Inquiry into Statements Allegedly made by Brookline Police Chief Ashley Alexander Gonzalez

Daniel Bennett
Kerry Gilpin
ACKNOWLEDGEMENT

On August 1, 2022, the Town of Brookline, MA retained the services of Comprehensive Investigations and Consulting, LLC., to conduct an independent inquiry into alleged statements made by Brookline Police Chief Ashely Alexander Gonzalez, in the workplace as well as on social media. Specifically, Comprehensive Investigations and Consulting, LLC., was retained to evaluate whether the alleged statements made by Chief Gonzalez violated any Brookline Police Department Policies, Procedures, Rules, or Regulations. Additionally, Comprehensive Investigations and Consulting, LLC., was asked to make a determination as to whether the alleged statements contributed to a hostile work environment. Upon conclusion of this inquiry, Comprehensive Investigations and Consulting, LLC., was asked to provide a written report of findings along with any recommendations.

Comprehensive Investigations and Consulting, LLC., acknowledges and maintains that all decisions regarding the imposition of discipline are borne solely by the Town of Brookline and/or the Appointing Authority.

It is also understood by all parties that all obligations for due process and compliance with Civil Service Law, prior to the implementation of discipline, are borne by the Town of Brookline.
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REPORT OF INVESTIGATION

Between July 19, 2022, and July 29, 2022, the Town of Brookline, Human Resources Department, received four emails detailing alleged sexually harassing statements, made by Chief Ashley Gonzalez.

On August 1, 2022, the Town of Brookline, MA retained the services of Comprehensive Investigations and Consulting, LLC., to conduct an independent inquiry into the alleged statements made by Brookline Police Chief Ashely Alexander Gonzalez. Specifically, Comprehensive Investigations and Consulting, LLC., was retained to evaluate whether the alleged statements made by Chief Gonzalez, violated any Brookline Police Department Policies, Procedures, Rules, or Regulations. Additionally, Comprehensive Investigations and Consulting, LLC., was asked to make a determination as to whether the alleged statements contributed to a hostile work environment. Upon conclusion of this inquiry, Comprehensive Investigations and Consulting, LLC., was asked to provide a written report of findings, along with any recommendations.

On August 4, 2022, Daniel Bennett, of Comprehensive Investigations and Consulting, LLC., interviewed Ashley Alexander Gonzalez, as well as

On August 5, 2022, Daniel Bennett interviewed Chief Ashley Gonzalez.

On August 12, 2022, Daniel Bennett interviewed Detective Lieutenant Paul Campbell, as well as Superintendent Mark Morgan.


The following information was obtained from these interviews, as well as additional submitted documentation:

Ashley Alexander Gonzalez was appointed by the Town of Brookline, as Chief of Police, on April 6, 2022. Gonzalez acknowledged that prior to his appointment, he had been in law enforcement for approximately thirty-four years. Gonzalez was employed by the Norwalk, CT Police Department for twenty-nine years, retiring as Deputy Chief. Gonzalez was then hired as the Chief of Police for the Austin, TX Independent School District Police Department, where he spent four years, before being hired by the Town of Brookline. Gonzalez has an associate degree in Criminal Justice, a bachelor’s degree in Criminal Justice and has attended leadership training at various institutions.

According to the Brookline Police Department Organizational Chart, four Deputy Superintendents (Allen, Cullinane, Mealy and Paster), as well as the Administrative Assistant (Kimberly McCormick-Stanton), report directly to the Superintendent (Morgan). The Superintendent reports directly to the Chief of Police.

Prior to beginning employment as Chief of Police of the Brookline Police Department, Gonzalez and [Exemption(c)-Privacy] exchanged messages on the social network, LinkedIn. According to [Exemption(c)-Privacy] "I had reached out to him on LinkedIn, you know, professional networking, when he was announced as the next Chief and offered my cell phone number." [Exemption(c)-Privacy] added, "About two weeks after I originally reached out, he

1 Transcript of interview with [Exemption(c)-Privacy], August 4, 2022, Page 6
sent me this bizarre, he sent me a picture of myself, my face and I know the picture because and there was a media release going on with that and a picture of me. So, he sent me back that picture with and he said, 'My girl.' added, "I said, 'Oh is that on a wanted photo, a wanted poster in Texas?' And he said 'No, I got it from your FansOnly page.' stated that at the time, she was not aware of what a 'FansOnly page' referred to. continued, "that site got some media attention couple weeks later, just coincidentally, and I realized it was like an amateur porn site."

