

Sample Security & Investigation Inc.



City of Youngstown

26 S. Phelps Street
Youngstown, Ohio 44503

Sexual Harassment
Case # 2013-0266

Prepared by:
Steve Sample

On Friday, October 4, 2013, the City of Youngstown, Ohio contracted with Sample Security and Investigation Inc. to provide investigators to conduct an investigation pursuant to the City's Sexual Harassment Policy Internal Investigation Procedure on a sexual harassment complaint Lyndsey Hughes filed against DeMaine Kitchen. Lyndsey Hughes is employed by the Youngstown City Council, as the Director of Downtown Events Marketing and Special Projects. DeMaine Kitchen is employed by the City of Youngstown, as the Mayor's Chief of Staff and prior to that he was a member of City Council for Youngstown, Ohio. During this investigation it was learned that on December 4, 2012, Jean Schaefer also made a complaint of sexual harassment against DeMaine Kitchen. Jean Schaefer is employed by the City of Youngstown as the Rehab Assistant for the Housing & Demolition Department. Sample Security and Investigation Inc. is licensed and insured in the State of Ohio to conduct private investigations, provide security guards, security consulting, and related services.

Contact Person:

Anthony Farris
Youngstown Law Director
26 S. Phelps Street-4th Floor
Youngstown, Ohio 44503
Office: (330) 742-8874

After conducting the investigation, the conclusion is as follows:

The Law Director, Anthony Farris, after receiving a complaint of sexual harassment from Lyndsey Hughes alleging that DeMaine Kitchen had sexually harassed her, followed the City's policy and procedure on sexual harassment. Mr. Farris initiated an investigation into the allegation. The investigation did reveal that DeMaine Kitchen did sexually harass Lyndsey Hughes in the form of verbal actions with no tangible detrimental job action taken against Ms. Hughes while he was on City Council or while he was the Mayor's Chief of Staff for the City of Youngstown, Ohio. The sexual harassment started sometime before the meeting with Mr. Sammarone, Mr. Brown, Ms. Hughes and Mr. Kitchen in January 2011, and continued through July 2013. Refer to the attached interviews.

Mr. Farris received a letter from Attorney-David Engler on Ms. Hughes's behalf that was dated July 31, 2013 which was after the City Council's Executive Session discussion on Ms. Hughes's job performance. City Council members except for Mr. Brown were not aware of any complaint past or present from Ms. Hughes on sexual harassment allegations made against Mr. Kitchen and Mr. Kitchen was not present at the Executive Session. The discipline Ms. Hughes received was judged strictly on her job performance.

Mr. Farris had Detective /Sergeant Jose Morales with the Internal Affairs Division, of the City of Youngstown Police Department conduct an investigation into any possible criminal implications involving the financial revenues that were managed for the 2013 Youngstown Jazz Festival. That investigation revealed there was no evidence of any unlawful actions by Ms. Hughes.

The letter Mr. Farris received from Attorney-David Engler made a reference to sexual harassment without any specifics on whom the allegation was against. Mr. Farris sent a response to Attorney- David Engler dated August 1, 2013, informing him that Ms. Hughes needed to follow the City's Policy and Procedure on sexual harassment, by filing a complaint.

Mr. Farris received a letter dated September 19, 2013 from Attorney-Barbara Belovich on Ms. Hughes's behalf as a formal complaint of sexual harassment against DeMaine Kitchen. Mr. Farris then initiated an investigation into the allegation, through the retention of the services of this investigator.

Mr. Farris was not aware of any allegation Lyndsey Hughes told Mr. Sammarone in January 2011, in reference to sexual harassment against Mr. Kitchen. Lyndsey Hughes did not make a formal complaint and she told Mr. Sammarone and Mr. Brown that she did not want to make a formal complaint that she just wanted it to stop. The statement that Mr. Sammarone stated to Ms. Hughes about "what do you expect, you're a pretty girl", Mr. Sammarone states that he does not remember saying that but that he probably did.

In January 2011, Mr. Sammarone had a meeting with Mr. Brown, Ms. Hughes and Mr. Kitchen. Mr. Sammarone told Mr. Kitchen he needed to stop. Mr. Brown also told Mr. Kitchen that he didn't care what was said but whatever it was needed to stop. There was no documentation pertaining to the meeting, due to Mr. Hughes not wanting to make a formal complaint and everyone left that meeting thinking that it was going to stop.

The Law Director, Anthony Farris, after receiving a complaint of sexual harassment from Jean Schaefer alleging that DeMaine Kitchen had sexually harassed her, followed the City's policy and procedure on sexual harassment.

On December 4, 2012, Mr. Farris received a complaint from Mrs. Kane reference a complaint that she received from Mrs. Schaefer about DeMaine Kitchen making inappropriate comments to her. Mrs. Kane is the supervisor in the Human Resource Department, for the City of Youngstown. Mr. Farris said the he spoke to Mrs. Schaefer and she said that she did not want to follow through with the complaint. Mr. Farris did not inform Mr. Kitchen of the complaint due to Mrs. Schaefer saying she did not want to follow through with it. Mr. Farris did not document the conversation with Mrs. Schaefer about her not wanting to follow through with the complaint.

The above conclusion is based on interviews, telephone records, text messages, emails, Facebook, and computer data. See attachments

Attachments:

Interviews from the following persons:

Lyndsey Hughes, Charles Sammarone, Valencia Marrow, Marti Kane, Jean Schaefer, Jamael Tito Brown, John Rossetti, Richard Barga, Eric Monroe, Anthony Farris, Paul Drennan, Lisa Antonini, Louis Wolk, Ron Gerberry, Luanne Knox, DeMaine Kitchen, John Swierz, Janet Tarpley, T.J. Rodgers, Michael Ray Jr., Annie Gillam and Nathaniel Pinkard.

Seven pages of text messages with one text message on each page from Ms. Hughes to Attorney Belovich dated August 20, 2013.

Two pages of Facebook messages from Ms. Hughes to Attorney Belovich dated August 20, 2013.

City of Youngstown Police and Procedures on Sexual Harassment

Letter from Law Director Anthony Farris to Attorney-Barbara Belovich dated September 23, 2013

Letter from Det./Sgt. Jose Morales with Youngstown Police Department dated September 23, 2013

Letter from Attorney-Barbara Belovich on Ms. Hughes's behalf dated September 19, 2013.

Letter from Law Director Anthony Farris to David Engler dated August 1, 2013.

Letter from Attorney-David Engler on Ms. Hughes's behalf dated July 31, 2013.

Letter from Ms. Hughes to Youngstown City Council reference Jazz Fest 2013, dated July 29, 2013.

Letter from City Council on Ms. Hughes's Disciplinary Action dated July 25, 2013.

Letter from Law Director Anthony Farris to Youngstown City Council reference Ms. Hughes timecard dated February 3, 2013.

Interoffice Memorandum from Valencia Marrow to City Council reference time docked for Ms. Hughes dated January 30, 2012.

Jean Schaefer complaint against Mr. Kitchen that Marti Kane wrote and gave to Law Director Anthony Farris dated December 4, 2013.

1 C/D with detailed billing of Mr. Kitchen's City cell phone from 12/16/2010 thru 9/15/2013.

1 C/D with Mr. Kitchen and Ms. Hughes City emails from 8/1/2-11 thru 10/15/2013.

1 C/D from High Technology Forensic Lab report from cellular phones and computers.

1 DVD from High Technology Forensic Lab with data from computers.

163.53 SEXUAL HARASSMENT POLICY AND PROCEDURES.

(a) Definition: Sexual harassment is defined as any unwelcome or unwanted sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when any one of the following criteria is met:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of the individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
- (3) Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

(b) The City of Youngstown is committed to establishing and maintaining a work atmosphere that is free from sexual harassment and other types of illegal discrimination. Accordingly, the City of Youngstown adopts and reaffirms its commitment to no-discrimination on the basis of sex, including the prohibition of sexual harassment and retaliation in the workplace. Department heads shall take prompt action to address and process complaints of sexual harassment, including retaliation complaints, by consulting with the City Law Department.

(c) The City of Youngstown is committed to a prompt response based upon a thorough investigation whenever:

- (1) An employee alleges that sexual harassment, intimidation or discrimination is taking place;
- (2) A supervisor observes something which may constitute sexual harassment; or
- (3) A department head or the Law Department receives information concerning an possible instance of sexual harassment.

(d) Any employee who believes that he/she is a victim of sexual harassment should immediately report such incident(s) to his/her department head within 15 working days of the incident which gave rise to the complaint. If it is inappropriate for the complainant to address the complaint to his/her department head (e.g., if the department head is the employee accused of the harassing conduct), then the complaint shall be addressed directly to the City Law Department. An employee may also file a formal complaint with the City of Youngstown Human Relations Commission (HRC) within six (6) months of the alleged act(s), the Ohio Civil Rights Commission (OCRC) within six (6) months of the alleged act(s) or the Federal Equal Employment Opportunity Commission (EEOC) within three hundred (300) days of the alleged act(s).

(e) Sexual Harassment Internal Investigation Procedure.

- (1) The information alleging sexual harassment or improper behavior shall be given to a Department Head and the City Law Department.
- (2) The City Law Department shall:
 - A. Notify the person accused of engaging in improper activity that the issue has been brought to the attention of the City Law Department; and
 - B. Notify the person bringing forth the issue that a prompt investigation will be conducted by an individual employed outside of the accused's department, to be selected by the City Law Department.
- (3) The investigator will:
 - A. Conduct an interview with the person who brought the matter to the attention of

On Thursday, October 11, 2013 at approximately 9:50 a.m., Investigator R. Tackett and I interviewed Lyndsey Hughes in reference a sexual harassment complaint she made against DeMaine Kitchen. Lyndsey Hughes is employed by Youngstown City Council, as the Director of Downtown Events Marketing and Special Project. The interview took place at 635 West Lakeside Avenue, Suite 605, Cleveland, Ohio 44113. Lyndsey Hughes's Attorney Barbara A. Belovich was also present during the interview. Lyndsey Hughes provided the following information:

Ms. Hughes states she started with the City of Youngstown in December 2008, her job title was originally Federal Plaza Director but changed it to Director of Downtown Events Marketing and Special Projects. Ms. Hughes states the only job description is an old one and the job description has not changed. She states when she applied for the position in November of 2008, she went up to the Civil Service Office and asked for a copy of the job description and the copy that they have is the one that is still on record, she thinks it is the one actually from July 1983 job descriptions, but it's for Federal Plaza Director. She went up and got another copy of it, right after she started the job in December 2008.

Ms. Hughes states she reported to City Council, the guy who had the job position before me, he was there for about 10 months, he told her that her job is to promote downtown, you know promote development, if people come to you and are interested in buildings and your job is to walk them around to promote downtown. She states any problems that she had she would bring them to whoever she was comfortable with on Council. There are seven people on Council, and there was never any one person that she went to.

Ms. Hughes states when she received the suspension letter in July, she was told that if she had any issues to talk to Annie Gillam, who is the First Ward Councilwoman and that's the first time that she was told anything like that. Ms. Hughes states her job description has never been changed, she brought it up to Council a few times that they needed to change this job description because it's from before she was born and everyone agreed and said yeah let's talk about it, but no one would talk about it.

Ms. Hughes states at the beginning of every year, they'll have a budget hearing for every department in the City. She has a budget hearing because she is considered the director of her department even though she is the only person in it. She would have a budget hearing and line item for everything and if they had a question, that's when they would ask. If they have any suggestions, that's when they would make suggestions, other than that they've never interfered. Mr. Hughes states there's been a few times where they've sent people to her office that they want to do something in their Ward and they'll push for me to do it, but she has always kind of been like, she would rather not go into Wards because her focus is downtown and if she started going into Wards she can't do all by herself.

Ms. Hughes states when she started with the City it was December 8 of 2008, the year 2009 she knew most of the Council Members through previous living in Youngstown, but did not know DeMaine Kitchen at all and she didn't know Janet Tarpley that well, she was not a Councilwoman in 2009. Ms. Hughes states she was really just getting acquainted with the job, like she doesn't have much direction and the gentleman that had that position before her, gave her a business card for a port a john company, that's all that was left. So the year 2009, was just a lot of what do I do, so she really didn't even pay attention to Council that much, she is required to go to every Council meeting so she could give them an update at the meeting on what's going on and what she is doing.

