord from the onset.

Professionalism:

Chief Blackwell quickly forged relationships with community stakeholders and activists. This was facilitated with his close relationship with Specialist Scotty Johnson and his sister Sergeant Julian Johnson. With Tiffany Hardy, Chief Blackwell became a very public figure and was gifted at connecting with the community, youth and the media. His persona in public was very large, and he has clear confidence in this arena. He was professional and likeable.

In terms of his demeanor "in house" – within the confines of the police department, Chief Blackwell did not make the same connections, and over time, his relationships with former Assistant Chiefs Humphries and Whalen declined. Whalen was always professional, and always respected the office of the Chief. Chief Blackwell's relationship with Assistant Chief Dave Bailey has become counterproductive. At a recent CincyStat meeting attended by Mr. Black, and Department heads, Chief Blackwell argued over a seating preference with Colonel Bailey and told him to sit in a certain chair, stating "That's a fucking order."

Personally, while on scene of a partial building collapse on Liberty Street, Chief Blackwell was obviously unhappy with oversight of the incident. I had briefed Lieutenant Colonel Whalen regarding traffic posts, pedestrian control, and requests for assessment by the Fire Department and Buildings and Inspections. Officers on scene had secured the area, and were handling the operations in a calm manner. Chief Blackwell approached me and questioned the manner in which I was handling the scene. He raised his voice and told me to act with a sense of urgency, since the building was poised to topple over – this is was not possible, absent a sideways force. He was visibly upset, and voiced his concerns as live media was airing. Later Chief Blackwell ordered me to his office and advised me to develop a different leadership style than my "mentor" Lieutenant Colonel Whalen.

Communication:

Communication within the command ranks has been poor. Chief Blackwell publically has spoken of his desire for a "Robust Youth Engagement Platform" – this has not been articulated to an operational

degree to the command staff. Personnel allocation is determined by the Chief. Clear recommendations have been made regarding preferred staffing levels, and what they may be able to provide for minimal, adequate and preferred service levels. These recommendations were prepared by crime analysts using standard nationwide policing models. On several occasions, the Chief has reviewed personnel distribution and made initial commitments to re-allocate personnel, only to change his mind. This provides false hope of additional field support during times of heavy service demand. Each District Captain contributed to a summer deployment plan for enhanced patrols, and focused enforcement efforts on those involved in offenses of violence. This was summarized and presented to the chief in written form, but was not mobilized. At the last CincyStat meeting, Chief Blackwell advised 30 extra officers were added to patrol during the 90 day summer safety initiative. Outside of Youth Services personnel conducting directed patrols in parks, the districts had no extra personnel for deployment. Considering we tout ourselves as a data driven agency, there appeared to be no evidence, park patrols, or additional walking patrols (mandated by the Chief) had an impact on reducing violent crime. I am unaware if the proposed curfew initiative (part of the Chief's 90 day plan) was enacted. The Chief's 90 day plan was very much a departure from the initial proposal developed in conjunction with the District Commanders. I am unaware who contributed to the plan – although summer events disrupted its implementation. As an agency, we continue to advocate CIRV as a platform for violence reduction. Experience and results has proven CIRV to be less effective than it was upon introduction in 2007.

During STARS presentations, Chief Blackwell provided little if any feedback regarding conditions and responses reported to him. Chief Blackwell appeared to have minimal confidence with Dr. Robin Engle – a national and international expert in police practice and research. A research tool has been developed by UC which provides an enhanced model of identifying violent offenders, much more sophisticated than the "CIRV" list. This model identifies up and coming individuals through associations who are likely to be pre-disposed to involvement in violent offending. This database is draws on CPD information, from Field Interview Reports, offense reports, arrest data etc. Dr. Engel presented an overview of this tool with Dr. Murat Ozar. This model has been largely ignored, but has the potential to be far more impactful than the "CIRV" lists.

Absent a select few, Chief Blackwell fails to acknowledge positive initiatives by personnel. This gives the appearance of a distinct lack of appreciation for the efforts of those involved.

Inner Circle

Rather than consulting command staff with priority decisions – Chief Blackwell appears to have developed a core group of individuals he leans on – many of whom are at the officer / specialist / first line supervisor rank. This is NOT the internal advisory board. There is a general sense the inner circle is self-serving and quick to expel anyone who questions, or is perceived to have questioned Chief Blackwell's direction – See Sergeant Julian Johnson; Tiffany Hardy. At times Chief Blackwell uses this group to communicate indirectly on his behalf. This leads to confusion over whether they are speaking for Chief Blackwell, or themselves with a sense they cannot be questioned.