Gonzalez was sworn in as Chief of Police for the Brookline Police Department on June 1, 2022. On that same day, Kayla Toleno, Benefits Administrator for the Town of Brookline, emailed Chief Gonzalez the New Hire Benefits/Policy Orientation. Included in the attachments was the Town of Brookline Massachusetts, Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016.

has been employed by the Brookline Police Department stated that her position within the Brookline Police Department stated that on June 2, 2022, Chief Gonzalez came into her office and sat in a chair across from her. recounted the following conversation:

Gonzalez  "Oh, I noticed you were on vacation."

Gonzalez  "Oh, birthday?"

Gonzalez  "Oh, you're a milf, totally milf. Milf?"

added, "I think I was in shock, but I was just so insulted, like it made me feel awful. I was embarrassed. No one was around, I was just like, I was scared, well not scared, but I was like grossed out. I was just like oh my God, this is my boss day 1. His literally first day in the office with me."

then described another incident, on this second day of work. stated, "So, again sitting at my desk, he comes around and stands over my left shoulder and shows, you know, on his iPhone, plays a video and it's his daughter like in a position, it reminded me of like Cirque du Soleil, like you know, her legs are behind and this and that." continued, "I said, 'Wow that's amazing. Good for her that she

2 Transcript of interview with, August 4, 2022, Page 6
3 Transcript of interview with, August 4, 2022, Page 6
4 Transcript of interview with, August 4, 2022, Page 6
5 Email from Kayla Toleno to Ashley Alexander Gonzalez, dated June 1, 2022
6 Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016
7 Transcript of interview with, August 4, 2022, Page 2
8 Transcript of interview with, August 4, 2022, Page 2
9 Transcript of interview with, August 4, 2022, Page 3
can do that. That’s amazing that she can bend her body like that.’ And he’s standing right over me and he goes, ‘I bet your husband wishes you could bend like that.’”

added, “That one made me a little nervous. I don’t mean I was nervous. I was upset, you know, to talk about my husband, he doesn’t even know my husband, doesn’t even know me. Basically.”

stated that within Chief Gonzalez’s first few days of employment, the two exchanged the following text messages,

Chief Gonzalez: “Oh, just to let you know 99% of the Department is really happy you are here.

Chief Gonzalez: Who’s the other 1%? I’ll straighten them out too.

Chief Gonzalez: It’s me, ha ha.

Chief Gonzalez: You bitch.”

During her interview, stated, “And I was like wow that’s kind of strong language out of the gate.”

Chief Gonzalez had commented that she was not wearing her wedding ring.

added, “I don’t know why I am saying this to the Chief, but yeah I don’t wear it because I get a rash.’ He brought it up again the next day. I was like just let it go.”

described another exchange, via text, with Chief Gonzalez after he had commented that she was wearing her collar insignia upside down.

Chief Gonzalez: “You know there’s never been anyone above me in the (female) locker room to show me how to wear my stars.

Chief Gonzalez: Oh, I’ll meet you in the locker room tomorrow morning.

Chief Gonzalez: Oh, no thank you, please.”

On June 8, 2022, Chief Gonzalez held his first at the Brookline Police Department.

Towards the end of the meeting, Chief Gonzalez asked if anyone had anything they would like to add. responded, “I do actually, I have one thing that keeps me up at night.” According to Chief Gonzalez started laughing and stated, “Oh, your husband.” continued, “And I was shocked. And what made it worse is that Deputy Superintendent Cullinane, who I knew my entire life, was like, ‘Oh Chief, good one.’ And then Richie Allen started laughing.” During the interview, became upset, crying at times. She stated that she felt humiliated, undermined, horrified, embarrassed, and lost.
After the Exemption(c)-Privacy stated that she tried to stay busy and stay away from Chief Gonzalez, as best she could. June 19, 2022, was the final day of the U.S. Open Golf Tournament as well as a Juneteenth celebration, in the town of Brookline. Chief Gonzalez and Exemption(c)-Privacy were scheduled to attend both events. Exemption(c)-Privacy stated, “I knew that I would have to kind of just be in the same space with him which was causing me a lot of anxiety because I was clearly not dealing with it in a way that was effective for me.”