Ms. Hughes states Mr. Kitchen started hanging out around the office more and more in the later part of 2009. She didn't really know him. He seemed friendly at first but then it turned into flirting and he'd tell her that she looked pretty, I don't know how else to describe it, he would be flirty with me, tell her I look pretty all the time. It was almost like an innocent flirt not like it was an offense, it was very complimentary a lot of compliments in the later part of 2009. She states she thinks as he got to know her, the more comfortable he got, and going into 2010 he was like more and more, he would tell her that she looked sexy instead of pretty and she would just ignore him, really at all cause. She wouldn't really pay attention to him and he started coming into the office several times a week, seems like almost once a day and would say this stuff most of the time. If she heard him talking to the ladies upfront she would close and lock her door or she would find a reason to grab her computer and go to the coffee shop to work.

Mr. Kitchen became more aggressive toward her as far as telling her, that we would be a good fit, why don't you just let me. Ms. Hughes states she told him to stop and get out of here and he would say, no one needs to know and it just progressively got worse and worse and I felt like I was running around and hiding from him when I would go to work.

Ms. Hughes states that towards the end of 2010 it was getting really bad where he would walk in her office and she would be on her computer, she would just ignore him and if she didn't hear him come in the front door he would come up on her side and he would like rub himself up against her. Ms. Hughes states that Mr. Kitchen rubbed his penis up against her arm or he would tell her how attracted he is to her and then he would smooth his pants back so that she could see the shape of his penis. She states she told him, he needed to get out of here, stop fucking around and get out of here. It kept going on toward that last month of 2010. She would schedule everything out of her office because she just didn't want to be there. Ms. Hughes states it seemed like every time she was in there he would come up into the office. He would text her and say why are you scared, don't worry, no one would ever find out he would text her and say his wife is in Africa. No one's at home, stuff like that. Ms. Hughes states she wouldn't respond and she would tell him, DeMaine stop it that was really her breaking point, December 2010. Ms. Hughes states that in December 2010 or the first week of January 2011, she told a friend Rick Barga about it, he told her she needed to talk to an attorney.

Ms. Hughes states as Rick Barga was telling her to talk to an attorney and she told him that she felt comfortable and wanted to talk Mr. Sammarone first. Ms. Hughes states at that time, Mr. Sammarone was President of Counsel and she has known him for a while, and kind of thought of him as a grandpa type figure, he was always giving good advice. Ms. Hughes states she thought she would go to him first and tell him about it and that he would say something to Mr. Kitchen to make him stop.

Ms. Hughes states it was January 6, 2011, she had a lunch meeting with Mr. Sammarone at the Lemon Grove Café, so she told him that Mr. Kitchen has been bothering her, by coming into her office all the time pressing himself up against her all the time and texting her all the time. Ms. Hughes states she showed him the text messages that were in her phone and she got a little emotional about it. Ms. Hughes states she started crying a little bit and Mr. Sammarone said like what do you expect Lyndsey, you're pretty young girl, and he's a young guy. Ms. Hughes states she expects this to stop. She states she told Mr. Sammarone that he needed to say something to Mr. Kitchen to make it stop and he told me call up Tito Brown.

Ms. Hughes states she thinks that Sammarone wanted her to call Tito to tell him because Tito at the time was the most looked up to, African-American in City Hall and he was also Councilman at the time, Third Ward Councilman. Currently Mr. Brown is President of Counsel. Ms. Hughes states that right then and there I walked outside and called Tito and told him what was going on and that she was having lunch with Sammarone and that she was having major issues with Mr. Kitchen and she needed it to stop and Sammarone wanted me to call and let you know.

Mr. Brown was very apologetic and asking if she was okay and stating that he was sorry. She does not know if he said it right then and there, he said the guy has a problem, Lyndsey, I'm sorry I'm not sure what he meant like Tito is DeMaine's brother in law they're married to sisters. She states after she told Mr. Brown, he said let me know what's going on, anything you need just let me know, I have your back. She said all right so she went back in and told Sammarone. Ms. Hughes states the Mr. Sammarone said we'll meet and talk about this. She said all right.

Ms. Hughes states right after this meeting, she went to the Law Department, Iris Gooklacello, she was the law director at the time and Anthony Farris was Assistant Law Director. She states she wasn't sure if she was going to file something or if she was going to see what Mr. Sammarone and Mr. Brown were going to do. So she didn't want to talk to Iris directly about this. Ms. Hughes states she went to Anthony Farris who was Assistant Law Director and asked him for a copy of the sexual harassment policy and he asked if she was okay, and what's going on, you look upset. Ms. Hughes states she just told him she was having some issues with one of Councilman. She states that he asked if she wanted to talk about what's happening. Ms. Hughes states she told Mr. Farris she thinks the situation is getting handled, she just wants to see the policy, and that she does not know what she is going to do. He just kept asking if everything was okay and she told him she was not sure. She is having some really major issues with

DeMaine Kitchen, so he gave her a copy of the harassment policy. Ms. Hughes states she went back to her office and called an attorney- Damien Billick.

Ms. Hughes states the following day, January 7, 2011, Mr. Sammarone called and said you know what you're doing today; we're going to sit down and talk about this. Ms. Hughes states it was around 2:00 p.m., or 2:30 p.m., she met in the Council Caucus room with Mr. Sammarone and Mr. Brown. Mr. Brown wanted to know what's going on. Ms. Hughes states she said DeMaine's been bothering me and can't take it anymore, I don't like coming into the office, every time I'm here and when the door opens, I'd get up and lock the door. Mr. Brown said okay calm down. Ms. Hughes states she showed Mr. Brown the text's that Mr. Kitchen's been texting and that it needs to stop.

Ms. Hughes states at that point Mr. Kitchen walked in the room with his two daughters and just stopped talking. Mr. Sammarone told Mr. Kitchen to come in sit down and asked why he brought his daughters. The girls went out in the other rooms with the two secretaries. Ms. Hughes states that Mr. Sammarone asked Mr. Kitchen what's your problem, this shit needs to end right now, stop calling her, stop hitting on her, whatever you're doing, this shit needs to fucking stop and Mr. Kitchen just shook his head and said okay. Mr. Sammarone said all right that's the end of this, stay away from her and that was it. At that point the meeting was over everyone just got up and left. Ms. Hughes states that Mr. Sammarone and Mr. Brown didn't do anything else other than that meeting and they didn't document anything.

Ms. Hughes states it was quiet for a little bit right after this meeting he barely ever came up to the office, at Council meetings she just avoided eye contact and avoided everything. Ms. Hughes states she thinks it was in June 2011, he was coming up to the office again more and more. He started slowly coming back up to her office, he would come in and be like I need you to talk too so and so. She can't remember the name of the woman but she had a community center on the east side which is where he is Second Ward Councilman. He would come in and talk about work stuff and that would be it. Ms. Hughes states normally when he came in the office she would still shut her door, but if he came back in my office she would like stand up and walk toward the door to leave and not be in there, but it slowly started happening again. Ms. Hughes states that between May and September is the busiest time of her job and she would just ignore him again. Ms. Hughes states she felt like she was going crazy going to work in the morning, so she started to talk to a counselor-Anthony Chiccone LPCC and still seeing the counselor.

Ms. Hughes states Mr. Kitchen had sent her some messages through Facebook, she thinks it was in 2010, the messages are hey, when are you going to make time for me, stuff like that. Mr. Kitchen's phone number is

Ms. Hughes states Counsel used to have a holiday parties, that she went to but not sure if Mr. Kitchen was there. Ms. Hughes states they never met outside of work but Mr. Kitchen

would ask her to go to lunch like let's go to lunch or why don't you meet me for lunch or meet me for coffee. Ms. Hughes states the only time she would really ever do anything with Counsel is after Council meetings everyone would go and get a drink somewhere but it wasn't most the time. Mr. Kitchen wasn't a part of that it was Mike Ray, he's one of the Council members and Paul Drennan, he's a really good friend of mine for the past five or six years and so him and his wife would come meet after Council.

Ms. Hughes states that when she would see Anthony Farris at City Hall and he would ask if everything was okay, even up until recently ask if everything was okay, or are you okay, you're doing a great job are you all right.

Ms. Hughes states during that time period, she was dating a guy, Eric Monroe and he saw the text messages in my phone, probably in October or November of 2010.

Ms. Hughes states she also talked to her old boss Lisa Antonini, and told her about the whole situation right before and after the meeting. Lisa Antonini was the County Treasurer.

Ms. Hughes states that maybe when Mr. Kitchen started with the compliments, she would just kind a laugh it off, maybe that would make him think that she was okay. When it turned to touching and the sex and comments like, I would make you feel so good. When it went there, Ms. Hughes states she told him to stop talking like that.

Ms. Hughes states just recently after the suspension and the Council received letters, she told Paul Drennan, the Fifth Ward Councilman, about a year and a half ago that I had some very serious issues with Mr. Kitchen and that he stopped and then started up again. Mr. Drennan said just like let him know if she needed anything. Ms. Hughes states after the letter there was Counsel meeting the following week and Mr. Drennan said that there is several other women in City Hall that are going through the same thing and one woman in particular had just confronted the Mayor about it and she was told to keep her mouth shut but Mr. Drennan wouldn't give the woman's name.

Ms. Hughes states that there was a woman who worked for Counsel between 2010 and 2012 that she heard Mr. Kitchen flirt with her, Luanne Knox was administrative secretary to the Council and she quit in 2012.

Ms. Hughes states she had a conversation with David Engler and he told her that Mr. Kitchen had a situation in his church recently were he had to apologize to his congregation because he was harassing the church's babysitter. I guess this was recent within the last four months.

Ms. Hughes states she was having issues with two of the female Council members Annie Gilman and Janet Tarpley. They were kind of from the time I started with the city they didn't really support me. They wanted someone else to have the position. They were really pushing for

this local radio station host Tracy Winbush and Mrs. Tarpley or Mrs. Gillam brought up her name and the other seconded it, Council voted and they voted it down. Ms. Hughes states after she just started with the job they were on the radio saying that a black girl should have gotten the job. Tracy Winbush should have gotten the job so it started off on an uncomfortable note.

Ms. Hughes states at the time they were really pushing me to give funding to the lucky penny family reunion, it was an event that is the only urban event for black people, this is in 2011 and the years prior to that, at the event it always ended in a fight, macing the whole crowd and gunfire. I said I don't want anything to do with this event. I'm not giving this guy money unless it's going to security.

Ms. Hughes states if we're trying to change downtown then we can't have gunfire going on. They were really pushing about it, they asked if she was racist they were really pushing toward we need to sit down and discuss the future of your position. They would always say that to me that all of Council can get together and discuss the future of your job. They would say that because they could vote me out at any time, if seven of them are sitting there and four of them say let's get rid of her they can do it just like that. John Swierz's he's a Seventh Ward Council member he was pushing for me to give more money to his organization he was President of First Night Youngstown and I was just kind of putting out these fires trying to keep the three of them under control because she had never had three against me.

Ms. Hughes states she always had Mrs. Trapley and Mrs. Gillam but when I get to three, I get nervous but at the same time Mr. Kitchen started coming back and he said I could be the fourth vote, ha ha ha, kind of jokingly. She states she took that as a threat and was really disgusted and told Mr. Kitchen again, just leave me alone. Ms. Hughes states after that she told Louis Free about the situation and I showed him the text message Mr. Kitchen sent her, about being the vote number four.

Ms. Hughes states at the beginning of 2012 things were kind of quiet, Mr. Kitchen was now Chief of Staff and he would still come up to the office to talk to Mrs. Marrow. Ms. Hughes states she continued with closing the door or left the office when Mr. Kitchen was up there. Mr. Kitchen made a couple of comments like hey you still looking good, don't got to be scared, stuff like that but really no text messages it was pretty quiet.

Ms. Hughes states that going into Spring and Summer of 2012 she was getting busier and busier at work and in June 2012, her sister was diagnosed with stage IV cancer, who lives in Arizona. Her brothers and sisters were driving to see her and got into a car accident and her brother died. So in June and August it was really kind of crazy for her and her family and I had gone home for a few days, and there were issues getting his body from Arizona to Cleveland. Ms. Hughes states she had to take vacation time because Mrs. Marrow told her bereavement didn't count because this was a half-brother. Ms. Hughes states she just said no pay or vacation, and don't care.

Ms. Hughes states at the beginning of 2013, things are still pretty quiet for the most part but at the beginning of Springtime Mr. Kitchen started hanging out all the time upstairs and she still avoiding him and would get disgusted even seeing him. Ms. Hughes states she would try to stay away but the comments continued with, you know you look good, when are you going to stop being so scared, no one would ever know, this is stuff he would say when he came into her office.