It is with some degree of reservation I write this, as I know it will be public record, however, as conditions continue with this climate, moral has been compromised, and as an agency we are living a double existence. Publically, we are a national model, engaged with the community and focused on a strategy of collaboration to problem solve. Internally, we are dysfunctional, with poor communication, lacking confidence in leadership, and a failure to acknowledge positive strides to serve the community.

On September 8, 2015, at 1330 hours, in Room 214 of City Hall, I met with Ms. Paula Boggs-Muething, City of Cincinnati Solicitor, and Ms. Georgetta Kelley, City of Cincinnati Human Resource Director. The meeting was convened at the request of Ms. Boggs-Muething and Ms. Kelley to inquire into the current state of affairs within the Cincinnati Police Department (CPD). Ms. Boggs-Muething and Ms. Kelley advised me that their inquiries were being conducted at the direction of the Cincinnati City Manager, Mr. Harry Black.

During the meeting, the majority of our conversation was focused on the management of the CPD by Chief Blackwell. Specifically discussed were organizational morale; respect, or lack thereof, of the chain of command; organizational direction, leadership, and mission.

The following are questions posed by Ms. Boggs-Muething and Ms. Kelly followed by my replies.

1. To what degree does Chief Blackwell abide by the chain of command when making organizational decisions, specifically, those affecting the Special Services Section's traffic/motorcycle unit?

A. Among other responsibilities, as the commander of the Special Services Section, I oversee the operation of the traffic/motorcycle unit. It has been my experience that Chief Blackwell, or his office designee, communicates directly with the sergeant assigned to the motorcycle unit rather than through the lieutenant who directly commands the unit or me. Therefore, outside of the traditional and necessary chain of command.

This process generates animosity among the officers within the section which consists of the Gang Enforcement, Fugitive Apprehension, and Canine Squads as well as non-motorcycle personnel assigned to the traffic unit. It also generates poor use/deployment and oversight of the motorcycle personnel by upper management (lieutenant and captain).

Specifically, following discussions by the sergeant assigned to the motorcycle unit with the Chief or his designee, motorcycle operations do not meet preferred methods of operation nor do they allow for properly distributed roles of responsibility or planned assignment.

In early 2014, I met with Chief Blackwell to discuss my concerns and asked that he communicate with me or the traffic lieutenant to ensure his directives related to the motorcycle unit were thoroughly completed while also allowing other operational duties to be completed.

Chief Blackwell was receptive to my request and assured me he would discontinue the practice of communicating directly with the motorcycle sergeant. However, the practice never changed and in-house animosities as well as weakened oversight and operational functions increased.

The failure to communicate with the traffic lieutenant or me, necessitated me making the directive that all tasks directed by Chief Blackwell or his designee and overtime incurred as a result would be noted as pre-approved by Chief Blackwell as there was no, or minimal, knowledge on the part of the section's upper management.

2. What is the level of direction or leadership involving Chief Blackwell regarding the organizational operation?

A. The organizational direction provided by Chief Blackwell is minimal at best. He rarely seeks input of the command staff (captains) or the senior command staff (lieutenant colonels/assistant chiefs). On many occasions, personnel changes and operational strategies were altered without any input by, or notification of, those in the command or senior command staffs.

This lack of communication seriously impedes the ability of commanders to provide direction to personnel assigned to them as well as greatly reduced the credibility of the commander ultimately negatively impacting the organization's mission and even more so, the service provided to the community.

This lack of communication has diminished morale and increased cynicism to a 29 year low which also greatly impacts the service provided to the public we serve.

Captain Russell A. Neville

On Thursday, August 20, 2015, just prior to the beginning of the CityStat meeting for the Police Department, I witnessed the Police Chief approach Lieutenant Colonel Bailey, who was already seated, and direct him to remove his personal items from the chair next to him. Lieutenant Colonel Bailey picked up his personal items and stated that he would sit on the other side of the room instead. At that point, the Police Chief replied, "No. Sit down in that fucking seat. That's a fucking order." This incident was particularly concerning as it occurred in direct view of many of the assembled police captains who were present, as well as members of the City Administration, to include both Assistant City Managers. In addition, it confirmed the extent of the strained relationship between the Police Chief and Lieutenant Colonel Bailey which has permeated the Police Department for months. Incidents like these, especially in public view, cast serious doubt on the Police Department to function effectively and cohesively as we strongly adhere to a chain of command to ensure we are accomplishing our mission. When there is overt friction between the two senior ranking members of the Department, that discord affects the entire Department.