After the conclusion of the Juneteenth march, Exemption(c)-Privacy was required to drive Chief Gonzalez back to his car. According to the following verbal exchange occurred between them, while in the vehicle:

Chief Gonzalez: “Is everything okay?”
Exemption(c)-Privacy: Yes, why? Why do you ask?
Chief Gonzalez: I noticed you had gone back in text messages and removed two laughing emoji’s from earlier conversations.
Exemption(c)-Privacy: Yeah. I have to tell you, the meeting that we had, Exemption(c)-Privacy, the comment you made really bothered me, and it made me, I went back looking to see if there’s anything that I had said, or we joked about that made you think that that would be an okay thing to say.”

According to Exemption(c)-Privacy, Chief Gonzalez apologized and stated that he remembered the comment. Later, Chief Gonzalez called Exemption(c)-Privacy and stated he could make a public apology at the next Exemption(c)-Privacy declined and stated that she just wanted to be done with it.

Exemption(c)-Privacy recalled another incident with Chief Gonzalez in early July 2022, where he had called her into his office. He had asked Exemption(c)-Privacy to explain the Town of Brookline’s Step System (referring to salaries). Exemption(c)-Privacy explained to Chief Gonzalez that Exemption(c)-Privacy. According to Exemption(c)-Privacy, Chief Gonzalez made the following statements:

Chief Gonzalez: “Oh, you sure are a 10.
Chief Gonzalez: I remember I was asking around what Exemption(c)-Privacy looked like and what Exemption(c)-Privacy was going to look like and oh boy.
Chief Gonzalez: Oh, much better than I was told.”

When asked what feelings she was having at that point, Exemption(c)-Privacy stated, “It was a feeling that I really, I swear to God I’ve never had before, like the way he was looking at me and talking to me was very, like degrading and creepy.”

According to Exemption(c)-Privacy after every instance where Chief Gonzalez had made inappropriate comments, he would conclude with, “Oh, don’t tell your husband I said that.”

19 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 3
20 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 7
21 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 5
22 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 5
23 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 5
added that Chief Gonzalez would make this comment because, "he knew what he was saying was wrong and he shouldn’t be saying it."24

Exemption(c)-Privacy recounted another incident, in mid-July, where she was speaking with Detective Lieutenant Paul Campbell in her office. Chief Gonzalez walked by Office and inquired what they were talking about. According to Exemption(c)-Privacy she and Detective Lieutenant Campbell were talking about how, a few years ago, the Town of Brookline was trying to get a warrant article passed to ban parents from spanking their children. Exemption(c)-Privacy added, "And the Chief is standing there next to Paul, right next to him in the doorway, and he like hit his arm, hit his arm like that and said, 'Oh your husband wouldn’t want that for you, no more spanking."25 Exemption(c)-Privacy stated that Detective Lieutenant Campbell offered to speak with Chief Gonzalez regarding his comment, but she said no.

On July 19, 2022, Superintendent Mark Morgan sent an email to Ann Hess Braga and Leslea Noble, Town of Brookline/Human Resources. In his email, Superintendent Morgan recounted the events of the Exemption(c)-Privacy on June 8, 2022, including the verbal exchange between Chief Gonzalez and Superintendent Morgan wrote, "At that time, I assumed that Chief Gonzalez had personal knowledge of some family issue that Exemption(c)-Privacy had informed him about that had worried her."26 In the email, Superintendent Morgan continued that he had a phone conversation with Exemption(c)-Privacy the evening of June 8, 2022, after the Exemption(c)-Privacy. According to Superintendent Morgan, "she was quite upset at the comment Chief Gonzalez had made and that is was demeaning and unprofessional and devalued her as a Exemption(c)-Privacy in front of Exemption(c)-Privacy.27 According to Superintendent Morgan, Exemption(c)-Privacy had acknowledged that he and Deputy Superintendent Mealy did not laugh after Chief Gonzalez had made the comment, but that the Exemption(c)-Privacy did laugh.

