
MEMORANDUM

TO: Wallace W. Dietz, Esq.
Director of Law—Metropolitan Government of Nashville/Davidson County

FROM: Luther Wright, Jr., Esq.

DATE: January 9, 2026

SUBJECT: Metropolitan Department of Emergency Communications Investigation Report

The purpose of this Memorandum is to provide the results of an investigation regarding issues at the Metropolitan Department of Emergency Communications (“DEC”) (the “Investigation Report”).¹ Specifically, the undersigned was engaged to investigate: 1) reports of sexual harassment by a work colleague in the Department of Emergency Communications (“DEC”); 2) the Metropolitan Government’s response to any complaint filed by Hannah McGuire (“the McGuire Complaint”)² or other employees; and 3) whether any Metro employee failed to properly investigate any such claims (hereinafter referred to as the “Investigation”). The undersigned was retained to conduct the Investigation on November 5, 2025.

The undersigned began reviewing available documents and information immediately after being engaged. Investigatory interviews began on November 17, 2025, and continued through December 22, 2025 (all those interviewed are collectively referred to as the “Interviewees”). Additional information was received from a former DEC employee on January 3, 2026.³ The undersigned further notes that he conducted a “Climate Assessment” at DEC in December of 2022,

¹ The undersigned notes that while this Investigation Report will be shared with the public, the undersigned’s notes and communications with Interviewees are confidential and not subject to disclosure.

² Ms. McGuire’s name is mentioned in this Investigation Report because she made the decision to publicly identify her concerns and was specifically identified as a part of the Investigation. Other DEC employees (with the exception of DEC Leadership) participated in the Investigation with the expectation that they would not be specifically identified and that no comments would be specifically attributed to them in this Investigation Report. The undersigned is respecting those DEC employees’ wishes herein.

³ The delay in the beginning of the investigatory interviews was caused primarily by the undersigned’s then existing work travel schedule and strong preference for interviews to be “in-person” if possible. The start date of the interviews was established and disclosed at the beginning of the undersigned’s engagement. Additionally, the holidays, employee vacation schedules and the need to schedule interviews for a department that operates 24/7 contributed to the longer investigation time. Finally, the undersigned provided time for additional information to be received after receiving information from a former DEC employee on January 3, 2026.

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that concluded on January 2, 2023, culminating in a Climate Assessment Report dated February 13, 2023.⁴ As a result of this prior engagement, the undersigned was very familiar with DEC operations and past concerns.

I. Investigation Overview

The undersigned was tasked with conducting the Investigation after Ms. McGuire and members of the Metro Women’s Caucus publicly raised specific allegations regarding the McGuire Complaint (*i.e.*, Ms. McGuire’s sexual harassment complaint to DEC in December 2024), raised concerned about potential complaints from other DEC employees and raised concerns about the response to and/or investigation of (or lack thereof) these complaints. These specific concerns were raised amongst a series of other complaints about the treatment of DEC employees generally and various complaints about Director Stephen Martini (“Director Martini”) personally.

Between November 5, 2025 and January 3, 2026, the undersigned:

- Reviewed a November 5, 2025 article by Karen Aguilar dated November 5, 2025 entitled “*Metro Women's Caucus claims workplace toxicity at Dept. of Emergency Communication*” and related video;
- Reviewed a November 6, 2025 article by Kirsten Fiscuss dated November 5, 2025 entitled “*Complaints persist at Nashville Emergency Communications department despite investigation*”
- Reviewed a November 19, 2025 e-mail from an e-mail address styled “unitedabused911workers@gmail.com;”
- Interviewed multiple DEC employees at the manager, supervisor and non-supervisor levels after requesting that those employees with information related to the Investigation come forward for a confidential interview;⁵
- Reviewed e-mails from three DEC employees and one former employee who did not want to be interviewed, but wanted to raise concerns;
- Interviewed the two DEC employees responsible for Human Resources functions at DEC;
- Interviewed six past and present members of the Metropolitan Human Resources Department (“Metro HR”) to learn about the concerns shared with them by DEC

⁴ The “Climate Assessment” conducted by the undersigned included the interviews of approximately 40 DEC employees at all levels of the organization. The Climate Assessment Report is publicly available and had been reviewed by many of the Interviewees who participated in the Investigation.