Ms. Hughes states it was pretty quiet leading up to jazz fest, when he would come up to the office like there were a couple conversations that happen in the open area when I was talking to Terry about the issues she was having of the promoter of the fest. Mr. Kitchen came up and I quit talking. Ms. Hughes states after Mr. Kitchen left she told Terry the problems that she was having with Mr. Kitchen

Ms. Hughes states during May and June 2013, Mr. Kitchen would talk to her about the Jazz Fest and a house that was next to Dominic Gatta's house because it was on the City's demo list to be torn down. Mr. Kitchen also sent her an email about the house on the demo list and she told Mr. Kitchen to talk to Dominic about it.

Ms. Hughes states at the beginning of July 2013, Mr. Kitchen had sent text messages to her, "what is your schedule like today, are you still upstairs, it's okay for you to respond, what all I have to do to make you see that it's cool, I don't want to offend you like I did last time", I've been attracted to you since we've met, stuff like that I'm geeked, you can respond. Ms. Hughes states she responded one time and said everything seemed fine until a couple weeks ago, meaning everything was fine and quiet it seemed like he had stopped, until a few weeks ago. Ms. Hughes states Mr. Kitchen responded with yeah I know but I'm just geeked, I've been attracted to you since we first met.

Ms. Hughes states she believes this is July 2, 2013, at the end of the day, I had stayed later than normal, I was at the office until about five, and it was a little bit after four Mr. Kitchen came upstairs and I was on the computer. Mr. Kitchen sat on the couch and he's said, it's all right for you to talk to me, I just said I don't want to talk, I don't want you to start saying shit to me, everything's been quiet, I have this thing with the jazz fest it's driving me crazy, you'll be fine with that don't worry about it, lets get back to me and you. You know what you're missing out on and he was kind of like touching himself again with the pant thing it is like DeMaine just stop really, you just really need to leave me the hell alone.

At that time it was probably a little bit after 4 o'clock, Dominic Gatta called me because we were going to meet, he was like what are you doing. I'm at the office, and he asked what's wrong. I don't know if I sounded weird or what and I told him that DeMaine is here, he's like do you want me to come there right now. I told him no. I'm packing up my stuff and leaving right now and DeMaine is still sitting on my couch and asked who is that your boyfriend. I said yes it

is and he's like he doesn't need to know, he doesn't need to know, and he is still like trying to show me that he's erect. I have Dominic on the phone saying he's going to come to City Hall and kill him and I have DeMaine sitting on the couch saying he doesn't need to know this and that at the same time I'm just packing up my stuff going to leave. I'm on the phone with Dominic the whole time and he's asking are you okay. She states that I'm fine, I'll be walking out in five minutes, and I'm clocking out and leaving.

Ms. Hughes states Mr. Kitchen is walking behind me the whole time and when they get to the elevator, Mr. Kitchen gets on the elevator with me. Dominic is on the phone with me the whole time and DeMaine is telling me, no one needs to know, and I'm asking Dominic how his day was I didn't want to get him worked up because I didn't want to have a scene or anything. I was trying to have a conversation with Dominic. The call dropped right when we got to the first floor of City Hall and Mr. Kitchen says he doesn't need to know anything, no one would ever need to know anything, I don't know what you're so scared about. I'm calling Dominic back at this time and I told DeMaine to leave me the fuck alone, this is it. I don't know how many times I need to tell you, this is it. Dominic answers the phone and asked are you alright, as I walked out of City Hall. I don't know if Mr. Kitchen walked out the other door or if he walked back to his office. I walked out of City Hall and walked up Phelps St., and met Dominic.

Interview concluded.

On Tuesday, October 15, 2013 at approximately 9:00 a.m., Investigator R. Tackett and I interviewed Charles Sammarone in reference a sexual harassment complaint Lyndsey Hughes made against DeMaine Kitchen. Charles Sammarone is currently the Mayor for the City of Youngstown. The interview took place in the Mayor's Conference Room, on the 1st floor of City Hall, located at 26 S. Phelps Street, Youngstown, Ohio 44503. Charles Sammarone's Attorney Marando was also present during the interview. Charles Sammarone provided the following information:

Mr. Sammarone is currently the Mayor of Youngstown and during the time when Ms. Hughes alleged sexual harassment claims, he was President of City Council. Mr. Sammarone states that the first time he heard about the allegations, he was at the Council Chambers. He states that Ms. Hughes came to him with her allegations regarding Mr. Kitchen and that he advised her to file a proper complaint and go to the Law Department. He states that she told him she did not want to file an official complaint and asked him to set up a meeting with her and Mr. Kitchen to discuss the issues and come up with a resolution. Mr. Sammarone agreed to do so. When asked if Mr. Sammarone stated to Ms. Hughes the comment "what do you expect, you're a pretty girl", Mr. Sammarone states that he does not remember saying that but that he probably did. He states that through his time in the school system, he has counseled many young girls and tells them that if someone says something that they don't like, they should stop it right there. He states he probably said something similar to Ms. Hughes because they used to talk a lot and she came to him with work problems and such.

Mr. Sammarone states he asked Mr. Brown to attend the meeting because he is a leader at City Council and Chairman of the Finance Committee, and he wanted someone else to witness the meeting. He states that during the meeting Ms. Hughes stated her complaints against Mr. Kitchen and that she just wanted it all to stop. Mr. Sammarone states that Mr. Kitchen had said that Ms. Hughes had said the same kind of things back to him also. Mr. Sammarone states that it is a "he said, she said" kind of situation and that he told them that it all just needed to stop. He states that Ms. Hughes did not say anything about any text messages. He is not their boss and cannot order anything for anybody but they needed to not have any communication and if it was necessary that it should be done through a third party and that complaints should be taken up with the Law Director. He states that Mr. Kitchen agreed and the meeting was over. Mr. Sammarone states that there is no written documentation regarding the meeting because it was not an official complaint.

Mr. Sammarone states that he and Ms. Hughes have a good working relationship and that she has never sent him an e-mail or text regarding the situation with Mr. Kitchen.

Mr. Sammarone states that Mr. Kitchen has never made a sexual comment about Ms. Hughes or any other female in his presence.

Mr. Sammarone states that there have never been any other complaints against Mr. Kitchen that he knew of and no disciplinary action has ever been taken against Mr. Kitchen.

Regarding Ms. Hughes suspension in July, 2013, Mr. Sammarone states that he is not involved with any direct disciplinary action and he does not sit in on regular Council meetings. He states that the complaint against financial issues with Ms. Hughes resulted in him contacting the

Police Department for an official investigation. The investigation concluded that there were no ethical or criminal violations. City Council suspended her for procedure violations, which is a separate issue.

Mr. Sammarone brought in Mr. Kitchen as his Chief of Staff after he became Mayor.

Interview concluded.

On Tuesday, October 15, 2013 at approximately 10:20 a.m., Investigator R. Tackett and I interviewed Valencia Marrow reference a sexual harassment complaint Lyndsey Hughes made against DeMaine Kitchen. Valencia Marrow is Youngstown's City Clerk. The interview took place on the 6th floor of City Hall located at 26 S. Phelps Street, Youngstown, Ohio 44503. Valencia Marrow provided the following information:

Mrs. Marrow states that she is not Ms. Hughes's supervisor, Ms. Hughes's office is just located in the space of the City Clerk's Office. Ms. Hughes is appointed by the members Youngstown City Council. Ms. Hughes does not have to do anything related to the Office of City Clerk. Ms. Hughes's office tasks do not relate to the City Clerk's Office and the City Clerk's Office task is not related to what Ms. Hughes does.

The only thing that Mrs. Marrow does on behalf of Council is oversee Ms. Hughes's time records because she does payroll for this particular department. Ms. Hughes budget is under City Council's budget; Mrs. Marrow takes Ms. Hughes's timesheet and does her payroll.

Mrs. Marrow does not oversee Ms. Hughes's job duties or Ms. Hughes's day to day tasks. Mrs. Marrow does not reprimand Ms. Hughes. She only supervises the persons that are Deputy Clerks to her.

The only thing Mrs. Marrow does with Ms. Hughes's budget is put her budget into the City Council's budget. She states that Ms. Hughes does a yearly budget and City Council approves it. Ms. Hughes spends it as necessary.

Mrs. Marrow states that she has not heard of any problems with Mr. Kitchen and Ms. Hughes. Mrs. Marrow and Ms. Hughes worked together in the same office for the past six years. Ms. Hughes has never come to Mrs. Marrow with any type of complaints. Mrs. Marrow has never seen anything odd, when Mr. Kitchen was up there as a Councilman or when Mr. Kitchen came up there for job related activities as the Mayor's Chief of Staff.

Mrs. Marrow says Mr. Kitchen does not go to Ms. Hughes's office frequently. Ms. Hughes's office is in the back and from where Mrs. Marrow's office is located, if her door is open she can pretty much see the people coming and going in her office. Mrs. Marrow would absolutely say Mr. Kitchen does not frequently go to Ms. Hughes's office.

Mrs. Marrow's said she has received complaints from the downtown business owners as it relates to Ms. Hughes's job. Mrs. Marrow states that she docked Ms. Hughes's pay for one day and Ms. Hughes complained that it was unfair. Mrs. Marrow said City Council had a meeting with her and Ms. Hughes, and during that time Ms. Hughes admitted she was not working that day. Mrs. Marrow had no other information relating to this investigation.

Interview concluded.

On Tuesday, October 15, 2013, at approximately 11:15 a.m., Investigator R. Tackett and I interviewed Mrs. Kane reference a complaint she took from Mrs. Schaefer about DeMaine Kitchen making inappropriate comments to her. Mrs. Kane is the supervisor in Human Resource Department. The Interview took place on the 5th floor of the City Hall building located at 26 S. Phelps Street, Youngstown, Ohio 44503. Mrs. Kane provided the following information:

Mrs. Kane stated on December 4, 2012 at 2:30 p.m., she was on break outside in the smoking area where she was approached by Mrs. Schaefer. Mrs. Schaefer told her that she needed to make an appointment to see you. Mrs. Kane asked who told her to make the appointment. Mrs. Schaefer stated her husband and John Rossetti the Union President at the time. Mrs. Kane asked what it was about. Mrs. Schaefer stated it was about Mr. Kitchen. Mrs. Kane asked what about Mr. Kitchen.

Mrs. Kane stated Mrs. Schaefer and her talked outside since nobody was around. Mrs. Kane stated Mrs. Schaefer told her exactly what she typed up and gave to Anthony Farris who was the Law Director at that time. Mrs. Kane stated she told Mrs. Schaefer that it was a problem and she was going to her office and put it in writing and give it to the Law Director. Mrs. Schaefer said okay. That was the end of discussion which Schaefer.

Mrs. Kane said she went to her office and typed up the complaint right away, then went to Mr. Farris's office and handed him the complaint. She stated she told Mr. Farris that something needed to be done. Mr. Farris took the complaint and started reading it. Mrs. Kane stated that she left his office.

Mrs. Kane said she did not hear anything else about the complaint. She said after the complaint from Ms. Hughes came out she saw Mrs. Schaefer and asked her what happened with the complaint. Mrs. Schaefer told her that nothing happened with it. Mrs. Kane stated nothing. Mrs. Schaefer stated she talked to Mr. Farris and that was it. Mrs. Kane stated really. Mrs. Schaefer told her nothing happened with it.

She stated that Mrs. Schaefer never told her that she never wanted to pursue it or drop it. Mrs. Kane said Mr. Farris called her on Friday morning October 11, 2013 and stated you know that note you had in Mrs. Schaefer's file. Mrs. Kane stated yes. Mr. Farris stated you remember when you gave it to me I asked you to schedule a meeting with Mrs. Schaefer. Mrs. Kane stated she did not remember Mr. Farris telling her that. Mr. Farris stated I did, I asked you to schedule a meeting. Mrs. Kane stated you didn't. Mr. Farris stated I asked you to schedule a meeting and she canceled and never pursued it. Mrs. Kane said she did not remember Mrs. Farris asking her to schedule a meeting with Mrs. Schaefer or calling Mrs. Schaefer to schedule a meeting with her. Mrs. Kane said if she would've called Mrs. Schaefer for a meeting she would have documented it. Mrs. Kane stated there should be documentation in Mrs. Schaeffer's file of the outcome.

Interview concluded.