In regards to overtime authorization, it is not uncommon to review and authorize overtime slips for individual officers where the approving authority is listed as either the Police Chief or a member of the Police Chief's immediate staff. There are numerous occurrences where a commanding officer will sign off on overtime for events not directly related to an officer's primary assignment, such as many of our youth engagement functions , i.e., H3 Cincy. Even though the officers may directly report to me, I would have no knowledge of the approval or scheduling of their attendance at these functions, therefore, I would not be the pre-approving command officer. I would rely on the notation that the overtime occurrence was pre-approved by the Police Chief or designee in approving the overtime worked for payment or compensation.

The current prevailing topic of discussion among most all of the command staff is that the Cincinnati Police Department is currently in a state of dysfunction not witnessed in any of our careers and it is universally believed that the recent departure of two members of our senior command staff is a direct result of the lack of vision and communication perceived by numerous members.

8/4/15
CPT. Paul Neudigate

NOTARIAL SEAL
STATE OF OHIO

Paula Boggs Muething, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Paula Boggs Muething
9/4/15

city of
CINCINNATI

Interdepartmental Correspondence Sheet

Date: July 10, 2014

To: Jeffrey Blackwell, Police Chief

From: Sergeant Ryan Smith, Inspections Unit

Subject: **Response to Meeting – July 8, 2014**

I respectfully submit the following response to a meeting held in the Chief's Conference Room held on July 8, 2014, at 1500 hours. The following comments are strictly my response to this meeting, and do not reflect the position of any other personnel assigned to Inspections Unit.

I respectfully submit that Inspections Unit, specifically Lieutenant Barbara Young, was maligned regarding the recent move from Spinney Field to District One. I respectfully request that any anonymous complaints regarding the professionalism of Inspections Unit or Lieutenant Young be aired in an open forum so that Inspections Unit may respond in kind to refute or dispute these complaints, or apologize if said complaints are valid. I respectfully submit that Inspections Unit has no previous pattern of conduct or alleged unprofessionalism consistent with these anonymous allegations or perceived lack of professionalism discussed during this meeting.

I respectfully submit that the anonymous allegations and complaints directed toward Inspections Unit, specifically Lieutenant Young, resulted from decisions that were submitted and vetted through the chain of command and either approved in turn or were still being explored for possible action. I respectfully submit that Lieutenant Young was specifically rebuked for actions both real and perceived that were consistent with carrying out the expressed orders and intent of her superior(s). I respectfully assert that Inspections Unit and Lieutenant Young were not given adequate notice to address these allegations or to notify those senior officers within the chain of command of these allegations to respond in turn.

I respectfully assert that statements discussed during this meeting regarding the perceived attitude and hostility of Inspections Unit personnel regarding this transition to the new work space were neither accurate nor consistent with those held by the personnel assigned to Inspections Unit.

I respectfully submit that Lieutenant Young, and all assigned Inspections Unit personnel, have worked together in a professional and highly efficient capacity to relocate to the current work space located within District One. I respectfully submit that a casual inspection of the floors and work space of Inspections Unit would suggest that the current work space was not previously cleaned and maintained consistent with the adjacent offices and hallways. I respectfully submit that Lieutenant Young's efforts and intent to clean the new work space were entirely consistent with the best practices and leadership expected of senior officers within the Department.

I respectfully submit that Inspections Unit requires a work space that is not immediately and freely accessible to personnel not assigned to the unit. Specifically, Inspections Unit is tasked with a review of the administrative

process and conduct of sworn personnel of the Department as a reciprocal function of the Internal Investigations Unit, contained within the larger Professional Standards Section. Inspections Unit personnel in their professional capacity discuss amongst themselves the actions and alleged conduct of sworn personnel sufficient that said conversations should not be overheard by personnel not assigned to the unit. The Inspections Unit work space as currently configured does not allow the unit to securely store sensitive files that are required to be kept consistent with retention periods. Personnel not assigned to the unit move freely within the current work space of Inspections Unit inconsistent with the best practices of the Inspections Unit process, and likewise inconsistent with the process of Internal Investigations Unit and their separately secured and private work space.

I respectfully submit that I am solely responsible and accountable for this Form 17 as written.

RS

Subject: CPD

From: [redacted]

To: [redacted]

Date: Friday, September 4, 2015 3:04 PM

Georgette,

I am writing this statement based upon the unprofessional working conditions I have witnessed within the Cincinnati Police Department.