⁵ The undersigned notes that all DEC employees were sent an e-mail dated November 20, 2025 from the DEC Public Affairs Officer requesting that employees contact the undersigned directly via e-mail or telephone. The undersigned interviewed every employee who reached out to him in response to the e-mail. An exact number of employees is not being shared due to anonymity concerns.

employees, DEC investigations performed by Metro HR and support provided to DEC Human Resources personnel (“DEC HR);

- Interviewed all six members of the DEC Command Staff;
- Reviewed the Complaint Review prepared by Metro HR dated September 12, 2022 regarding a complaint made by a former DEC employee regarding “discussion of personal business by a supervisor” (the “2022 Metro HR Report”);
- Reviewed the Fact-Finding Report prepared by Metro HR dated August 8, 2023 related to anonymous employee complaints presented by e-mail regarding alleged mistreatment by DEC Command Staff (the “Metro HR Anonymous Employee Report”);
- Reviewed the Fact-Finding Report prepared by Metro HR dated October 23, 2024 related to complaints from a DEC employee regarding abusive conduct and insults from a member of DEC’s Command Staff (the “ Metro HR Command Staff Report”);
- Reviewed the Fact-Finding Report prepared by DEC HR dated May 7, 2025 related to a complaint made by a DEC employee regarding racial comments by a co-worker (the “DEC HR Race Report”);
- Reviewed the Fact-Finding Report prepared by DEC HR dated June 30, 2025 related to the McGuire Complaint (the “McGuire Report”) and related subsequent disciplinary documents;
- Reviewed communications provided by Hannah McGuire regarding her communications with DEC HR, Director Martini, and documents related to her own disciplinary proceedings;
- Reviewed the Fact-Finding Report prepared by Metro HR dated November 17, 2025 related to complaints from a DEC employee regarding alleged employment law violations from her supervisor and a member of DEC’s Command Staff (the “Metro HR November 17th Report);
- Reviewed documents provided from a former DEC employee regarding a complaint made against a DEC Shift Supervisor sent to DEC on January 2, 2025 that has yet to be fully investigated or resolved (the “Former Employee Complaint”);
- Reviewed Metro Civil Service Policies 3.1-I (Guidelines on Discrimination) and 3.1-III (Workplace Conduct Policy);
- Reviewed Metro Civil Service Rule 3.1(EQUAL EMPLOYMENT OPPORTUNITY POLICIES; and
- Reviewed a 24 Slide PowerPoint entitled “Conducting Investigations” presented to DEC Supervisors and Managers regarding (the “Investigation PowerPoint”).

The undersigned believes that based on the Investigation interviews and review of the relevant documents, a determination could be made regarding the concerns that led to the Investigation. The Investigation further revealed specific allegations about Director Martini personally where no determination could be made for the reasons discussed in this Investigation Report.

II. HUMAN RESOURCES OPERATIONS AND EMPLOYEE INVESTIGATIONS AT DEC

Understanding the recent history of the Human Resources operations and workplace investigations at DEC (the “DEC HR Function”) and the role performed by Metro HR is critical to the results of the Investigation. By Metro Charter and operation, each “Appointing Authority”⁶ is primarily responsible for the human resources function within its department, including responding to complaints of abusive conduct. For example, *Metro Civil Service Policy 3.1-III (Workplace Conduct Policy)* makes it clear that the recipient of an employee complaint of abusive conduct (including supervisors, a department’s human resources personnel or Metro Human Resources) should timely notify both the appointing authority and human resources personnel of the complainant’s department. *See Metro Civil Service Policy 3.1-III Section (b)*. The Response to the Complaint is also addressed in the same policy:

c. Response to Complaint

The recipient of an abusive conduct complaint should timely notify both the appointing authority and human resources personnel of the complainant’s department. **The appointing authority may appoint his/her own department personnel to investigate or may request the assistance of investigators from the Human Resources Department. If an investigation is deemed necessary, it will be conducted as soon as practicable.** All affected parties will be informed of the investigation’s outcome. If a complainant or group is dissatisfied with the report’s finding on the ultimate question of whether the conduct complained of violated this policy, they may appeal to the Appointing Authority of their department or agency by making a written request for review within ten (10) calendar days of the date the investigative report was issued. **The decision of the Appointing Authority shall be final.**

Metro Civil Service Policy 3.1-III, Section (c) (emphasis added).

Metro Civil Service Rules, Section 3.1(B)(1) (Complaint Procedure) explains the role that supervisors play in handling employee complaints:

Although employees are encouraged to try to settle problems on an informal basis, **any employee who feels that he/she has been subjected to discrimination may submit a complaint to his/her supervisor. The supervisor shall try, in a timely**

⁶ “**Appointing Authority**” means the head of an employing unit authorized by ordinance or City Charter to employ others on behalf of the City, or a designated management representative. The term includes and *can be used interchangeably with department head, department director, superintendent, and chief*. See generally, <https://www.lawinsider.com/dictionary/appointing-authority>.

manner, to remedy any actual or perceived problem without the necessity of additional formal procedures. After reviewing the matter, the supervisor shall promptly inform the employee of his/her decision. **If the complaint cannot be resolved at this level, the employee may submit the complaint to the Appointing Authority or his/her designee.** The Appointing Authority or designee, **after a prompt and thorough investigation,** should take the necessary steps to correct any problem found to exist, including taking disciplinary action. The **Appointing Authority** shall notify the complaining party of his/her decision following the conclusion of the investigation.

(emphasis added). The Interviewees with longer tenures reported that DEC supervisors have historically played a more significant role in handling employee complaints than supervisors at other Metro Departments, particularly on those shifts where HR personnel and DEC Command Staff are not typically present. Several Interviewees also reported that supervisors have been expressly directed to “help out” with human resources duties because the HR Admin was “overwhelmed” or “behind.” Interviewees noted that supervisors at DEC are either confused about when to get DEC HR involved in employee complaints, reluctant to do so because they do not believe there will be a timely response or that DEC HR will not be helpful, or they report matters to DEC HR that should or could be resolved at the supervisory level. This confusion led, in part, to “investigation training” from Metro HR in 2024 and other trainings from the HR Admin.

At DEC, Director Martini is the “Appointing Authority” and therefore has ultimate responsibility for responding to and resolving employee complaints. As a result, Director Martini is, has been or should have been aware of every investigation that has been conducted at DEC by Metro HR or DEC HR since he became the Director.⁷ Shortly after arriving at DEC, Director Martini reorganized leadership roles within DEC including those involving the DEC HR Function. Director Martini’s reorganization removed the prior level of management that had oversight of the DEC HR Function. This change made the current Human Resources Administrator (the “HR Admin”) the “subject matter expert” on human resources matters and primary person responsible for discharging the HR Function at DEC.

After the reorganization, the HR Admin has reported directly to Director Martini (though administratively reports to Dwayne Vance, DEC Finance Manager), rather than reporting to a management level employee with human resources experience. Director Martini admittedly had no prior experience managing human resources functions or managing human resources personnel prior to becoming the DEC Director and is admitted not “that comfortable” with HR issues.⁸ In sum, Director Martini, as both the Appointing Authority and the supervisor of the HR Admin’s performance, has final responsibility for and oversight over the entirety of the DEC HR Function.

⁷ The undersigned notes that Director Martini has been the ultimate decisionmaker regarding discipline related to the investigations that have been conducted by DEC HR and Metro HR—and in some instances has been a witness or accused of conduct that violated DEC or Metro policy.