Superintendent Morgan’s email continued, "At this time I stated that I needed to report this to Town HR, and Exemption(c)-Privacy stated that she did not feel that she had a good relationship with Town HR Director Ann Hess Braga and did not want me to report the incident. I then offered to report it to Leslea Noble, or go with her to HR to report the incident. Exemption(c)-Privacy asked me not to do that at this time, she did not want to go forward with a complaint. I asked her if she wanted me to speak to Chief Gonzalez about his behavior and she asked me not to."28

Superintendent Morgan’s email concluded, "Today July 19, 2022, Exemption(c)-Privacy informed me that she was going forward with a formal complaint and had contacted legal representation. I told Exemption(c)-Privacy that I need to report this incident to the Town HR department as a supervisor."29

During Exemption(c)-Privacy interview, she stated that on July 21 or July 22, 2022, while sitting at her desk with her fingers intertwined and her arms up, Chief Gonzalez walked

24 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 6
25 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Pages 6-7
26 Email from Mark Morgan to Ann Hess Braga and Leslea Noble, dated July 19, 2022
27 Email from Mark Morgan to Ann Hess Braga and Leslea Noble, dated July 19, 2022
28 Email from Mark Morgan to Ann Hess Braga and Leslea Noble, dated July 19, 2022
29 Email from Mark Morgan to Ann Hess Braga and Leslea Noble, dated July 19, 2022
into her office. According to Exemption(c)-Privacy , Chief Gonzalez observed a bruise on [REDACTED] arm and stated, 'Whoa, how did you get that bruise? What did [REDACTED] do to you?'\(^{30}\)

According to Exemption(c)-Privacy , Chief Gonzalez utilizes phrases such as, ‘Good morning blondie’ and ‘my girl,’ while speaking to her. Exemption(c)-Privacy also stated that due to Chief Gonzalez’s statements and behavior, she has been feeling nervous, anxious, and uncomfortable, as well as having arguments with her husband, at home.

During Exemption(c)-Privacy interview, she stated, Exemption(c)-Privacy who’s the [REDACTED] and a friend of mine, had found out, I’m not really sure from who, about what had happened in the Exemption(c)-Privacy meeting and she reached out to me, you know, to tell me that she had been on the receiving end of several harassing comments, I guess for lack of a better word, really just disgusting comments.”\(^{31}\).

On July 27, 2022, Exemption(c)-Privacy sent an email to Ann Hess Braga and Leslea Noble, Town of Brookline/Human Resources, which stated, “I’ve recently become aware of a series of incidents during which Chief Gonzalez made inappropriate comments to [REDACTED] Pursuant to the Town’s policy against discrimination, sexual harassment and retaliation/requirements for supervisors I am forwarding information that was reported to me by [REDACTED] herself - I did not observe first hand any of the interactions described.”\(^{32}\) Exemption(c)-Privacy email detailed three separate incidents between Chief Gonzalez and Exemption(c)-Privacy (These reported incidents are detailed above as described by Exemption(c)-Privacy during her interview on August 4, 2022).

On July 27, 2022, Detective Lieutenant Paul Campbell, Brookline Police Department, sent an email to Ann Hess Braga and Leslea Noble, Town of Brookline/Human Resources. In his email, Detective Lieutenant Campbell describes a verbal interaction between Chief Gonzalez, Exemption(c)-Privacy , and himself, while they were all in Exemption(c)-Privacy office. Detective Lieutenant Campbell wrote, “At some point during this conversation, Chief Gonzalez made a statement to [REDACTED] about spanking.”\(^{33}\) Detective Lieutenant Campbell continued, “The spanking comment made to [REDACTED] was in reference to spanking in a sexual manner between [REDACTED] and her husband, as opposed to any reference to the spanking of children. The comment was obviously an attempt at humor by Chief Gonzalez.”\(^{34}\)

Detective Lieutenant Campbell’s email concluded, “At the time the comment was made I did not think much of it. Chief Gonzalez left the office very soon thereafter. When it was just [REDACTED] and I, [REDACTED] commented that she thought the comment was not appropriate and unnecessary. I felt bad for not recognizing this sooner and told her I would speak to Chief Gonzalez about it. [REDACTED] was adamant that she did not want anything said at this time. It was my understanding that [REDACTED] was contemplating how she wanted to proceed and preferred to

\(^{30}\) Transcript of interview with Exemption(c)-Privacy , August 4, 2022, Page 8

\(^{31}\) Transcript of interview with Exemption(c)-Privacy , August 4, 2022, Page 4

\(^{32}\) Email from [REDACTED] to Ann Hess Braga and Leslea Noble, dated July 27, 2022

\(^{33}\) Email from Paul Campbell to Ann Hess Braga and Leslea Noble, dated July 27, 2022