My office mate Tiffaney Hardy has been the target of unwarranted criticism and constant unnecessary pressure. As a direct result of the hostile working conditions within the Department, Tiffaney is now seeing a psychologist to assist her in dealing with the undue stress caused by her work environment.

In my 29 years of service with CPD, I have never witnessed such hostility and lack of respect for employees. These conditions have directly contributed to the low morale and displeasure pervasively haunting the Cincinnati Police Department.

Sincerely,

Scotty Johnson

On Friday, August 28, 2015, at 1600 hours in Room 214 of City Hall, I met with Ms. Paula Boggs-Muething, City of Cincinnati Solicitor, and Ms. Georgetta Kelley, City of Cincinnati Human Resource Director. The meeting was convened at the request of Ms. Boggs-Muething and Ms. Kelley to inquire into the current state of affairs within the Cincinnati Police Department (CPD). Ms. Boggs-Muething and Ms. Kelley advised me that their inquiries were being conducted at the direction of the Cincinnati City Manager, Mr. Harry Black.

Note: During my nearly 25 years with the CPD, 9 years have been spent assigned to the Internal Investigations Unit, approximately 2 years as a Sergeant, 2 years as a Lieutenant, and 4 years as a Captain. During these tenures, I have become extremely knowledgeable and familiar with how to conduct a thorough and fair investigation into an allegation of a police officer's misconduct. I have also become knowledgeable of the Cincinnati Police Department's Manual of Rules and Regulations and the City of Cincinnati's disciplinary and appeal processes.

During the meeting on August 28, 2015, the majority of our conversation was focused on the lack of communication from Chief Blackwell to me during the time that I commanded the Professional Standards Section, which includes Internal Investigations Unit and Inspections Unit. We also discussed the effects this lack of communication could have on investigations conducted by the Internal Investigations Unit into allegations of officer misconduct and the precedence it could set for future discipline and appeals.

The following are three examples of incidents involving internal investigations that I feel were handled poorly by Chief Blackwell due to his decision not to communicate with me:

- Case #14094: On August 4, 2014, IIU received a complaint that an off-duty officer had assaulted a known individual. After thoroughly investigating the allegation, IIU submitted a report to Chief Blackwell on September 14, 2014, recommending the officer receive a written reprimand for violating a section of the Department's Manual of Rules and Regulations. After waiting approximately 3 months for the Chief to approve the report, I inquired into its whereabouts. The Chief advised me that he could not locate the report and asked that it be reprinted and resubmitted to him. I resubmitted the report to the Chief on December 30, 2014. As of the date of my transfer from the Professional Standards Section on June 14, 2015, this report had not been approved and returned from the Chief. Therefore, 13 months have passed since the incident occurred and the officer has not been disciplined and the complainant has not been advised of its resolution.
- Case #14127: On October 14, 2014, IIU received a directive from Chief Blackwell to conduct a review of an incident that occurred in District Three which involved an officer possibly not ensuring a prisoner who was suspected of ingesting contraband received medical treatment in a timely manner. The lack of timely medical treatment caused the prisoner to become unresponsive. After a thorough investigation, IIU submitted a report to Chief Blackwell on January 26, 2015. The

investigation concluded the officer's conduct did not meet Department standards and there was a recommendation for six Sustained findings. The Chief approved the report and findings; and according to the Department's Disciplinary Matrix a pre-disciplinary hearing was conducted on March 30, 2015. As a result of the pre-disciplinary hearing, the Hearing Officer authored a hearing summary which recommended the officer receive a suspension from duty. The hearing summary was submitted to the Chief on May 20, 2015. On June 12, 2015, IIU received the hearing summary back from the Chief without any discussion. The Chief had reversed four of the more serious Sustained findings and allowed the two minor Sustained findings to remain in affect. This action contradicts the Chief's approval of the original IIU report. Additionally, the Chief had written comments on the hearing summary stating that the incident should never have risen to the level of an investigation and that Planning Section was to revise two procedures that govern how CPD officers handle an individual who is suspected of ingesting contraband. After receiving the hearing summary, I became aware from a third party that Chief Blackwell had met with the involved officer and allowed him to convince the Chief why he should not be administered discipline. This meeting occurred without any communication or input from me as the Professional Standards Section Commander.