⁸ Several Interviewees also noted that the DEC manager the HR Admin reported to before the reorganization did not have prior or extensive HR experience and focused primarily on employee training. Reportedly, “higher level” HR duties had been taken away from the HR Admin, then added back after the reorganization.

During Director Martini's tenure at DEC, the workforce has grown to approximately 250 employees and there has been a significant amount of turnover throughout the growth process. The growth and turnover, in addition to DEC operating on a 24/7 basis, has increased the demand for human resources services within DEC. Recognizing this additional need, in May 2023, DEC hired a second human resources employee, a Human Resources Analyst (the "HR Analyst"), to work with the HR Admin to discharge the DEC HR Function.⁹ The HR Admin supervises the HR Analyst. However, the HR Admin had no supervisory experience prior to the HR Analyst being hired. All those interviewed during the Investigation admit that it is "widely known" that the HR Admin and HR Analyst do not have a great working relationship and that adding the HR Analyst to DEC has not had the desired effect of improving the efficiency and operation of the DEC HR Function.

The majority of the Interviewees indicated that there is currently confusion about who manages the performance of the HR Admin and ultimately manages the HR Function. Some employees reportedly believe that Director Martini supervises the HR Admin's performance. Other employees reportedly believe that Dwayne Vance manages the HR Admin's performance, with others believing that the HR Admin ultimately reports directly to Metro HR. The Investigation revealed that Director Martini, Dwayne Vance and Metro HR have all received complaints about how the DEC HR Function is managed generally, with the chief complaint being that many human resources functions are not handled in a timely fashion.¹⁰ Notably, multiple employees and Interviewees have complained specifically and directly to Director Martini about a lack of timely response or timely investigation/resolution of their complaints. On at least two occasions, Director Martini has apologized to employees for the lack of timely response by the HR Admin, but not taken any corrective action regarding the delays.¹¹

III. INVESTIGATION FINDINGS

Based on the Investigation, the undersigned reaches the following conclusions:

A. The McGuire Complaint and other Complaints made to DEC HR were not investigated or handled properly for a number of distinct reasons, but not at the direction of Director Martini or anyone else.

There is no dispute that the McGuire Complaint was not handled in a timely or satisfactory fashion. The time between Ms. McGuire's initial complaint (November 2024) and the McGuire Report (June 2025) was far too long. The HR Admin's explanation for the delayed investigation

⁹ Director Martini also acknowledged that delays in the HR Function also presented some compliance/accreditation concerns.

¹⁰ While there have been complaints about workplace investigations, there have also been complaints about: 1) the processing of merit and annual increases; 2) the processing of Family Medical Leave Act (FMLA) requests; 3) the processing of Americans With Disabilities Act (ADA) Accommodation Requests; and 4) general responsiveness to employee questions and inquiries.

¹¹ The HR Admin has been receiving performance coaching from Metro HR since approximately June of 2025. Director Martini has also began to explore providing more "mental health" resources for DEC employees.

was a combination of: 1) her lack of experience with investigations (admittedly necessitating additional education on her part); 2) dealing with multiple investigations during the same time period; 3) a busy workload related to onboarding and an increase in the number of employees; 4) managing an HR Analyst who has not worked out as originally planned; and 5) personal family tragedies and issues that required her presence outside of DEC on multiple occasions during the relevant time period.¹² It is undisputed and well documented that Ms. McGuire made Director Martini aware of her concerns about the delays in the investigation into the McGuire Complaint, including her concerns about her workplace interactions with the alleged harasser during the delayed period. Director Martini discussed Ms. McGuire's concerns with the HR Admin and encouraged her to finish the investigation and resolve the issues by a date certain. However, the completion of the investigation into the McGuire Complaint was delayed even further than that agreed upon date.