\(^{34}\) Email from Paul Campbell to Ann Hess Braga and Leslea Noble, dated July 27, 2022
take time to think through her options. I was also aware that had spoken with and was making a decision on the best way to proceed."35

On July 29, 2022, emailed Ann Hess Braga and Leslea Noble, Town of Brookline/Human Resources. In her email, wrote that she was following up on the emails previously sent by and Detective Lieutenant Campbell. added, “Everything that they both reported was true and accurate, but not all of it. It has started from literally his first day in the office and has continued consistently ever since in different ways. Chief Gonzalez’s behavior is something I have never experienced since I have been in this position for the last eight years, this has been my favorite place I have ever worked and love and look forward to coming into work every day. This is not so much the case anymore, I’m uncomfortable, anxious (which I have never dealt with before), nervous and embarrassed. It has been affecting my sleep, my demeanor as well as my relationship at home with my husband, kept asking ‘what was wrong’ but I just kept saying ‘nothing’ over and over then finally told him of some of what was being said and done.”36

email concluded, “This is blatant sexual harassment, this needs to be addressed. I work directly with this man, this isn’t someone that I see once in a while, this all day every day.”37

On August 1, 2022, the Town of Brookline, MA retained the services of Comprehensive Investigations and Consulting, LLC., to conduct an independent inquiry into the alleged statements made by Brookline Police Chief Ashely Alexander Gonzalez.

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35 Email from Paul Campbell to Ann Hess Braga and Leslea Noble, dated July 27, 2022
36 Email from to Ann Hess Braga and Leslea Noble, dated July 29, 2022
37 Email from to Ann Hess Braga and Leslea Noble, dated July 29, 2022
RELEVANT POLICIES

Ashley Alexander Gonzalez was sworn in as Chief of Police for the Brookline Police Department on June 1, 2022. On that same day, Kayla Toleno, Benefits Administrator for the Town of Brookline, emailed Chief Gonzalez the New Hire Benefits/Policy Orientation. Included in the attachments was the Town of Brookline Massachusetts, Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016. The following sections, in part, are taken directly from the policy. (See Attached Policy)

I. POLICY STATEMENT

The Town of Brookline is proud of its tradition of congenial, respectful, professional relationships among its employees and its citizens and is committed to ensuring that these relationships remain cordial, respectful, inclusive and free of bias and prejudice. The Town of Brookline is committed to ensuring equitable participation for individuals of all backgrounds in all of its daily operations, consistent with state and federal civil rights laws. Consistent with these laws, the Town prohibits discrimination, sexual harassment and retaliation by or against its employees, as detailed below.

To achieve our goal of providing a workplace that is professional, diverse and inclusive, the Town of Brookline has zero tolerance for the conduct that is described in this policy, and when reported, it will take prompt, appropriate steps to investigate and, where found to exist, eliminate the conduct and impose any necessary corrective action, including significant disciplinary action.

This policy also serves as the Town’s Notice of Rights and Grievance Procedure under Title IX, Title VI, and similar federal and state laws.

This policy applies to all persons employed by the Town of Brookline Board of Selectmen and any of the departments and division that report to the Board of Selectmen including represented and unrepresented employees, and to volunteers, interns, and, where applicable, to appointed and elected officials of the Town of Brookline, collectively referred to as “employees” herein.

II. PURPOSE

This policy has four general aims:

1. to educate employees of the Town of Brookline as to their right to work in an atmosphere free from discrimination, sexual harassment and retaliation as set forth in this policy;
2. to educate employees of the Town of Brookline as to what might constitute prohibited discrimination, sexual harassment and retaliation so that they will not engage in such behavior and will understand and expect specific consequences should they engage in such behavior;
3. to empower and strongly encourage those who reasonably believe that they have been the victims of discrimination, sexual harassment or retaliation to report any incidents of such
behavior and to obtain relief, as appropriate under the circumstances, through a simple, yet comprehensive, complaint procedure; and
4. to hold responsible and discipline those who engage in discrimination, sexual harassment and/or retaliation.

III. PROHIBITED DISCRIMINATION
The Town of Brookline ("the Town") strictly prohibits discrimination (i.e., adverse or hostile treatment) on the basis of the following protected classes and characteristics:

- Race or color,
- Religion,
- Gender identity,
- Sexual orientation, or
- Current or former membership in, application to, or obligation to perform military services
- Age (40 and above),
- Physical or mental disability,
- Genetic information (i.e., results of genetic testing),
- Maternity leave,
- National origin or ancestry,
- Gender.