On Wednesday, October 16, 2013 at approximately 9:00 a.m., Investigator R. Tackett and I interviewed Jean Schaefer reference a sexual harassment complaint that Jean Schaefer made against DeMaine Kitchen. Jean Schaefer is the Rehab Assistant for the Housing & Demolition Department. The interview took place on the 5th floor of City Hall, located at 26 S. Phelps Street, Youngstown, Ohio 44503. Karen Humphries, Vice President of AFSCME local 2312 was also present during the interview. Jean Schaefer provided the following information:

Mrs. Schaefer states that she feels she is being forced in to this sexual harassment suit by the news media. She states that Mr. Kitchen is a good boss and she had encountered an incident with Mr. Kitchen in November of 2012, to which she filed a complaint with Marti Kane, the Human Resources Supervisor. She states that while doing house inspections with Mr. Kitchen in his vehicle, he made inappropriate comments and touched her arm. She states that she told him, he had crossed the line and that the comments were inappropriate. She also stated that "she would tell her husband about this and he will kill you", and Mr. Kitchen's remark was "I can run faster than your husband." She states that Mr. Kitchen knows her husband is disabled and she told him that remark was totally inappropriate. Mrs. Schaefer states that after this incident, she stayed away from Mr. Kitchen and told her husband, as well as, John Rossetti, the Union President. She states that she talked to Marti Kane in Human Resources and she talked to the Law Department. Anthony Farris, the Law Director, had a discussion with Mrs. Schaefer regarding the incident and asked her what she wanted to do. Mrs. Schaefer stated that she "had to work with this man and didn't want to cause problems because this was her career." Mrs. Schaefer has been with the City of Youngstown for 17 years. Mrs. Schaefer states that Mr. Kitchen's demeanor was more professional after the incident.

Mrs. Schaefer states that she was written up in January 2013, when Councilwoman Annie Gilliam complained that she was disrespected by her over the phone. Mrs. Schaefer states that she did grieve that write-up and it was removed from her file.

Mrs. Schaefer stated about 2 months ago Mr. Kitchen wrote her up for something totally ridiculous and told her that he had to write her up because he was told too. Mrs. Schaefer stated the Mr. Kitchen called her about a house, so she got on a computer that everyone puts everything on and looked up the house. After she gave Mr. Kitchen the information, she found a mistake and told Mr. Kitchen. Mr. Kitchen told her it was too late, that he had already given the information to the Vindicator News Paper. Mr. Kitchen told her not to worry, that the write-up wasn't going to go anywhere except between him and her and then the next day it was on the Vindicator front page. Mrs. Schaefer stated she had never been written up until after she made the allegation and since then she has been written up twice in one year.

Mrs. Humphries stated that all write-ups and their findings are supposed to be in the personnel file. Any kind of write-up was supposed to also go to the president of the union. If anything is removed from the file it is documented. It's not actually taken out of the file, but it is noted and you can't use it against somebody after the time period. Since the write-ups and her allegations, she has been noticeably afraid. Prior to the inappropriate action, she was happy-go-lucky.

Mrs. Humphries is unaware of any other victims besides Ms. Hughes. In other administrations, if there was a write-up it would go to Human Resources, but every department is different because there are different department heads and none of them follow the contract. Mr. Farris has been law director since Mayor Sammarone came into office, which was in 2011. When a sexual harassment case came up before this administration, they would warn the complainant that if they pursue the sexual harassment charge, their names would be put out in the media. This would cause the women to break down in tears and it would victimize them again. They were then given the option of handling it internally and talking to the person who was accused of sexual harassment, then nothing would be placed in the news media. But they would always handle every complaint. Mrs. Humphries stated she has witnessed Mr. Kitchen being very flirtatious to all the women.

Interview concluded.

On Wednesday, October 16, 2013 at approximately 11:35 a.m., Investigator R. Tackett and I interviewed Jamael Tito Brown reference a sexual harassment complaint Lyndsey Hughes made against DeMaine Kitchen. Jamael Tito Brown is currently President of Youngstown City Council. The interview took place on the 5th floor of City Hall located at 26 S. Phelps Street, Youngstown, Ohio 44503. Jamal Tito Brown provided the following information:

Mr. Brown is currently President of City Council. He first heard of allegations regarding Lyndsey Hughes in 2011. Mr. Brown states that Mayor Sammarone set up a meeting with Ms. Hughes and Mr. Kitchen and wanted him in on it as a witness. He states that Mr. Sammarone, Ms. Hughes, and he were first in the meeting and the three of them discussed Ms. Hughes allegations. Ms. Hughes told them that Mr. Kitchen tried to get her to come to his house. Ms. Hughes gave some detailed information about Mr. Kitchen's wife being out of the country and kids being at school, and no one would have to know. He asked Ms. Hughes what she wanted out of the meeting. Mrs. Hughes told them she didn't want to have any issue with her job and how she just wanted Mr. Kitchen to stop. Mr. Brown told Ms. Hughes that type of behavior was unacceptable and they did not condone that behavior and she could follow up legally. Mrs. Hughes didn't want to go that route at that time.

Mr. Brown said that when Mr. Kitchen arrived, Mr. Sammarone told Mr. Kitchen to stop everything he is doing and that he didn't care who was doing what or what was going on, but that it all just needed to stop. Mr. Brown states that Mr. Kitchen was not argumentative and the meeting was over after that. He also states that after the meeting, Mr. Kitchen told him that it was not all one-sided and that Ms. Hughes had said things to him too. He told Mr. Kitchen that he didn't care and whatever it was, it needed to stop. Mr. Brown did not discuss anything with Ms. Hughes after this meeting.

Mr. Brown states that he heard about the other allegations of sexual harassment regarding Lyndsey Hughes from an attorney that came to his office a couple of months ago. The attorney discussed the suspension of Ms. Hughes regarding the Jazz Fest from July 2013. Mr. Brown states that he does not vote on suspensions and that the decision was made by City Council regarding Ms. Hughes performance of the Jazz Fest. He also states that the attorney told him that Ms. Hughes felt she was being targeted because of the second allegations regarding sexual harassment and that they had text messages to prove it. Mr. Brown states he advised the attorney to contact the Law Department. He also states that to his knowledge, Ms. Hughes was suspended based on complaints from business owners regarding the Jazz Fest and money issues that also arose from the Jazz Fest. He states her performance was poor at best and that City Council voted on the suspension and that nothing about her allegations was discussed at meetings. He states that a letter of suspension was issued and signed by all of Council and to see Mr. Farris regarding the details.

Mr. Brown states that he has not heard of any other allegations regarding Mr. Kitchen at City Hall, however he had heard of allegations regarding Mr. Kitchen from about 11 years ago at the Rising Star Church. Mr. Brown states that Mr. Kitchen had lost his job as a youth Pastor at the church amidst allegations of a relationship with a young woman. At the time the relationship

had come out, the young woman was 18 years old and he heard that it happened while Mr. Kitchen's wife was out of the country. Mr. Kitchen had to apologize to the church for his indiscretions. Mr. Brown states that when he heard the allegations by Ms. Hughes that Mr. Kitchen had invited her to his house and that his wife was out of the country at the time, it set off an alert of the previous incident while she was out of the country.

Mr. Brown states he has no knowledge of any allegations of sexual harassment regarding Jean Schaefer. He states that he never heard anything until the media stated Mrs. Schaefer's grievances. Mr. Brown states that he has never discussed anything regarding Mrs. Schaefer with DeMaine Kitchen.

Mr. Brown's wife is the sister of Mr. Kitchen's wife's mother. Mr. Brown states that he and Mr. Kitchen have little communication.

Interview concluded.

On Tuesday, October 22, 2013 at approximately 9:00 a.m., Investigator R. Tackett and I interviewed John Rossetti reference a sexual harassment complaint Jean Schaefer made against DeMaine Kitchen. John Rossetti is currently the Union President of AFSCME local 2312. The interview took place 5th floor of City Hall, located at 26 S. Phelps Street, Youngstown, Ohio 44503. John Rossetti provided the following information:

John Rossetti is the current Union President of AFSCME local 2312. He became Union President in September 2012. Lyndsey Hughes is not in a union position with the City of Youngstown. Mr. Rossetti states that he had heard about the Lyndsey Hughes complaint a couple of years ago. He states that Lyndsey told him about her issues with DeMaine Kitchen and how he inappropriately talked to her. Mr. Rossetti states that he thought the issue had been taken care of internally. He does not have any other information regarding Lyndsey Hughes.

Regarding Jean Schaefer, Mr. Rossetti states that she came to him with some concerns over inappropriate comments that DeMaine Kitchen had made to her. He advised her to file something with Marti Kane, Human Resources Supervisor. Mr. Rossetti states that the complaint Mrs. Schaefer made sticks out in his mind because "Jeannie is such a confident person and for her to be afraid to report sexual harassment surprised him." Mr. Rossetti stated at the time of the allegation DeMaine Kitchen was her boss. Mr. Rossetti believes that the sexual harassment was an ongoing thing and she had finally had enough. Mr. Rossetti stated he thinks Jean Schaefer told him that Mr. Kitchen said to her was you're looking fine and that the outfit she was wearing was super-hot, but he can't remember the exact words and the exact facts surrounding the incident. He believes it was only verbal. Mr. Rossetti stated normally something is put in the file as to whether it's founded or unfounded because any kind of harassment is not only a federal law, but it's also in the contract.

Mr. Rossetti states that if someone comes to him with a complaint, he would go to the Law Director, or have the person filing the complaint go to the Law Director if they felt comfortable doing so.

Mr. Rossetti went to attorney Farris's office January or February 2013 for that particular incident. He didn't mention any names, but they ask him what the grievance procedure was and what it would entail. Attorney Farris was very straightforward. There is a process that needed to be followed if there was something that had happened, then they needed to give it to him so that an investigation could be started because it was a serious charge.

Mr. Rossetti saw a write-up given to Mrs. Schaefer by DeMaine Kitchen where he was given the wrong address and he was humiliated by that mistake. He doesn't know if it went into her personnel file or not. They didn't grieve it because Mrs. Schaefer stated that Mr. Kitchen told her that he had to write her up and not to worry about it because it wasn't going to go into her file. Mr. Rossetti asked Mrs. Schaefer, what she wanted to do with that write-up and Mrs. Schaefer told him that it was no big deal and she didn't want to file a grievance on it.

Interview concluded.

On Tuesday, October 22, 2013 at approximately 1:00 p.m., I interviewed Richard Barga reference a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. Richard Barga is a friend of Lyndsey Hughes who she talked to about the text messages she received from Demaine Kitchen. The interview was a phone interview due to Richard Barga living in New York City. Richard Barga provided the following information.

Mr. Barga stated he was a friend of Ms. Hughes. Mr. Barga stated he remembered having a conversation with Ms. Hughes back in 2011 about Mr. Kitchen harassing her and making unwanted and gross comments and gestures to her. Mr. Barga stated he did not remember what Ms. Hughes's text messages were and he did not see any of the text messages. Mr. Barga stated he told Ms. Hughes she needed to hire an attorney because it was sexual harassment. Mr. Barga had no other information relating to this investigation.

Interview concluded.

On Tuesday, October 22, 2013 at approximately 4:00 p.m., I interviewed Eric Monroe reference a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. Eric Monroe was dating Lyndsey Hughes at the time she received text messages from Demaine Kitchen. The interview was a phone interview due to Eric Monroe was out of town working. Eric Monroe provided the following information:

Mr. Monroe stated he was dating Ms. Hughes when she received text messages from Mr. Kitchen. Mr. Monroe stated he remembered that Ms. Hughes received unwanted text messages from Mr. Kitchen in the latter part of 2010. He stated he did not remember what the text messages where and he did not see any text messages sent to Ms. Hughes by Mr. Kitchen. Mr. Monroe stated he had met Mr. Kitchen at City functions but did not say anything to him about the unwanted text messages because he did not want to jeopardize Ms. Hughes's job. Mr. Monroe had no other information relating to this investigation.

Interview concluded.

On Monday, October 28, 2013 at approximately 1:00 p.m., Investigator R. Tackett and I meet with Anthony Farris in reference the sexual harassment complaint Lyndsey Hughes made against DeMaine Kitchen. Anthony Farris is currently the Law Director for the City of Youngstown. The Meeting took place in his office, on the 4th floor of City Hall, located at 26 S. Phelps Street, Youngstown, Ohio 44503. Anthony Farris provided the following information:

Mr. Farris is currently the Law Director for the City of Youngstown and during the time when Ms. Hughes alleged sexual harassment claims, he was the Deputy Law Director for the City of Youngstown. Mr. Farris states that the first time he heard about the allegations, Lyndsey Hughes came to him and asked for a copy of the sexual harassment policy. He states that he asked Ms. Hughes if she had a problem. He stated that Ms. Hughes told him that she did not want to file a complaint. Mr. Farris states he told Ms. Hughes that if she had a problem with anyone that she needed to file a proper complaint with the Law Department. He states he provided Ms. Hughes with a copy of the sexual harassment policy. Mr. Farris states after that when he saw Ms. Hughes, he would ask her if everything was alright. She told him everything was fine.