The Investigation revealed that the McGuire Complaint was straightforward and concerned sexually inappropriate and derogatory comments made by Ms. McGuire's co-worker/former boyfriend and Ms. McGuire's belief that her co-worker/former boyfriend was antagonizing her by being in certain areas of DEC for no reason during breaks and at other times.¹³ Ms. McGuire's requested outcome (to have the alleged harasser stop making the inappropriate comments and to have a protocol in place to make sure that she did not see or interact with the alleged harasser in the workplace at any time) was also straightforward and not complex. In other words, there was nothing about Ms. McGuire's allegations or requested outcome that required a lengthy investigation process. In fact, the undersigned finds that this matter could have been concluded in a number of days or weeks instead of a number of months.

The Investigation further revealed that there were multiple discussions between the HR Admin and DEC Operations managers/supervisors about having the two employees (Ms. McGuire and the alleged harasser) work on different floors and how to handle situations when they worked overtime or had assignment changes that might inadvertently put them in close proximity. However, no one ever created a written protocol or memorandum of understanding about handling their physical separation. Additionally, there was evidence that some supervisors who needed to know were not aware of the need for separation between these two employees. Interviewees with knowledge of the issues blamed the lack of a written or agreed upon protocol on a "miscommunication" or "misunderstanding" about whether the protocol would be created, documented and implemented by the HR Admin or by DEC Operations managers. There was also evidence that some supervisors who were responsible for maintaining the physical separation were not fully informed of the reason for the separation and perhaps even thought that the reason for the separation was a temporary "personality conflict" rather than the resolution of a sexual harassment

¹² The undersigned found that the HR Admin was candid, truthful, self-critical and apologetic about the delay with the McGuire Investigation and found it unacceptable.

¹³ Certain media reports alluded to physical interactions or stalking behavior by the alleged harasser. The Investigation did not reveal that this type of behavior occurred, but did reveal Ms. McGuire's legitimate concerns and anxiety about the fact that it "could have" and her feelings that there was no workplace protocol to prevent it. Her concerns occasionally resulted in early departures, absences and other workplace issues leading to workplace discipline that was handled and resolved in a much more expedient fashion than her sexual harassment complaint was.

complaint. Notably, the resulting disciplinary process for the alleged harasser took an additional five months (November 2025) from the date of the McGuire Report. The HR Admin was candid in stating that the disciplinary process should have also occurred in a timelier fashion, but was further delayed by her failure to schedule a disciplinary hearing within the timeframe required by DEC policy.

For all of the reasons stated above, the undersigned finds that the investigation of the McGuire Complaint did not occur in a timely fashion and was very poorly handled. The undersigned further finds that the resolution and related disciplinary process with the alleged harasser was not implemented in a timely or acceptable fashion. However, the undersigned does not find that the investigation of the McGuire Complaint was delayed intentionally, delayed for nefarious reasons or delayed by explicit instruction of Director Martini or anyone else. Instead, the undersigned finds that the investigation and resolution of the McGuire Complaint (as well as the other complaints made by other DEC employees at or near the same time) was delayed for several distinct and preventable reasons addressed more fully below.

B. The undersigned finds that the DEC HR Function is not well structured, implemented or managed.

The Investigation revealed that the DEC HR Function is not very well structured, not well managed and largely ineffective. The primary reasons discovered during the Investigation were: 1) Chronic disorganization, miscommunication, inefficiency, and untimeliness in DEC HR; and 2) Insufficient resources in DEC HR; and 3) Suboptimal management practices and structure of DEC HR by Director Martini. The undersigned notes that these issues caused the delays and improper handling of the McGuire Complaint, and are the same issues responsible for the delays and poor handling of all of the employee complaints handled by DEC HR, including other complaints of race discrimination and other workplace misconduct made at or near the time of the McGuire Complaint.