- Case #15033: On March 23, 2015, IIU was directed to conduct an investigation into possible criminal conduct by several members of the Department. The allegation involved the possibility that two members of the Department failed to properly investigate an auto accident involving an off-duty officer. During the course of the investigation, IIU met with City Prosecutors several times to determine if the incident met the elements of a crime. Prior to a decision by the Prosecutor, I became aware that Chief Blackwell was scheduled to meet with one of the officers alleged to have mishandled the investigation. I became aware of this meeting approximately 30 minutes before it was to occur. I immediately went to the Chief's office and strongly advise him not to meet with the officer because IIU had not yet determined if criminal charges were going to be filed and I was concerned that the meeting could be misconstrued as a Garrity interview. Chief Blackwell agreed and cancelled the meeting. Approximately one week before I was transferred to Criminal Investigation Section, Chief Blackwell directed the incoming Professional Standards Section Commander to contact the aforementioned officer and determine why he wanted to meet to discuss the alleged incident. I again stressed to the Commander why this meeting should not occur as it could possibly hinder our ability to proceed with criminal charges if the Garrity issue was raised. The commander ultimately contacted the officer via phone and then advised the Chief that my advice should be followed and a meeting should not occur.

These three examples not only demonstrate case mismanagement but also a lack of communication and leadership by Chief Blackwell.

I spent a tremendous amount of time as the Professional Standards Section Commander trying to manage the open cases at IIU. The most valuable tool in managing this process is a spreadsheet that I created when I was assigned to IIU as a Lieutenant. The spreadsheet allowed me to always know the current status of all IIU investigations. In September of 2014, I became very concerned because Chief Blackwell was in possession of more than 20 IIU reports for more than 60 days. I went to the Chief and asked him about the status of these cases. The Chief advised me that he did not have any IIU reports. My only option was to have the respective investigators reprint the reports so that they could be resubmitted to the Chief. Over the next few months, IIU received the majority of these reprinted reports back from the Chief.

In December of 2014, I again became concerned because the spreadsheet indicated that the Chief had a large quantity of reports for an extended period of time. After discussing this with the Chief, he again advised that he did not have many of the reports. On December 30, 2015, I again had the respective investigators reprint the reports so that they could be resubmitted to the Chief.

In January of 2015, I began keeping a running tally of how many reports the Chief had and for how long he had them. It became common practice for Chief Blackwell to have between 15 to 25 reports at a time, some of them for more than six months.

The aforementioned information clearly demonstrates Chief Blackwell's inability to manage something as significant as reports which address allegations of officer misconduct. This inability has left the Department unable to bring these cases to a resolution in a timely manner and thereby diminishing the confidence that we strive to instill in our community and our officers. Chief Blackwell's lack of communication and leadership as it pertains to internal investigations has hindered the Cincinnati Police Department's efforts to maintain integrity and transparency as it relates to investigating its own officers. Chief Blackwell's actions are in direct conflict with the following entry in the Purpose of Discipline of our Manual of Rules and Regulations, "The public's trust is impacted, however slightly; each time a manager adjudicates a complaint investigation or finds that an employee's conduct did not conform to law, policy, procedure, or rule."

T. Theetge
TERESA THEETGE

9-4-15

NOTARIAL SEAL
STATE OF OHIO

Paula Boggs Muething, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

Paula Boggs Muething

PRIVILDGED ATTORNEY-CLIENT DOCUMENT

Testimony from Tiffaney J. Hardy, Director of Communications

Statement regarding the overtime of Lt. Danita Pettis

On **June 2, 2015** I was approached by LT. Emmett Gladden and Lt. Danita Pettis saying they needed to discuss something with me. They wanted to talk privately in my office, which seemed a little odd to me. They explained that Chief Blackwell had added LT. Pettis to the Public Information Office to help out with the rash of shootings we were experiencing at the time. It was explained then and corroborated several times by Chief Blackwell that Lt. Pettis was to assist with the shootings overnight to provide a consistent voice overnight. Since Sgt. Donna and I work long hours during the day, Chief Blackwell felt adding her at night would be beneficial. Lt. Pettis began immediately assisting with shootings.

As time went along, I noticed that Lt. Pettis started attending several additional events and activities on the Chief's schedule. When asked by Captains and staff for clarification on her role, Chief Blackwell indicated that she was to assist with shootings and officer-involved shootings.

On **July 8th**, there was an incident where I was trying to clarify with Chief Blackwell information related to a public records request regarding his calendar, travel, and his attendance at the All Star Game festivities. Prior to this I had been regularly seeing Dr. Daum, the Police Psychologist about what I was experiencing and the sense that the office was getting more hostile. During a verbal exchange with Chief Blackwell, I was asking several clarifying questions to make sure I understood what he was saying. He then said "This isn't rocket science Tiffaney, this isn't that hard. Come on." He then proceeded to say that "if I handled the situation better that this public relations mess wouldn't be happening." He finally said, "I am going to let someone else handle this since you must have forgotten who you work for, that you work for ME!" I could not believe that he would say that to me and I asked him "Did you really say that to me? Did you REALLY just say that to me?" What concerned me the most was that I initially could not remember this conversation or saying it to him until I remembered the conversation later that day. It was like I blacked out the conversation entirely. I was so upset over the exchange that I left for lunch and ended up having to leave for the day. I immediately scheduled an appointment with Dr. Daum.