Mr. Farris states that he was in the Executive Session as the City Law Director to listen to the discussion of Miss Hughes's job performance. During the executive session, it was decided that Miss Hughes receives a 5 day suspension due to her performance and lack of communication with the Council members. He states that Miss Hughes is an "At Will" employee for the City and is open for termination at any time and without recourse. He also states that at no time was there any talk of sexual harassment and that no one knows anything about the sexual harassment until after the Executive Session when they received a letter from Ms. Hughes's Attorney. Mr. Farris states that Mr. Kitchen was not present at the executive session and nothing of the complaint was ever mentioned.

Mr. Farris states that he received the complaint that Marti Kane, who is the supervisor in the Human Resource Department, took from Jean Schaefer about DeMaine Kitchen making inappropriate comments to her. Jean Schaefer is the Rehab Assistant for the Housing & Demolition Department and Mr. Kitchen was her supervisor. He states that he talked to Jean Schaefer about the complaint. He states the Mrs. Schaefer told him that she did not want to do anything with the complaint. Mr. Farris states that there is no written documentation regarding the complaint because Mrs. Schaefer did not want to follow through with the complaint.

Interview concluded

On Monday October 28th, 2013, at approximately 2:15 p.m., Investigator S. Sample and I interviewed Mr. Paul Drennan in reference a sexual Harassment complaint Lyndsey Hughes made against DeMaine Kitchen. Paul Drennan was and is currently the 5th Ward Councilman for the City of Youngstown, Ohio. The interview took place in the office supplied by the City, located on the 5th floor of City Hall, 26 S.Phelps Street, Youngstown, Ohio 44503. Mr. Drennan provided the following information.

Mr. Paul Drennan states that he was unaware of any actual details of the incident and was not shown any text messages by Lyndsey Hughes. He states Lyndsey Hughes did tell him, a couple of years ago that she was having a meeting with President of Council Chuck Sammarone in reference to inappropriate behavior of a council member. He states that she did not at the time, mention the name of the council member. Mr. Drennan states that his involvement was asking her if she was alright and if she needed anything, to let him know.

Mr. Drennan states that the City Council had received numerous complaints against Miss Hughes in reference the Jazz Fest for Downtown Youngstown. Miss Hughes is the coordinator of these events, which are meant to draw people downtown. The complaints were received from the merchants and vendors who set up and operate concessions for the event. He states that after receiving the complaints that the Council went into the Executive Session to discuss the complaints and Miss Hughes performance. During the executive session, vendors and council were allowed to speak and after a heated discussion it was decided that Miss Hughes receive a 5 day suspension due to her performance and lack of communication with the council members. He states that a suggestion of a write-up was declined due to her prior write-ups and verbal warnings. Mr. Drennan states that Miss Hughes is an "At Will" employee for the city and is open for termination at anytime and without recourse. He also states that at no time was there any talk of termination by the Council.

Mr. Drennan states that during the executive session, there was no mention of the sexual harassment claim against Mr. Kitchen. He states at the time of the session that he did not know of the complaint and was unaware of any other council member's knowledge of it. He states that Mr. Kitchen was not present at the executive session and nothing of the complaint was ever mentioned.

Mr. Drennan states that he had no knowledge of any other complaints of this type against Mr. Kitchen until a few weeks ago when another complaint came out and was in the local paper. He states that the complaint was brought by a female that is currently working for Mr. Kitchen. He states that it was also on the news and her name was released.

Interview concluded.

On Monday, October 28, 2013, I spoke to Lisa Antonini's Attorney George Keith. Attorney George Keith stated that his client Lisa Antonini was not going to speak with me. Attorney George Keith stated that his client Lisa Antonini had no information relating to the sexual harassment allegation that Lyndsey Hughes made against DeMaine Kitchen.

On Friday, November 1, 2013 at approximately 1:00 p.m., Investigator S. Sample and I interviewed Louis A. Wolk in reference to a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. Louis Wolk is currently a radio personality at a local radio station in Youngstown, Ohio. The interview took place in the office supplied by the city, on the 5th. floor of City Hall, located at 26 S. Phelps Street, Youngstown, Ohio 44503. Louis Wolk provided the following information.

Mr. Wolk states that he met Lyndsey Hughes in 2008 while performing as an on air radio host, known as Louis B. Free. At the time his radio show was broadcasted from a street level studio with a window located directly on the sidewalk in downtown Youngstown. He states that Lyndsey would occasionally walk by the window and that he would wave her in to talk about and promote the events that she planned to draw people into Youngstown. He states that during the interviews and talks that they had, that he came to know her very well and became friends.

Mr. Wolk states that in 2010, he was not sure of exact timeframe, but that she did talk to him about the situation between Lyndsey and DeMaine Kitchen. He states that while they were talking on one occasion, Lyndsey received a text while he was with her and was instantly stricken. He states that she was visibly shaken and that he asked her, what was going on. At that point he states that she started to tell him about the comments and text. He states that he can not remember whether he actually read the text but knows that she read it to him. He states that he had never seen Lyndsey like that, states "she was really shaken, she was really rocked".

Mr. Wolk states that he advised her to go to the City Council, The City or an attorney that she had to do something about it. He states that she was so rocked that he actually escorted her to her office in case she might run into Demaine Kitchen. They did encounter him in the building, but nothing was said by either of them.

Mr. Wolk states that she told him that she did go to Chuck Sammarone and that he had a meeting with Lyndsey, Demaine Kitchen and Jamael Tito Brown. He states that she said that Mr. Sammarone had told them that this has to stop and it stops here. He states that it apparently stopped and that they did have conversations about it a few times.

Mr. Wolk states that he no longer sees her as much, but that they do talk frequently and she told him earlier this year that it was starting up again. He also states that he knows that she did get legal representation, this time.

Interview concluded.

On Friday November 1st. 2013, at approximately 5:00P.M., I interviewed Mr. Ronald Gerberry by phone. The interview was in reference to a possible sexual harassment complaint that Lyndsey Hughes may have made against Tom Letson, a State Representative for the 64th District in Ohio.

Mr. Ronald Gerberry is a State Representative for the 59th. District in Ohio. Mr. Gerberry states that he met Lyndsey Hughes in approximately May of 2007, when she served as his Legislative Aide until approximately October of 2007. He states that she was an excellent worker and never had any problems at all with her or her work.

Mr. Gerberry states that he knows and is friends with Mr. Tom Letson and has known him for about 8 to 9 years. He states that he has never known or heard of any complaint against Mr. Letson by Lyndsey Hughes or any other employee. He states that Lyndsey has never shown any hint of having a problem with Mr. Letson.

Interview concluded

On Monday, November 4, 2013 at approximately 9:35 a.m., I interviewed LuAnne Knox reference a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. LuAnne Knox was employed as a First Deputy Clerk of Council. The interview took place at 5550 Interstate Blvd, Austintown, Ohio 44515. LuAnne Knox provided the following information:

Mrs. Knox stated she worked as the First Deputy Clerk of Council from the January 2011 thru June 2012. Mrs. Knox stated she has known Mr. Kitchen for about 5 years and knows his family. Mrs. Knox stated she met Ms. Hughes when she started working for the City of Youngstown. Mrs. Knox stated she worked in the same area of Ms. Hughes. Mrs. Knox stated she has not heard of any problems with Mr. Kitchen and Ms. Hughes. Mrs. Knox stated she was surprised when she heard about the complaint. Mrs. Knox had no other information relating to this investigation.

Interview concluded.

On Wednesday, November 13, 2013 at approximately 10:30 a.m., Investigator Sample and I interviewed DeMaine Kitchen in reference to a sexual harassment complaint made by Lyndsey Hughes against him. DeMaine Kitchen is currently Director of Staff for the City of Youngstown, Ohio. In 2010 he was a member of the City Council for the City of Youngstown, Ohio. The interview took place in the Mayor's conference room on the first floor of City Hall, located at 26 S. Phelps Street, Youngstown, Ohio 44503. DeMaine Kitchen provided the following information.

DeMaine Kitchen states that at a meeting conducted by then Council President Charles Sammarone and also attended by Councilman Jamael Tito Brown, Lyndsey Hughes and himself, it was brought to his attention that Lyndsey Hughes had alleged that he had sexually harassed her. He states that it was a statement that was misinterpreted by Lyndsey Hughes. He states that Lyndsey Hughes said that he would not vote for her if she didn't have sex with him. He states that the conversation was taken out of context and that he was giving her a "heads up" that Council did not have the votes to get rid of her, but she had better straighten up and get her act together. DeMaine Kitchen states that he has no idea how she could have misunderstood the comment. DeMaine states that at the meeting that they were told that this due to the misunderstanding, Samarone told them to just deal with each other for work relations only. He states that about a month or so later that he was on the sixth floor and that he did ask Lyndsey how she misunderstood his comments and that she apologized and gave him a hug and that they were cool.

DeMaine Kitchen states that over the last two years that they did communicate, some personal and some work related, but there was never a hostile work environment and that he is no longer her supervisor. He states that during this past summer that there were some complaints from a local vender about the Italian fest and that the Mayor asked him to look into the matter. He states that he attended a meeting with the complainant, one of her staff, Chairman of the Board and Lyndsey Hughes, to protect the City, let the businesses know that the Mayor is concerned and to try to find a solution. He states that the Complainants were pretty rough on Lyndsey Hughes and that she felt that they were possibly ganging up on her. He states that he tried to diffuse the situation and he brought over John Rosetti to maybe change the contracts or reword them to handle the situation for next year. He states that about a week later he received information that a letter came from Lyndsey Hughes' Attorney-David Engler because the Council had suspended her, and that the letter basically stated that to correct this situation or else. He interpreted the letter as in, if you drop the suspension, no harm no foul. He also states that in the letter, there was a vague mention that she was sexually harassed. He states that at that time that he did not know that he was the one accused of the harassment.

DeMaine Kitchen states that while he was on Council that Lyndsey Hughes had received some reprimands and warnings from Annie Gillam, who was sort of placed over Lyndsey due to being the 1st. Ward Councilwoman, which is the downtown Ward. He states that Lyndsey came in and got the job when other Council members wanted someone else, but even then it was not a hostile work environment. He states that he does not think that she had any written write-ups, just verbal and mainly just to say get your act together, but nothing placed in her file and nothing major.

DeMaine Kitchen states that he and Lyndsey texted each other because that was their preferred method of communication. He states that they did use the phone and some emails once in a while but mainly texted. He states that he normally texted from his personal cell phone, number . He states that he has hung out with her at V-2's Bar and Grille after Council meetings with other members, but never alone with her. DeMaine states that he has never invited Lyndsey Hughes to his house. He states that he never communicated with Lyndsey on Facebook. States his Facebook account was deactivated. DeMaine states that it was possible but he doubted if he had communicated with Lyndsey on Facebook while he was in Council and he was not a big user of Facebook.

DeMaine Kitchen states that he had told others that his and Lyndsey's conversations were two sided. He states that he and Lyndsey were in a relationship where he knows that both said things that were inappropriate or at least playfully inappropriate. He states comments " Oh, those Jeans look nice on you" or she would say " you look sexy in that suit", flirtatious stuff. He states that the comments were inappropriate but not to the point that they were threatening or serious. He states for lack of better words more like "locker room talk". DeMaine states that Lyndsey never told him to stop it and that it did not raise to the level where she needed to say stop it. He states that he never told her to stop it either. DeMaine states that the locker room talk has gone on since 2009 and stopped sometime this year, 2013.

DeMaine Kitchen states that he never made the comment to Lyndsey Hughes that "I could be the fourth vote".

DeMaine Kitchen states that if he asked Lyndsey Hughes to come over to his house while his wife was out of the country, that it was not serious, but it is possible. He states that his wife was out of the country in 2010. DeMaine states that he probably did email Lyndsey Hughes "Happy Birthday" if he knew it was her birthday but does not recall emailing "Hope you had a great bday. I really was hoping for an interpretive dance, LOL Ttyl!". He stated possibly but can not think of in what possible context.