1. Chronic disorganization, miscommunication, inefficiency, and untimeliness in DEC HR.

The Investigation revealed that DEC HR is plagued by disorganization, miscommunication, inefficiency and untimeliness. There were (and still are) allegations of workplace misconduct that have not been investigated or otherwise addressed in a timely manner.¹⁴ These chronic issues are not limited to investigations, but have also impacted other routine human resources functions such as onboarding, processing pay increases and the processing of Family Medical Leave Act (“FMLA”) and Americans With Disabilities Act (“ADA”) requests. These concerns have existed at DEC for several years and have been brought to the attention of Director Martini and other members of the DEC Command Staff on numerous occasions. These concerns led, in part, to the hiring of the current HR Analyst in an attempt to provide additional HR support.

¹⁴ A complaint made to DEC HR from a former employee in January 2025 has yet to be fully investigated and resolved.

The Interviewees consistently reported that the issues with the HR Function at DEC have not gotten better with time. In fact, many of the Interviewees believe that DEC HR is now less responsive and effective than it was in the past even though an additional person has been hired. The Interviewees reported that DEC employees are frustrated with the lack of HR support and typically try to avoid DEC HR if possible. The current HR personnel do not work well together. Notably, both HR employees have been vocal about their inability to work well together and shared their frustrations about/with each other with other DEC employees and Metro HR. The vast majority of the Interviewees described the HR Function at DEC as “chaotic” and “ineffective.” Interviewees reported that for these reasons, many supervisors attempt to resolve as many employee issues “informally” as contemplated by Metro Civil Service Rule 3.1. Notably, the Interviewees primarily hold Director Martini responsible for the DEC HR shortcomings, citing: 1) his reorganization and failure to effectively address the issues that have been brought to his attention about inefficiency and delays on numerous occasions; 2) his focus on “numbers” instead of people; and 3) his failure to appreciate the toll the job takes on DEC employees.

2. Insufficient resources in DEC HR.

DEC is a unique environment that requires more comprehensive HR resources than most other workplaces. Employees at DEC frequently deal with traumatic experiences that routinely involve life and death. For example, several Interviewees discussed the impact that taking emergency calls regarding the shootings at The Covenant School had on DEC operators, the trauma of handling vehicle accidents where individuals were decapitated or mangled, disturbing scenarios where children were killed or murdered, other instances of extreme or horrific violence or injury and the impact of many times not knowing whether people lived or died at the end of their emergency calls. The 24/7 nature of their work, which often includes overtime hours for many DEC employees and magnifies absences or tardies, adds to workplace stress. The Interviewees reported that vacation requests are frequently denied due to short staffing, and that many DEC employees routinely miss family events. In sum, these unique work conditions and the corresponding impact on DEC employees require a level of HR support that is far beyond the needs of most workplaces.

The undersigned finds that DEC HR is not adequately constructed to serve all the needs of DEC employees in an effective and efficient fashion. The Investigation revealed that the current HR staff lacks the comprehensive background/experience required to effectively manage the complex needs of the DEC workforce, particularly those enhanced needs created by the traumatic nature of the work. This specifically includes, but is not limited to, critical areas such as conducting timely and thorough workplace investigations, processing FMLA and ADA requests, and providing timely resolutions to workplace issues. The absence of expertise in these areas has led to delays, errors, and inconsistencies in handling employee issues, which have further exacerbated stress and dissatisfaction among DEC employees. The HR personnel’s past failures to effectively manage these essential functions have further eroded trust and confidence in DEC’s ability to support employees effectively. As a result, employees have gone directly to Metro HR on several

occasions (individually and anonymously), or shared their concerns with the employee union or Metro Council Members.¹⁵