At this point and several months prior I had been having health issues: extreme headaches, inability to sleep, loss of appetite related to the anxiety I had been experiencing. **On July 10th**, I met with Dr. Daum and explained to him the situation. He then diagnosed me with anxiety. I explained that I was concerned about returning to the office for health reasons, so he wanted me to see my primary care physician and he marked me off until I could be seen by my doctor on July 13. On July 13th my doctor diagnosed me with anxiety and prescribed medications to help me deal with situation and stress in the office. Dr. Daum then marked me off of work from July 13 through July 20th. My primary doctor also began the process for FMLA to deal the office stress should I need it.

On August 6, I started noticing that Lt. Pettis had been attending scheduled events even though staff from the PIO office were scheduled and present. As I began thinking of the events of that week, I remembered that Lt. Pettis had worked our National Night Events that previous Tuesday on August 4, 2015. I thought she was attending these events on her own volition, so at approximately 1400 hours I met with Ms. Ellie Topham, the CFD Finance Director. I explained to her my concerns about Lt. Pettis attending events that we already had coverage for, so I was curious about the amount of overtime she was accruing. The impetus for this was to determine the amount of overtime so that I could have a

conversation with Chief Blackwell for two reasons: 1) to inform him of the amount of overtime that was occurring and 2) to get clarification on the roles of Lt. Pettis and her work within the PIO office. I further explained to Ms. Topham that I was planning on using the report to have a conversation with Chief Blackwell and ask that she not mention it to anyone.

At that time I had Sgt. Hurst from my office pull the off-day group list and schedule to determine Lt. Pettis' off days. To my surprise, many of her OT days coincided with off days from her assigned job duties at the Central Business Section.

As I was discussing the off-day group process with my staff for clarification in a closed-door meeting in my office, Lt. Pettis happened to walk by and listened to my conversation with staff members Sgt. Donna Hurst and Police Specialist Scott Johnson. Lt. Pettis then approached us later that afternoon saying that she had overhead the entire conversation. We had a general discussion and I explained to her that I was concerned about the amount of overtime she was accruing and the number of events she was attending to get clarification from Chief Blackwell. At that time, she stated that Chief Blackwell often called her to attend these events and that's why she was attending.

On **August 6th** at 3:45 pm I text Chief Blackwell, saying *"We need to talk to clear the lines of communications. Also we need to clarify Danita's role in our office. I wanted to bring something to your attention about the amount of overtime she's had that's been circulating around."*

I did not receive a response from him. I attend a community National Night Out function at 6pm that day, but the opportunity didn't present itself to have a private, calm conversation with him.

I was on approved vacation from August 7 – August 10. Upon my return on **August 11th**, I immediately asked to meet with Chief Blackwell at 0830 hours to discuss the Lt. Pettis overtime matter with him. He was not available to meet at that time. At approximately 1030 hours, Lt. Gladden approached me saying he wanted to discuss something with me. We met privately in an office where he shared with me that Chief Blackwell wanted him to "begin an investigation on when I knew or was made aware of a public record request regarding Lt. Danita Pettis." From Lt. Gladden's line of questioning I explained that I had been told Thursday night by Col. Dave Bailey that he thought that there had been a public records request going weeks back around the time of the All Star Game. However, the first official public record I saw was on Monday, August 10th while I was out on vacation. I also explained to him that sometimes public records request are not always sent directly to the PIO office. Sometimes they are submitted directly to the Records Management Section, the Law Department, or directly to the City Manager's Office. I also explained to Lt. Gladden that I was quite surprised at the amount of overtime Lt. Pettis had received from June 2nd through July 17th, the current pay period. During that time Lt. Pettis had accrued almost 200 hours of OT and that she had worked 21/30 work days in June. Lt. Gladden and I continued our conversation and left with a better understanding of what I trying to accomplish by pulling Lt. Pettis' OT records which was only to bring the matter to the Chief's attention to protect the Department and the Chief.