DeMaine Kitchen states that he does remember sending texts, "Are you still upstairs?", "Just hoping to convince you that it is cool", "It's Ok to respond" and " I get that it's cool, just don't want you to treat me like a stalker or something, but it is yours if you ever want it though" and " you're my girl, I have been attracted to you". He states that the text messages are extensions of verbal, back and forth conversations. DeMaine states that he does not have any text messages from Lyndsey Hughes on his phone. DeMaine states that he will attempt to get a detailed billing for his personal cell phone, for June through August of this year.

DeMaine Kitchen states that in approximately 2001, that he did have an affair with a female staff member from his church. DeMaine states that his wife was out of the country at the time of the affair. He states that he publically addressed the congregation and apologized to his church and his wife. He states that he and his wife have been able

to put the incident behind them and move on. He also states that this was an affair, not sexual harassment.

DeMaine states that Mayor Sammarone placed in charge of Demolition and Jean Schaeffer did not like him being in charge. He states that Jean was under investigation and that he has had to reprimand her a few times. DeMaine also states that he has had to write her up. He states that he has never had any inappropriate conversations with her and she has never had cause to even ask him to stop. DeMaine states that he might have made a comment about being able to outrun Jean's husband, but only in a joking manner. He states that any conversations about her husband were brought up by Jean talking about his weight. DeMaine states that until he was contacted by the news media, he had no idea of the allegations. He states that he then contacted the Law Director and found that Jean had talked to Marti Kane and advised her that DeMaine Kitchen had made inappropriate comments and advancements toward her. He states that no official complaint was filed and that he should have been made aware of the statement.

Interview concluded

On Thursday, November 14, 2013 at approximately 6:08 p.m., I conducted a telephone interview with John Swierz reference a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. John Swierz is currently the Seventh Ward Councilman for the City of Youngstown, Ohio. John Swierz provided the following information.

John Swierz stated he heard of an incident a few years ago, but no names were mentioned and that he has no knowledge of any other incident until Council member received a letter from Lyndsey Hughes's attorney. He had no other information relating to this investigation.

Interview concluded.

On Friday, November 15, 2013 at approximately 8:20 a.m., I interviewed City Councilwoman Janet Tarpley in reference to a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. Janet Tarpley is the 6th Ward Councilwoman for the City of Youngstown. The interview was conducted by telephone.

Janet Tarpley states she did not know anything about sexual harassment complaint with Lyndsey Hughes until City Council received the letter from Hughes's Attorney. She states that Lyndsey Hughes never came to her with any type of complaint and she had no knowledge of the alleged complaint at all.

Janet Tarpley states that she was present at the Executive Session where the complaints and disciplinary action were taken against Lyndsey Hughes. She states that after debating the issues it was determined by Council that Miss Hughes receive a suspension of five days for her performance of her duties. She states that at the time of the suspension, she was totally unaware of any complaint against DeMaine Kitchen and that the suspension had absolutely nothing to do with the complaint.

Interview concluded.

On Monday November 18, 2013 at approximately 11:20 a.m., I interviewed City Councilman T.J. Rodgers in reference to a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. T.J. Rogers is the 2nd Ward Councilman for the City of Youngstown. The interview was conducted by telephone.

T.J. Rogers states he did not know anything about sexual harassment complaint with Lyndsey Hughes until City Council received the letter from Hughes's Attorney. He said he has only been on Council for about two years and had no knowledge of the alleged complaint at all except what he had read in the newspaper.

T. J. Rogers states that he was present this year at the Executive Session where the complaints and disciplinary action were taken against Lyndsey Hughes. He states that after debating the issues it was determined by Council that Miss Hughes receive a suspension of five days for her poor performance of her duties. He states that at the time of the meeting, he was totally unaware of the new complaint against DeMaine Kitchen and that the suspension had absolutely nothing to do with the complaint.

Interview concluded.

On Monday November 18, 2013 at approximately 2:05 P.M., I interviewed City Councilman Michael Ray Jr. in reference to a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. Michael Ray Jr. is the 4th Ward Councilman for the City of Youngstown. The interview was conducted by phone.

Michael Ray states that Lyndsey Hughes spoke to him in early 2011 and stated that she had met with Charles Sammarone, Jamael Tito Brown and DeMaine Kitchen. He states that she told him the meeting was about inappropriate comments made to her by DeMaine Kitchen. Michael states that he advised her that there were other paths to follow if the comments did not stop. He states that this was the entire extent of his involvement and that he had no knowledge of the alleged complaint at all.

Michael states that he was present this year at the Executive Session where the complaints and disciplinary action were taken against Lyndsey Hughes. He states that after debating the issues it was determined by Council that Miss Hughes receive a suspension of five days for her poor performance of her duties. He states that at the time of the meeting, he was totally unaware of the new complaint against DeMaine Kitchen and that the suspension had absolutely nothing to do with the complaint.

Interview concluded.

On Monday, November 18, 2013 at approximately 8:45A.M., I interviewed City Councilwoman Annie Gillam, in reference to a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. Annie Gillam is a Councilwoman with the City of Youngstown, Ohio. The interview was conducted by phone.

Annie Gillam states that she has no knowledge of the sexual harassment incident between Lyndsey Hughes and DeMaine Kitchen. She states that she knows of the complaint and investigation, but has never witnessed any exchange between the two or had a conversation with either about the sexual harassment complaint.

Annie Gillam states that the allegation of Lyndsey Hughes being suspended in retaliation of the claim is not true, that in fact, the Council did not file all of the disciplinary charges that it could have, against her. She states that Demaine Kitchen was not present or had any influence at the Executive Session where Miss Hughes' discipline was discussed and agreed upon by the City Council.

Interview concluded.


On Monday, November 18, 2013 at approximately 9:20a.m., I interviewed City Councilman Nathaniel Pinkard in reference to a sexual harassment complaint that Lyndsey Hughes made against DeMaine Kitchen. Nathaniel Pinkard is a City Councilman for Ward 3 of the City of Youngstown, Ohio. This interview was conducted by phone.

Nathaniel Pinkard states the he has witnessed nothing nor has any knowledge whatsoever of anything between Lyndsey Hughes and DeMaine Kitchen. He knows of the investigation due to the news media, but has no first-hand knowledge.

Nathaniel Pinkard states that he was unaware of the complaint at the time of the Executive Session where Lyndsey Hughes' job performance was discussed among the City Council and a disciplinary action of suspension was agreed upon. He states that her statement that it was due to and in front of DeMaine Kitchen was ridiculous and that DeMaine Kitchen was not present at the session. Nathaniel Pinkard states that the discipline was judged strictly on Lyndsey Hughes' performance on her job.

Interview concluded

Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:46 PM
Subject: Fwd: text 1-10
Fwd:R u still upstairs? 

Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:47 PM
Subject: Fwd:

----- Forwarded message -----
From: <ssaging.sprintpcs.com>
Date: Jul 30, 2013 9:24 AM
Subject:
To: <lyndseyannmariehughes@gmail.com>
Cc:

Fwd:It's ok to respond:-). (2)

Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:48 PM
Subject: Fwd:

----- Forwarded message -----

From: <[redacted]@aging.sprintpcs.com>
Date: Jul 30, 2013 9:24 AM
Subject:
To: <lyndseyannmariehughes@gmail.com>
Cc:

Fwd:I get that and it's cool. I just don't want u to treat me like a stalker or something :-). It's urs if u ever want it tho

(2)

Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:48 PM
Subject: Fwd: 2/2

----- Forwarded message -----

From: <_messaging.sprintpcs.com>
Date: Jul 30, 2013 9:25 AM
Subject: 2/2
To: <lyndseyannmariehughes@gmail.com>
Cc:

o u from the first time I met u lol

(4)

Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:48 PM
Subject: Fwd:

----- Forwarded message -----

From: <_____essaging.sprintpcs.com>

Date: Jul 30, 2013 9:25 AM

Subject:

To: <lyndseyannmariehughes@gmail.com>

Cc:

*LYNDSSEY
RESPONSE*

Fwd:I wont treat you like that, everything seemed fine till a few weeks ago.



Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:49 PM
Subject: Fwd: 1/2

----- Forwarded message -----

From: <imessaging.sprintpcs.com>
Date: Jul 30, 2013 9:25 AM
Subject: 1/2
To: <lyndseyannmariehughes@gmail.com>
Cc:

Fwd:It's still fine. I wanted to clear that up for u so u know we're cool that's all. Ur my girl and I've been attracted t

Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:47 PM
Subject: Fwd:

----- Forwarded message -----

From: <_____messaging.sprintpcs.com>
Date: Jul 30, 2013 9:19 AM
Subject:
To: <lyndseyannmariehughes@gmail.com>
Cc:

Fwd:Nothing I'm just geeked that's all. Just hoping to convince you that it's cool. :-)

Barbara Belovich

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
To: "Barbara Belovich" <bbelovich@k-blaw.com>
Sent: Tuesday, August 20, 2013 2:49 PM
Subject: Fwd: facebook

----- Forwarded message -----

From: "Lyndsey Hughes" <lyndseyannmariehughes@gmail.com>
Date: Aug 7, 2013 8:27 PM
Subject: facebook
To: <davidengler@davidengler.com>
Cc:

DeMaine Kitchen
community.icontact.com

wut up homie? how u feelin?

• May 18, 2009

• 



6:38pm

[Expand](#)

[Show Images](#)

DeMaine Kitchen

yo

what up girl? when r u gonna make time for me:)

• July 29, 2009

• 



7:01pm

[Expand](#)

[Show Images](#)

DeMaine Kitchen

hello

hey u...how r u?

• July 30, 2009

• 



9:56am

[Expand](#)

[Show Images](#)

Lyndsey Hughes

pretty good, how are you doing?

- August 9, 2011

-



7:47pm

[Expand](#)

[Show Images](#)

DeMaine Kitchen

Hope u had a great bday. I really was hoping for an interpretive dance. Lol. Ttyl

- August 10, 2011

-



5:05am

[Expand](#)

[Show Images](#)

Lyndsey Hughes

lol :) maybe when the new council members are sworn in

- **DeMaine Kitchen**

Hilarious. Can't wait. Hope u had a good birthday yesterday.

Write a reply...

163.53 SEXUAL HARASSMENT POLICY AND PROCEDURES.

(a) Definition: Sexual harassment is defined as any unwelcome or unwanted sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when any one of the following criteria is met:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of the individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
- (3) Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

(b) The City of Youngstown is committed to establishing and maintaining a work atmosphere that is free from sexual harassment and other types of illegal discrimination. Accordingly, the City of Youngstown adopts and reaffirms its commitment to no-discrimination on the basis of sex, including the prohibition of sexual harassment and retaliation in the workplace. Department heads shall take prompt action to address and process complaints of sexual harassment, including retaliation complaints, by consulting with the City Law Department.

(c) The City of Youngstown is committed to a prompt response based upon a thorough investigation whenever:

- (1) An employee alleges that sexual harassment, intimidation or discrimination is taking place;
- (2) A supervisor observes something which may constitute sexual harassment; or
- (3) A department head or the Law Department receives information concerning an possible instance of sexual harassment.

(d) Any employee who believes that he/she is a victim of sexual harassment should immediately report such incident(s) to his/her department head within 15 working days of the incident which gave rise to the complaint. If it is inappropriate for the complainant to address the complaint to his/her department head (e.g., if the department head is the employee accused of the harassing conduct), then the complaint shall be addressed directly to the City Law Department. An employee may also file a formal complaint with the City of Youngstown Human Relations Commission (HRC) within six (6) months of the alleged act(s), the Ohio Civil Rights Commission (OCRC) within six (6) months of the alleged act(s) or the Federal Equal Employment Opportunity Commission (EEOC) within three hundred (300) days of the alleged act(s).

(e) Sexual Harassment Internal Investigation Procedure.

(1) The information alleging sexual harassment or improper behavior shall be given to a Department Head and the City Law Department.

(2) The City Law Department shall:

A. Notify the person accused of engaging in improper activity that the issue has been brought to the attention of the City Law Department; and

B. Notify the person bringing forth the issue that a prompt investigation will be conducted by an individual employed outside of the accused's department, to be selected by the City Law Department.