3. Suboptimal management practices and structure by Director Martini.

The Investigation revealed suboptimal management and structure of the HR Function by Director Martini. The undersigned finds that Director Martini has failed to provide adequate oversight and support to DEC HR (either directly or through another member of DEC's Command Staff or management staff), resulting in disorganized and ineffective HR operations. The undersigned uses the term "suboptimal," because there is no member of the DEC Command Staff that has prior experience managing a complex HR staff or process, and no other Command Staff member or management level employee with this responsibility other than Director Martini. As a result, the "subject matter expert" on HR issues is someone who is not a member of the management team. While that structure may work effectively in many workplaces, it has not worked and is not working effectively at DEC—and that has been evident for at least the last two years if not longer. The by-products of this suboptimal management structure include inconsistent (sometimes erroneous) application of HR policies and failure to address critical HR issues in a timely manner. The Director's lack of experience managing the HR function and decision not to delegate that responsibility to a manager with the requisite experience are the primary reasons for the issues that led to the Investigation.

Additionally, because of the current DEC structure, current HR personnel have limited involvement in the strategic operations of DEC. For example, no one with an extensive HR background participates in Command Staff meetings, and the current HR Admin frequently has to be "brought up to speed" about strategic decisions with HR implications "after the fact." This structure has hindered the current HR personnel's ability to anticipate potential HR needs or proactively problem-solve. The undersigned notes that effective HR management in a workplace like DEC requires a deep understanding of the operational environment and the unique challenges faced by employees. The current disconnect between HR and the operational aspects of DEC means that HR is often "reactive" (rather than proactive), addressing preventable issues only after they have become problems or escalated. This lack of strategic involvement prevents DEC HR from implementing preventative measures or developing initiatives that could enhance employee well-being and operational efficiency. These issues are magnified in a workforce like DEC that is undergoing growth, dealing with turnover, transforming due to the retirement of more seasoned operators and frequently on-boarding newer employees.

The undersigned further notes that the deficiencies within DEC HR are significantly impacting its ability to support the DEC workforce. The lack of sufficient HR staff, coupled with inadequate expertise and limited operational involvement, has created a situation where employee issues are either not being effectively addressed, or not being effectively prevented. Several

¹⁵ The undersigned expressly finds that Metro HR has handled complaints made directly to it effectively and efficiently when called upon to do so either directly by DEC employees or at the request of DEC HR. Additionally, Metro HR has supported and counseled DEC HR, including providing coaching, review and training for DEC HR and DEC employees when requested.

Interviewees opined that in order to rectify these issues DEC HR needs to be restructured with a seasoned HR expert added in a management role, current staff needs to be provided with specialized training to enhance HR competencies, and the HR Function needs to be more closely integrated with the operational aspects of DEC. These steps were seen as essential to ensure that DEC HR can consistently provide the necessary support to employees and foster a healthier, more productive work environment.

The Investigation also highlighted Director Martini's perceived failure to lead the HR Function in a manner that inspires confidence and prioritizes HR concerns. Many Interviewees opined that Director Martini has not personally demonstrated the necessary leadership qualities in his own interactions to effectively or credibly guide/manage the HR Function, nor has he made HR issues a priority in the operation of DEC. This perceived lack of prioritization (a theme that has existed at least since the Climate Assessment and perhaps before) has resulted in a largely disheartened workforce, high turnover rates, and a general sense of instability within DEC. The Interviewees overwhelmingly believe that it is imperative that immediate steps be taken to address these issues, including the reassessment of Director Martini's allocation of adequate resources to the HR Function, to restore confidence and functionality within DEC.

C. Director Martini is alleged to have created a culture of fear and mistrust, but concerns about retaliation have kept employees from coming forward with specific details that can be included in this Investigation Report.

Many Interviewees consistently reported that Director Martini's management practices and management style have also created a pervasive culture of fear, dissatisfaction and disengagement at DEC. The majority of Interviewees indicated that employees have consistently reported feeling intimidated by Director Martini's leadership style and certain leadership practices/decisions, which have fostered an atmosphere of anxiety and distrust. This culture has been exacerbated by Director Martini's past anecdotes (whether real or perceived) of reacting harshly to dissent or criticism, further discouraging open communication amongst employees. As a result of this environment, many DEC employees have been and currently are reluctant to come forward about their personal interactions with Director Martini due to fear of retaliation or reprisals. Because of these concerns, the undersigned scheduled interviews with several employees through third parties who asked that the undersigned ensure their confidentiality. The Investigation also revealed that many employees believe that those who have attempted to raise concerns about Director Martini in the past have faced negative workplace consequences (or threats thereof) directly from Director Martini or at his behest, including termination. These concerns have resulted in a reluctance to speak up and speak out that has allowed workplace issues to fester and go unaddressed, further deteriorating DEC's overall employee morale.