Later that afternoon at approximately 1330 hours, I met with Chief Blackwell and Lt. Gladden. I explained to the Chief that when I first started working for him I always said that I would have his back and tell him the truth. I also shared that these two things were the impetus of why I pulled Lt. Pettis' time. He quickly said that I had no right to pull her time and that he didn't believe me. He then accused me of orchestrating the public records request for overtime for Lt. Pettis and his entire office. He then stated that he didn't trust me and that he didn't know if he would ever trust me or even work with me. He then began to berate me in front of Lt. Gladden discussing every personnel matter, project, or things

he was upset about. His body language was very expressive and he raised his voice. I was quite blown away with his actions and I felt completely deflated. That day I left for a couple of hours because I was concerned for my own mental health and anxiety I felt in the office.

Additional Incidents

Fast forward to **August 22, 2015** Chief Blackwell sent photos for me to post. I was having technical difficulties with my phone and laptop, so I explained that I would post on Sunday. On Sunday, after spending my off-day with family, I posted the pictures around 11pm. On Monday, August 24th there was an early event for which PIO Sgt. Donna Hurst attended. She attended from 0745 hours until about 0830 hours. At 0836 hours, Chief Blackwell sent a text asking me to come over to the event. I explained that Donna had been there and that she should still be there. The day was progressing along until I was called into the Chief's Office at about 0930 hours. Upon entering his office I wanted to discuss the week at hand and what we needed to focus on for the day. He immediately started asking why PIO wasn't at the event. I explained to him that Sgt. Hurst had been at the event, taken photos, and had already posted photos to Facebook. He said that has saw that, but we weren't there while he was there. He then began to talk about the weekend pictures and why they weren't posted in a timely manner. I explained the technical difficulties I had on Saturday, but that I had posted on Sunday. He then proceeded to ask "why I should have a take home car, if when he needed me to come in on a Saturday afternoon at 3pm then that's what he needed. He further stated, "And if that meant bringing your ass in a Sunday, it meant bringing your ass in on a Sunday!" I was quite appalled by his use of language. Again, I felt berated and had to leave the office again for the hostile work environment that I felt. This time I continued with one of my sessions with Dr. Daum to discuss how I was feeling. Dr. Daum documented how I was feeling and gave me coping strategies to better deal with the stress.

Summary

In summary confidentiality, loyalty, and trust are important to me as these qualities have been the hallmark of every single position I have held going back to working as a college intern with the U.S. EPA Office of Civil Rights. It is with a heavy heart that I have submitted this testimony and presented facts as I know them.

Chief Blackwell has had a great community engagement platform and innovative policing strategies and for that I am thankful in how he has been able to engage the community as well as the department.

I can say without a shadow of a doubt that the hostility that is felt in the office currently has not always been present. I feel that something in the course of the last six or so months has happened. The last several months have been difficult for me and I have seen the morale of others slip. Several staff have tried to guide Chief Blackwell by presenting our thoughts, suggestions, and ideas to make situations better. The situation may have occurred from the political pressure, lack of support he felt, or even a need for validation, but I felt it necessary to share that the interactions, tone, unrealistic expectations and his level of exhibited frustration has had an adverse impact on the office.

Respectfully Submitted,

Tiffaney Hardy, Director of Communications
Cincinnati Police Department

September 8, 2015

To me the largest issue facing Chief Blackwell is the way in which he has situated himself with the senior command staff (assistant chiefs) and in many cases the commanders (captains). Over the past two years, Chief Blackwell has surrounded himself with a group of individuals in the lower ranks of the Department – lieutenants, sergeants, and officers. The Chief does not regularly communicate his directives to the right people in the right positions to make things happen. This has many times created confusion among the assistant chiefs and captains who are not part of the decision making process to implement a change in their bureau/district/section/unit. As a result, some directives were implemented and then had to be changed or stopped because it was not thought through properly before implementation. This has created confusion at the higher ranks and has created lower than average morale.

I recently met with the Chief to help define a new SECTION of the police Department for an upcoming Captains promotion. In that meeting, I disclosed to him that he had too much "span of control" reporting directly to him on the Department's Org. Chart. My recommendation was to have the assistant chief's directly reporting to him and *NO ONE ELSE*. Currently, with the people he has directly reporting to him, his span of control in my opinion is not properly aligned. Look at the Department's Org Chart; the Chief has unnecessary operational units reporting to him. He is the CEO of our Organization. The Districts/Sections/Units should be positioned underneath the assistant chief's (bureau level) and properly aligned in a district/section/unit under the captains.