(3) The investigator will:

A. Conduct an interview with the person who brought the matter to the attention of

management;

B. Interview the person who is alleged to have engaged in the improper activity. That person will be given an opportunity to explain his/her recollection of the matter, along with any other information which that person wishes to provide;

C. Interview persons who have been identified as having some relevant information concerning any aspect of the occurrence(s);

D. Prepare written statements containing the information obtained in each interview. This information will be provided to each person interviewed. The person interviewed will be asked to review the accuracy and completeness of the statement and return a signed copy to the investigator.

E. Once the facts have been gathered, report the information to the department head, unless the department head is the accused employee in which case the information will be presented to the Mayor or his designee;

F. Meet with the Department Head and the City Law Director, the Mayor or his designee to implement the appropriate course of action in accordance with all applicable laws and labor union contracts.

(f) Sexual harassment by an employee or supervisor will not be tolerated. All employees will be expected to comply with this policy and take appropriate measures to ensure that such conduct does not occur. Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy against sexual harassment. Because an accusation of sexual harassment can have a serious effect on innocent individuals, disciplinary action up to and including termination will be taken against any employee who knowingly reports a false accusation of sexual harassment. However, determination by the City that an incident of sexual harassment did not take place does not mean that the reporting employee will be subject to discipline.

(g) The City of Youngstown prohibits and will not tolerate retaliation or intimidation directed toward anyone who complains of sexual harassment.

(h) The determination of the issue and any action taken against any involved party will be communicated in writing to all persons involved.

(i) All written material regarding the allegation of sexual harassment shall be kept on file in the City Law Department.

(Ord. 99-299. Passed 7-9-99.)

CITY OF YOUNGSTOWN

MAYOR CHARLES P. SAMMARONE



DEPARTMENT OF LAW

ANTHONY J. FARRIS, DIRECTOR OF LAW
CITY HALL • 26 S. PHBLPS STRBET • 4TH FLOOR • YOUNGSTOWN, OHIO 44503
PHONE: (330) 742-8874 • FAX: (330) 742-8867



September 23, 2013

Barbara A. Belovich, Esq.
Andrew Margoulis, Esq.
635 West Lakeside Avenue
Suite 605
Cleveland, OH 44113

RE: Lyndsey Hughes

Dear Ms. Belovich and Mr. Margolius:

On July 25, 2013, Youngstown City Council instituted disciplinary action against their employee Lyndsey Hughes. On July 31, 2013, a letter from Ms. Hughes' then counsel, David Engler, was hand-delivered to Youngstown City Council which set forth a number of purported reasons why she should not have been suspended. Among them was a vague reference to sexual harassment.

As soon as I learned of this allegation, I immediately sent a letter to Ms. Hughes' counsel urging her to initiate the City's Sexual Harassment Policy by making a complaint to her supervisor. A copy of my letter is enclosed. No such complaint was ever made. I hope that your recent letter is an indication that Ms. Hughes is now willing to participate in the sexual harassment internal investigation procedure.

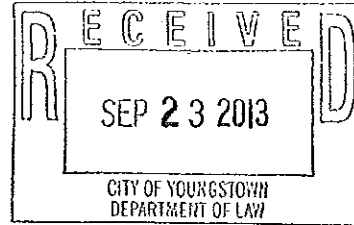
The City of Youngstown takes complaints of sexual harassment very seriously. It has a well-established and thorough Sexual Harassment Policy. A copy of the City of Youngstown's Sexual Harassment Policy and Procedures is enclosed. I assure you that upon receiving Ms. Hughes' complaint, it will be diligently investigated, evidence will be sought, and the City's Sexual Harassment Policy will be fully enforced. If Ms. Hughes needs assistance in making her report, please contact me. I look forward to hearing from you.

Sincerely,

Anthony J. Farris
Law Director



ROD J. FOLEY
CHIEF OF POLICE



CHARLES P. SAMMARONE
MAYOR

YOUNGSTOWN POLICE DEPARTMENT
116 WEST BOARDMAN STREET
YOUNGSTOWN, OHIO 44503
(330) 742-8921

Date: September 23, 2013

Atty. Anthony Ferris
Youngstown Law Department

Atty. Anthony Ferris,

Per your request, a review was conducted into any possible criminal implications involving the financial revenues that were managed for the 2013 Youngstown Jazz Festival. After reviewing financial documents and interviewing all involved parties, it was determined that there was no evidence of any unlawful actions by Lindsey Hughes

Thank you,

Det/Sgt. Jose Morales
Internal Affairs Division

CC: Att. Ferris
City Council
IAD

KRONENBERG + BELOVICH LAW

September 19, 2013

By Certified and Regular U.S. Mail

Anthony J. Farris, Law Director
City of Youngstown
City Hall
26 S. Phelps Street, 4th Floor
Youngstown, Ohio 44503

Re: Lyndsey Hughes

Dear Mr. Farris:

Andrew Margolius and I represent Lyndsey Hughes ("Ms. Hughes") in matters pertaining to her employment with the City of Youngstown as the Director of Downtown Events and Special Projects.

Ms. Hughes has experienced sexual harassment, including unwelcomed sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature during her tenure. DeMaine Kitchen ("Kitchen") is and has been the perpetrator of these acts against Ms. Hughes.

The City of Youngstown first became aware of Kitchen's harassment of Ms. Hughes when, in January 2011, Ms. Hughes discussed the matter with the President of Council at that time, Charles Sammarone ("Sammarone"). At that time, Ms. Hughes revealed the constant sexual harassment which included inappropriate comments, his rubbing his erect penis on Ms. Hughes, inappropriate text messages and other harassment. Sammarone responded with, "What do you expect, you are a pretty, young girl."

Rather than conduct an investigation, Sammarone called a meeting between Ms. Hughes, Jamael Tito Brown, a council member, and himself. Sammarone had Ms. Hughes describe the harassment in front of Mr. Brown, who recognized the severe and pervasive nature of the harassment. After about ten minutes into the meeting, Kitchen arrived. When Ms. Hughes asked Sammarone why Kitchen was there, Sammarone replied, "Because this shit needs to stop." Sammarone told Kitchen to not talk or message Ms. Hughes again.

Kitchen stayed away from Ms. Hughes for several months until he once again began his abuse towards Ms. Hughes. After Sammarone became Mayor of Youngstown and Kitchen became

Anthony J. Farris, Law Director
City of Youngstown
September 19, 2013
Page 2

his Chief of Staff, Kitchen frequented the sixth floor of the City Hall. During this period of time, Kitchen would comment on Ms. Hughes' physical appearance and tell her that she was "missing out" on him.

In June 2013, Kitchen began another torrent of harassment towards Ms. Hughes. And this time it was most egregious.

On July 2, 2013, Kitchen twice came to Ms. Hughes' office to talk about the upcoming Jazz Festival and talked about the problems going on with the promoter of the event. The first visit was all business and went without incident. On the second visit, Kitchen talked to Ms. Hughes about her physical appearance and his attraction to her. He then smoothed his trousers over his erect penis to show Ms. Hughes his attraction. Ms. Hughes told him to stop. At that point, Ms. Hughes received a phone call and kept the person on the phone with her as she exited the building. All the while, Kitchen followed her and whispered in her ear that no one needed to know.

Thereafter, Kitchen sent a series of text messages attempting to explain himself and promote (legitimize) his attraction to Ms. Hughes. She ignored him.

Thereafter, the Jazz Fest occurred. On July 24, 2013, in a closed door session with Kitchen present, Council called for the suspension of Ms. Hughes. Since then, the police department conducted an investigation but found no impropriety on Ms. Hughes' part.

Though a prior attorney informed you of Ms. Hughes complaints of harassment, the City has chosen to retaliate against her by first the suspension and second, the investigation. Ms. Hughes' complaints to the Mayor were ignored.

Please view this letter as a formal request, on Ms. Hughes' behalf, that the City of Youngstown preserve all potentially relevant evidence in this case, including evidence that is maintained electronically or digitally, with metadata intact, as well as evidence in document form. In addition, as I am sure you are aware, the City of Youngstown has an obligation to place a "litigation hold" on the destruction or overwriting of data, including back-up storage mechanisms, vis-à-vis all electronically stored data that relate to Ms. Hughes and her employment. As such, I would ask that you provide me with a copy of Ms. Hughes' entire personnel file, including all electronic data.

Although resolution of this matter appears distant, I am not adverse to attempts to find it. Should you wish to discuss this matter, I encourage you to contact me within ten (10) days from the date of this letter. If you are insured in these matters, or have outside counsel, please forward this letter to that entity or person.

Anthony J. Farris, Law Director
City of Youngstown
September 19, 2013
Page 3

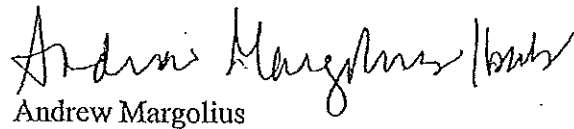
Very truly yours,

KRONENBERG + BELOVICH LAW, LLC



Barbara A. Belovich

MARGOLIUS, MARGOLIUS & ASSOCIATES



Andrew Margolius

BAB/cm

cc: Lyndsey Hughes

CITY OF YOUNGSTOWN
MAYOR CHARLES P. SAMMARONE



DEPARTMENT OF LAW

ANTHONY J. FARRIS, DIRECTOR OF LAW
CITY HALL • 26 S. PHELPS STREET • 4TH FLOOR • YOUNGSTOWN, OHIO 44503
PHONE: (330) 742-8874 • FAX: (330) 742-8867



August 1, 2013

David Engler, Esq.
839 Southwestern Run
Youngstown, OH 44514

Re: Lyndsey Hughes

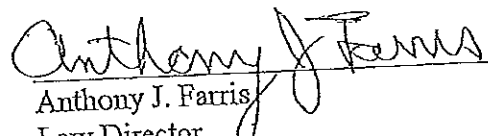
Dear Mr. Engler:

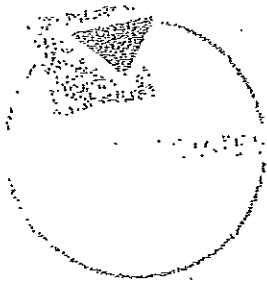
I have received your letter dated July 31, 2013. Please be advised that Youngstown City Council acted within its authority and for appropriate reasons in disciplining Ms. Hughes. It has no obligation to justify or explain its decision and does not intend to do so.

In your letter, you also make a vague reference to sexual harassment. I have attached the City of Youngstown's Sexual Harassment Policy. Ms. Hughes should institute the procedure described therein. The first step is for the complainant to address her complaint of sexual harassment to her department head within fifteen (15) days of the incident. Clerk of Council Valencia Marrow would be the appropriate place for Ms. Hughes to direct her complaint.

If further information is needed, please contact me. I look forward to hearing from you.

Sincerely,


Anthony J. Farris
Law Director
City of Youngstown



David L. Engler

July 31, 2013

RECEIVED

Confidential

AUG 01 2013

Hand Delivered
Youngstown City Council
26 S. Phelps Street
Youngstown, OH 44503

COUNCIL

RE: Lyndsey Hughes

Dear Councilwomen Gillam and Councilman Ray:

I am sending this letter on behalf of my client Lyndsey Hughes, Downtown Youngstown Director Events, Special Projects & Marketing. Ms. Hughes received a letter of discipline stating that she will be suspended for five days beginning next Monday, August 5, 2013.

My client had no opportunity to defend herself before losing this week of pay. In addition she does not want the baseless charge in her personal file. She worked hard to make the Jazz Fest a success. There was no suggestion that the Jazz Fest was not a success. It was successful despite a major funder pulling out one month before the event. She managed resources to make sure the show went on. She made executive decisions that may have upset a party who did not believe he made enough money. Certainly it would be unwise to base discipline upon the uncorroborated statements of a vendor who was upset if he thought he should make more money. Was this vendor an unsuccessful applicant for her current position?

At previous Jazz Fest, Ms. Hughes was forced to hire a vendor that she cautioned was untrustworthy. She was overruled by council and the

839 Southwestern Run, Youngstown, Ohio 44514
Phone: 330.729.9777 · Facsimile: 330.758.9585 · Toll Free: 866.374.9777
Web Address: www.davidengler.com

vendor was hired. The vendor then turned around and failed to pay bills related to the event.

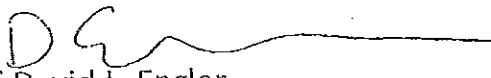
Ms. Hughes believes she is being treated differently and unequal. She never received any previous discipline that she was not effectively doing her job. She received a reprimand for corrections to her time records. Her work performance has been exemplary in terms of promoting the downtown and creating partnerships. Truly the last four years have been a period of tremendous resurgence for downtown Youngstown.