Throughout the course of this Investigation, numerous employees provided detailed information to the undersigned (both in interviews and via other communications) regarding Director Martini's alleged inappropriate actions (including, but not limited to allegations of threats of harsh discipline or termination, discrimination, harassment and violation of Metro Civil Service Rules and potentially other policies/laws). However, these employees provided those details *only*

after expressly directing the undersigned to not include the specifics of their allegations in the Investigation Report and asking that they not be individually identified. The consistent concern cited for this direction was that revealing the specific nature of their allegations would inevitably reveal their identities to Director Martini and he would then retaliate against them.¹⁶ The fear of having their identities disclosed led some other DEC employees to rely on anonymous reporting or decline to be interviewed at all.

The reluctance of employees to be identified and go “on the record” with their specific allegations has severely impeded the undersigned’s ability to reach a definitive conclusion about the allegations against Director Martini personally. Additionally, the anonymous reports, while valuable, lacked the detailed context and corroborative evidence necessary for a thorough and conclusive investigation. Without the ability to directly engage with the anonymous individuals who have made the allegations (because they are unknown) or the ability to disclose the details from those persons who made themselves available for investigatory interviews (because they did so only with a promise of confidentiality), this Investigation is hindered in its ability to gather comprehensive evidence, verify the claims, and probe the full scope of Director Martini’s alleged inappropriate actions.

Finally, the inability to identify or disclose the sources of the allegations prevented the Investigator from fully confronting Director Martini about his alleged inappropriate actions.¹⁷ Specific allegations require detailed questioning and the presentation of concrete evidence to elicit a meaningful response. Without the ability to present these specifics, the Investigation is constrained to more general inquiries, which simply cannot adequately address the particularities of the alleged actions. This lack of specificity prevents the possibility of holding Director Martini accountable for his alleged inappropriate personal actions or determining that the allegations cannot be substantiated.¹⁸ The undersigned does note that he found the allegations shared confidentially to be credible and worthy of further inquiry.

IV. CONCLUSION

The issues that gave rise to this Investigation are the by-product of an HR Function at DEC that has been poorly structured, executed and managed. The responsibility for these shortcomings lies primarily with Director Martini’s management of the HR Function. The undersigned believes that these shortcomings are correctable on a going-forward basis with a different HR structure, the addition of a management level employee with a comprehensive HR management background

¹⁶ Multiple Interviewees asserted that Director Martini has made sure that his conduct only occurs in settings where there are very limited or no other witnesses, which makes it difficult for those persons to complain about his specific conduct without revealing their identities.

¹⁷ Director Martini expressly denied engaging in any inappropriate conduct when presented with general claims during the Investigation.

¹⁸ The undersigned does believe that Director Martini can and should be held accountable for the issues that are the by-product of his management decisions and practices that gave rise to this Investigation.

(preferably in an environment comparable to DEC) and more accountability and training for DEC HR personnel.

In order to make a determination on the personal allegations regarding Director Martini that were shared confidentially during the Investigation, the undersigned recommends that DEC employees with specific concerns be assured that there will be no retaliation or reprisals by Director Martini (or anyone else) if they disclose the details of those allegations to Metro Leaders. As an outside investigator, the undersigned could not provide those assurances, but has honored the employees' requests for confidentiality in this Investigation Report.

The undersigned notes that the revelation of additional or different information could result in different conclusions and/or different determinations related to the Investigation.

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