Discrimination based on protected classes toward or by employees occurring in the workplace or outside of the workplace when such conduct is associated with, or could reasonably be expected to impact the workplace, will not be tolerated by the Town.

This policy prohibits adverse treatment based on the protected classes and characteristics described above in all Town-sponsored practices, programs, services, and activities, including, but not limited to:

- Recruitment,
- Selection,
- Compensation and benefits,
- Professional development and training,
- Reasonable accommodation for disabilities or religious practices,
- Promotion,
- Transfer,
- Discipline including termination,
- Layoff,
- Other terms and conditions of employment and provision of services, and
- Participation in a Town program, service or activity, or receipt of a Town benefit.

Prohibited Discriminatory Harassment: Hostile treatment that is based on, motivated by or expresses a negative attitude toward a person's membership in a protected class or protected characteristic and that creates an intimidating, hostile, or offensive work environment is strictly prohibited by this policy. Such prohibited hostile treatment may include, but is not limited to:
• use of epithets, slurs or nicknames that refer to a person's protected characteristic such as, but not limited to, race or sexual orientation,
• jokes that have the purpose or effect of demeaning or making fun of a person based on a protected characteristic,
• graffiti or other visual messages or displays that degrade a person based on a protected characteristic, and
• any other verbal or non-verbal conduct that has the purpose or effect of creating a hostile work environment based on a person's protected characteristic.

IV. PROHIBITED SEXUAL HARASSMENT
Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any one of the three following criteria is met:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment, participation in a Town program, service or activity, or receipt of a Town benefit;
(2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or a decision regarding an individual's participation in a Town program, Service or activity or receipt of a Town benefit; OR
(3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, participation in a Town program, service or activity, or receipt of a Town benefit, or creating an intimidating, hostile or offensive work environment.

Sexual harassment may include conduct by men toward women, men toward men, women toward men, employees toward supervisors, supervisors toward employees, employees toward citizens or vendors, and citizens or vendors toward employees.

Sexual harassment may include, but is not limited to:
• sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendo or jokes;
• comments or questions enquiring about a person's body or sexual abilities, deficiencies or experience;
• any other verbal or non-verbal conduct of a sexual nature that has the purpose or effect of subjecting a person to an intimidating, hostile or offensive environment.
• disseminating sexually-suggestive or pornographic graphic or written material by voice mail, email, or websites, or other electronic means (with an exception for official police department investigations, as provided above);

VIII. REQUIREMENTS FOR SUPERVISORS
All supervisors are expected to know and understand this policy. Supervisors are expected to follow this Policy and to be alert to any possible discrimination, sexual harassment and/or retaliation that may be occurring in the workplace. As detailed below, all supervisors are required to report any such behavior in writing to the Town’s Human Resources Office (in addition to making any department-specific report required by the supervisor’s department) and
to take appropriate steps to prevent the reoccurrence of any such behavior and cooperate with the Human Resources Office in this regard.

Supervisors are required to make a report promptly to the Human Resources Director (within 24 hours, or by the conclusion of the next weekday in the case of week-ends and holidays) in the event that they receive a complaint or report, or observe or otherwise become aware of an alleged or perceived violation of this Policy, even if they believe the complaint or report is without merit. (They must also make any other report to other personnel as may be required by their supervisors, such as a report within a Department to the chain-of-command.)

Supervisors must maintain the confidentiality of all reports of discrimination, sexual harassment, and retaliation, except as is necessary to report such conduct to Human Resources, to respond to any legal and/or administrative proceedings or investigations arising out of the discrimination report, or as otherwise directed by Human Resources. Supervisors may not investigate claims of alleged discrimination, sexual harassment and/or retaliation unless and as directed to do so by the Human Resources Department.

Supervisors found to have tolerated, condoned or failed to promptly report discrimination, sexual harassment and/or retaliation, as defined by this Policy, will be subject to discipline up to and including termination.

IX. FILING A COMPLAINT FOR DISCRIMINATION, SEXUAL HARASSMENT OR RETALIATION
Anyone experiencing or observing discrimination, sexual harassment and/or retaliation is encouraged (supervisors are required) to report such conduct as outlined in this Policy. All reports of discrimination, sexual harassment or retaliation shall be kept in confidence, except as is necessary to investigate the complaint, take any necessary corrective action, address any appeal under this policy, and respond to or conduct any legal and/or administrative proceedings related to the alleged discrimination, sexual harassment or retaliation.