Most troubling is that my client had previously complained that she was subjected to unwanted sexual advances and also sexual harassment. There was never any formal remedy. It has continued as recently as last week. From my long work with victims of sexual harassment I understand that they always wonder if the person in power is or will effect their job. She is concerned that this adverse action is related to this continuing pattern of unwanted sexual advances.

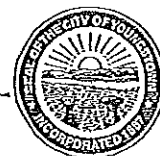
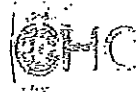
Ms. Hughes also agrees that now would be an excellent time to work on a job description and create a monthly reporting schedule. She looks forward to continue to serve your constituents and celebrating Downtown's rebirth.

In closing, please remedy this situation by rescinding the discipline and offering Ms. Hughes a meaningful opportunity to fully detail what happened with the Jazz Fest.

Sincerely,


David L. Engler
Attorney at Law

Youngstown City Council



26 SOUTH PHELPS ~ YOUNGSTOWN, OHIO 44503

Valencia Marrow, City Clerk
Terri D. Dawson, Assistant Clerk

Monday, July 29, 2013

Youngstown City Council
Youngstown Law Department
Mayor of Youngstown

RE: Youngstown Jazz Fest 2013 / Gerald H. Beulah Jr. (Jere B.)

I am writing in response to the public accusations made by Gerald Beulah in front of my professional peers at the July 24th Special Council Meeting / Finance Meeting.

I would like to start by saying that the 2013 Jazz Fest, featuring National Recording Artist / Grammy winner Kurt Wahlen was a public success for the City of Youngstown, Downtown and the community as a whole. Everyone in attendance had a wonderful time.

Gerald Beulah was allowed to speak in front of the City of Youngstown Finance Committee on Wednesday July 24th 2013. The accusations made and documentation he provided are insulting to me personally, and to my position professionally with the city.

I have worked with Gerald, the County CVB and Youngstown State University for the past two years on a FREE (to the community) Jazz concert (CVB, City and YSU split production cost) at Harrison Commons, Gerald did what was asked by booking the bands, which were lower level regional acts, and his own band.

As I stated in Executive Session Wednesday July 24th this event was different from the past Free Jazz Concerts at Harrison Commons on multiple levels. Gerald refused to accept that.

The County CVB refused to support this "under funded, ill-conceived event of marginal quality" - June 5th (attached 1) which left the financial burden in the hands of the City, with a little over a month to find sponsors of funding.

After numerous meetings with Gerald, he made it very clear that he is unable to produce a show of this size and caliber, on all basic event functions:

Production (no sense of costs / location / electric/ water/ staging)

Marketing (wrong dates / no dates / wrong locations on fliers)

Professionalism (letters to non-sponsors demanding reasoning / texts / with ALL crew)

Events of this size, need someone who is able to produce, Gerald was unable to do that. The City of Youngstown is unable to provide the funds needed for events of this size (including cash banks) with out local sponsorships and or investments.

Attached you will find all receipts provided for the Jazz Fest 2013.


Lyndsey Hughes

Sponsorship

PAGE 1 OF 1

Hughes, Lyndsey

(Hughes!)

From: Moore, Phillip [pmoore@mahoningcountyoh.gov]
Sent: Wednesday, June 05, 2013 1:04 PM
To: Hughes, Lyndsey
Subject: Sponsorship
Hi Lindsey,

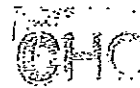
OH

I'm sorry, but we no longer sponsor events with cash. We do, however, market selected events in an effort to attract visitors. We made this decision last year primarily to align our spending/budget with our mission...to promote all of Mahoning County and attract overnight visitors from outside our market area. We are a destination marketing operation rather than a local funding source. We found that nearly all event sponsors provided only in-kind support, so we feel that providing appropriate marketing support aligns well with everyone else.

As you know from my comments over time (especially this year), I feel very strongly that all of us need to work to end the cycle of cash donations and support to underfunded, often ill-conceived events of marginal quality. It's time for those event organizers who will benefit from the event, to cover the costs of the event and bear the risks involved rather than continually expect others to do so. Maybe if organizers have to put their own money behind marginal events - and lose it, they will either enhance the quality or stop attempting low quality events will little appeal to potential audiences.

Sorry and good luck,

Phil



Youngstown City Council,

I would first like to thank you for the opportunity to be involved in this year's Jazz Fest. It was a great event for downtown and community. My goal for the event was to demonstrate my continuing commitment to the Downtown both physically and financially. The event was planned and executed very well.

With most projects, there are usually issues that arise during production, in our case it was the involvement of Niayana Recordings. Niayana wanted to produce the entire show but were not capable on many different levels. To start they tried to book a National recording artist without any ability or intention to issue a down payment to secure the act. This is a critical task when booking a National act. Jere originally tried to book the artist for Saturday July 13th but couldn't fund the deposit. These are very quick negotiations that need to be executed within 24 hours to secure dates. When the July 14th date became available I executed the contract that day by wiring funds (\$6500) to Kirk Whalum's team. This was very concerning for me to involve someone who was not financially capable in the early part of the production. I later realized that he was not only financially incompetent but lacked the mental capabilities of producing a show at this level. In trying to find a way to keep Jere involved and not embarrass him, which unfortunately did happen unintentionally, I entered into a contract with Jere which held him responsible to provide the hospitality functions for the artist and some minor marketing for the event. I figured this was a way to use Jere's strength, which is talking about Jazz. Those were the only functions Jere was to perform for the production. I even tried to give a financial incentive based on ticket sales, but he declined, showing his true lack of commitment to the event as well as his inability to market his own band and a National Recording Jazz Musician.

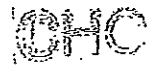
Gatta Productions with the help of the City were able to put together a successful well ran event. Forty-Two Inc., Hubbard Music and Showtime Exhibit demonstrated their professionalism during the entire production. Even with the bike race going on that Sunday, we were able to work together and set-up a major show around this obstacle. On the day of the event, it is usually very high energy and stressful. We had a team of over 60 people working together that day with only ONE issue arising, which was a verbal altercation with Jere of Niayana Recordings in which he placed his hands on a City employee. Luckily YPD was present and no problems occurred.

All the expenses that Gatta Productions incurred were put into the event prior to sales. I have provided all expenses with receipts and all revenue with one will see did not turn out as successful as I wanted. With that being said I would still do the event again with changes that could produce positive revenue. The day of an event also requires someone to act as a bank for change purposes. I willingly withdrew \$4000 cash to fund the 3 bars and 3 ticket locations. These are just some examples which show my commitment to the event and Jere ineffectiveness throughout.

With my presences and commitment to the City of Youngstown I will continue promote and buildup the Downtown to the best of my abilities. I look forward to working with the City in all my future projects.

Dominic L. Gatta III

Gatta Productions



Expenses	
Walmart	\$121.01
GFS	\$6.37
Sam's Club	\$411.58
Marc's	\$97.79
Staples	\$102.28
Jimmy's	\$25.23
Big Lots	\$25.56
WineStyles	\$84.11
Giant Eagle	\$35.70
Giant Eagle	\$16.46
Giant Eagle	\$3.99
Guy's BBQ	\$131.59
Superior Bev	\$4,084.68
Southway Bev	\$501.40
Niayana	\$5,000.00
Whalum	\$6,250.00
GetGo	\$99.09
YPD	\$480.00
Misc Labor	\$750.00
Trailer Rentals	\$1,200.00
	\$19,426.84

Revenues	
Domlnic	\$480.00 tickets
Jere B	\$2,065.00 tickets
Jimmy's	\$2,240.00 tickets
Eventbrite	\$2,706.00 tickets
Family Christian	tickets
Quest	\$100.00 tickets
Youngstown Nation	\$2,800.00 tickets
WineStyles	\$360.00 tickets
Bar	\$1,260.00 alcohol
walk-up	\$4,240.00 tickets
	\$16,251.00

Youngstown City Council

26 S. PHELPS STREET • YOUNGSTOWN, OHIO 44503



CITY CLERK'S OFFICE
YOUNGSTOWN, OHIO 44503
(330) 742-8709
Fax: (330) 742-8707



VALENCIA MARROW
City Clerk

TERRI D. DAWSON
Assistant City Clerk

July 25, 2013

Lyndsey Hughes
18 N. Phelps Street
Apt. D2
Youngstown, OH 44503

RE: Disciplinary Action

Dear Ms. Hughes:

A number of complaints regarding your operation of the Jazzfest have come to the attention of Youngstown City Council. Of particular concern to Council is that, upon learning that the expected funding from outside sources would not exist, you did not request additional City funding or in any fashion convey this information to Council. Your attempts to resolve the matter without input from City Council created conflict and confusion which undermined the event. You are, therefore, suspended for five (5) days without pay commencing August 5 and extending through August 9, 2013 due to your failure to timely report to Youngstown City Council when financial problems arose with the Jazzfest.


In order to ensure that similar problems do not occur in the future, a new policy has been instituted which requires that you provide a monthly written report to Council providing the status of all events that you are planning and that you be prepared to make an oral presentation at all Council meetings if so requested. Should a pressing matter arise between Council meetings, you are to consult with Councilperson Ann Gilliam who represents the Downtown area.

Any violations of the above policy, may result in disciplinary action including, but not limited to suspension and termination.

Sincerely,



Mike Ray, President Pro Tem



Annie Gillam, 1st Ward Councilperson

cc:
Valencia Marrow, City Clerk
File

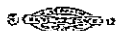
Department of Law

ANTHONY J. FARRIS, Director Of Law

City of Youngstown, Ohio

Mayor Charles P. Sammarone

City Hall Youngstown, Ohio 44503 330/742-8874



February 3, 2012

Youngstown City Council
City Hall, Sixth Floor
26 South Phelps Street
Youngstown, Ohio 44503

RE: Lyndsey Hughes
Director of Downtown Events

Dear Council Member:

During the executive session of Youngstown City Council on Wednesday, February 1, 2012, I became aware of certain conduct on the part of Lyndsey Hughes, wherein she completed her time card and incorrectly indicated she was at work when she was, in fact, not present. No legal questions were posed to me at the session, but it is necessary for me to make the members of Council aware that said conduct constitutes malfeasance. Malfeasance is defined as wrongdoing or misconduct by a public official. Therefore, as Director of Downtown Events, Ms. Hughes is a public official who acted wrongfully while completing her timecard. As such, you may wish to consider instituting formal disciplinary action on Ms. Hughes to assure that this issue is documented completely and addressed swiftly.

Further, another issue regarding Ms. Hughes has recently come to my attention. Ms. Hughes owes \$1,290.00 to the City of Youngstown for unpaid parking tickets dating back to 2007. Mayor Sammarone became aware of this matter and, under the direction of Mayor Sammarone, Assistant Law Director, Rebecca Gerson, contacted Ms. Hughes on February 1, 2012, to inform her that she must arrange a payment plan immediately. The Clerk of Court's office indicated to Ms. Hughes that she must make an initial payment of \$645.00 to be placed on a payment plan. This initial payment has not been made.

Youngstown City Council
February 3, 2012
Page Two

If further information is desired, please contact me. I look forward to hearing from you.

Sincerely yours,


Anthony J. Farris
Law Director

AJF/dmb

cc: Valencia Marrow

Youngstown City Council

It be handled



26 SOUTH PHELPS ~ YOUNGSTOWN, OHIO 44503

Valencia Marrow, City Clerk
Terri D. Dawson, Assistant Clerk

INTEROFFICE MEMORANDUM

TO: COUNCIL
FROM: Valencia Marrow- City Clerk *VM*
DATE: January 30, 2012
RE: Time Docked for Lyndsey Hughes

Lyndsey-

As noted on your time card, your pay will be docked 3 hours time on pay period ending January 27th for writing in a time in which it was confirmed that you were not actually at work. The date in question was Thursday, January 26th 2012. A copy of this will be kept in your file.

Thank you

Distribution:

Council
File

On December 4, 2012 at 2:30 p.m. I was approached by Jean Schaefer while I was on break outside in the smoking area. She said to me "I'm supposed to make an appointment to come see you". I asked her why, and she said because of Demain. I asked her "what about Demain". She explained he has been making inappropriate comments to her like calling her "baby" and "hot" and he touches her arm. She said she has told him not to make comments like that but he hasn't stopped. She has discussed it with John Rossetti (Union President) and her husband and they told her to report it to Human Resources.

Marti Kane
HR Supervisor

Gave to Tony Ferris 12/4/12 @ 2:35 pm.