The Chief should meet with **ALL** of his Assistant Chiefs **each day** to discuss the past 24 hours of police activity, what needs to happen in the next 24 hours, and what issues/challenges could we likely expect in the coming days, weeks, months. Currently, these meetings are only scheduled on Mons & Weds and often the Chief cancels. I see this as one of the most important meetings the Chief can conduct with his executive leadership team. It forces the SENIOR command staff to communicate, make important decisions, and carry out actions within their bureaus through the captains. If this were to actually occur, the Chief and Assistant Chief's would be communicating daily and there would be NO CONFUSION as the directives would flow through the right people/channels with the right message. No decisions should be made directly to lower ranking supervisors or officers without that information being discussed with the assistant chiefs/captains. The latter happens on a regular basis.

I find it embarrassing that we have had a captain's promotional process in place for many months; in fact, I believe the Chief asked the City Manager to add a captain to our compliment (we now have 13), we just promoted 2 Captains, and they have not been transferred to a new assignment. That's has never happened in my 25 ½ year career. Right now, Captain Aaron Jones, is still assigned to the Police Academy with me (2 captains – seems odd). Captain Jones has been told he will be transferred next week. Still no word on his assignment – why wasn't this discussed months/weeks ago and put in motion? To date, I still am not completely certain the Chief has defined/approved a "new section" for this "13th captain". We've talked about it with the Chief, but I haven't seen anything or heard anything about the "new section". I'm still anxiously waiting, as are the newly promoted Captains?

When I was Acting Support Bureau Commander for four weeks, after LTC Paul Humphries retired, on several occasions, the Chief would summon Lieutenant Jay Johnstone, Youth Service Unit Commander, to his office to initiate directives for his unit regarding deployment of the YSU officers and other action items for the YSU to perform. Lieutenant Jay Johnstone reports directly to the Support Bureau Commander, not the Police Chief. I became increasingly frustrated when I was not involved in those conversations so I would know what was going on and what the YSU was expected to carry out. A similar situation arose with Mr. Roger Wolf, Evidence and Property Management Unit. Mr. Wolf is responsible for the Police Department's Fleet assignments/deployment. The Chief would summon Mr. Wolf to his office and based on requests from officers, sergeants, lieutenants, the Chief would ask for vehicle allocations and deployment that were, *in my opinion*, unrealistic based on the vehicles assigned to the Police Department. In some cases, the officers, sergeants, and lieutenants, met with the Chief to ask for a vehicle assignment, would get his permission, then call Mr. Wolf directly and state, "…The Chief told me to call you and have you assign me a car." Mr. Wolf and I became very frustrated with this kind of activity. I directed Mr. Wolf NOT to assign vehicles to anyone in that situation unless it

was approved by me and I talked to the Chief. This situation never presented itself as LTC Isaac was promoted and I returned to my assignment as the Training & Development Section Commander.

Our first Lateral Entry Officer (LEO) class was only 8 weeks in duration (Spring 2014). After the class graduated, the entire Training Unit staff concluded that 8 weeks was not enough training for transitioning officers to perform police services in Cincinnati; a large, busy, urban police agency. When the next LEO class was being planned, I personally met with the Chief and strongly recommended we increase the training to 13 weeks to focus on additional tactical skills and subject control training. He approved 10 weeks. The Training Staff spent numerous hours planning the LEO training schedule and calendar around other trainings we conduct. One day, about halfway through the LEO class, the Chief met with me to tell me the LEO training needed to be increased because they needed additional tactical training. I found out later, that PO Scott Johnson had told the Chief they needed more training and it was done. The training staff had to scramble to change the schedule to add the weeks of training, cancel our preplanned graduation date, reschedule the graduation date with the Cincinnati Christian University. I'm so proud of the training staff and how they handled the situation, completely professional, pulled it off and got it done. I just wish the Chief had listened to me from the beginning. I know what I'm doing and wouldn't make the recommendation if it wasn't necessary and important.

I don't have a lot of details about the reinstitution of the Mounted Patrol, but that would be an interesting question. The Chief has stated we are bringing the Mounted Patrol back, but I'm pretty certain, no team/committee has been formalized to make this happen. Someone did submit a written plan, but I think that is all that has happened.

In conclusion, it seems to me most of the communication problems have been created by the Chief simply ignoring or refusing to interact at a high level on a regular basis with his executive leadership team – assistant chief's and captains. He has taken us out of the equation and tried to run our Department with officers, sergeants, and lieutenants.

It has created chaos, confusion, and unnecessary back-and-forth organizational and personnel changes.

Respectfully submitted,

Captain Douglas Wiesman
Training & Development Section Commander

Cincinnati Police Department
Climate Assessment