XI. CORRECTIVE ACTION
The Town maintains a zero tolerance policy with respect to discrimination, sexual harassment and retaliation. This includes conduct by or against any Town employee in the workplace, and outside of the workplace when such conduct is associated with or could reasonably be expected to impact the workplace. Violations of this Policy will result in significant discipline, up to and including termination.

The Town of Brookline takes allegations of discrimination, sexual harassment and retaliation very seriously and will respond promptly to those complaints. When the Town determines that this Policy has been violated, the Town will act promptly to eliminate the conduct and impose any necessary corrective action. Such corrective action may include, but is not limited to, counseling, verbal or written warning, suspension, demotion, transfer or termination. Any discipline will be taken in accordance with applicable labor contracts (including all grievance provisions) and bylaws, as applicable.
On June 8, 2022, Chief Ashley Alexander Gonzalez held his first meeting as the newly appointed Chief of Police for the Brookline Police Department. In attendance was Chief Ashley Gonzalez. Towards the end of the meeting, Chief Gonzalez asked if anyone had anything they would like to add. Chief Gonzalez started laughing and stated, "Oh, your husband." This exchange was corroborated by Chief Gonzalez.

According to Deputy Superintendent Cullinane upon hearing Chief Gonzalez’s comment, then exclaimed, ‘Oh Chief, good one.’ Deputy Superintendent Cullinane denied making this comment. Deputy Superintendents Allen and Mealy denied hearing Deputy Superintendent Cullinane make this comment.

Deputy Superintendents Allen, Cullinane and Mealy acknowledged that they had read and understood the Town of Brookline’s policy against discrimination, sexual harassment, and retaliation. Deputy Superintendents Allen, Cullinane and Mealy also acknowledged attending a recent training regarding this policy. Deputy Superintendents Allen, Cullinane and Mealy each stated that they personally believed that Chief Gonzalez’s comment constituted sexual harassment under this policy.

During his interview, Chief Gonzalez acknowledged hearing the comment during the June 8, 2022, meeting, regarding what kept her up at night. Chief Gonzalez was asked what his reply was to Chief Gonzalez's comment. Chief Gonzalez stated, “I blurted out 'your husband.'" Chief Gonzalez added, “I was trying to be a little humorous. It was first and I didn’t want to come in too heavy, wanted to be relatable to the staff. Did not mean any disrespect to her. I recall there was some chuckle and then we moved on.” Chief Gonzalez stated that he could not recall who was chuckling.

38 Transcript of interview with August 4, 2022, Page 3
39 Transcript of interview with August 4, 2022, Page 3
40 Transcript of interview with Deputy Superintendent Kevin Mealy, August 18, 2022, Page 3
41 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 3
42 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 3
Chief Gonzalez later stated, "When I made the comment, it wasn’t meant to in a sexual manner."43 Chief Gonzalez was then asked what the comment meant. Chief Gonzalez replied, "I snore. I snore a lot. I keep my wife up at times and I use a c-pap machine. So, it was along those lines. I was not meaning any sexual innuendos or demeaning her or going with that and later on I found out she was offended by it, but that was not my intent."44

Kayla Toleno, Benefits Administrator for the Town of Brookline, emailed Chief Gonzalez the New Hire Benefits/Policy Orientation on June 1, 2022.45 Included in the attachments was the Town of Brookline Massachusetts, Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016. During his interview, Chief Gonzalez stated that he was not familiar with the Town of Brookline’s policy against discrimination, sexual harassment, and retaliation.

Chief Gonzalez acknowledged sending Exemption(c)-Privacy, a picture of herself, in uniform, on LinkedIn. Chief Gonzalez stated he could not recall the exact comments he sent along with the picture. On August 30, 2022, Comprehensive Investigations and Consulting, LLC., received an email from Exemption(c)-Privacy Exemption(c)-Privacy. Attached to the email were screenshots of messages between Chief Gonzalez and Exemption(c)-Privacy. Depicted in one of the screenshots is a picture of a female’s face, with the following exchange:

Gonzalez: "Is that from a wanted posted? I’ve never killed anyone in Texas."

Gonzalez: I got that from your fans only page

Gonzalez: I have 3

Gonzalez: Darn you are 😞46

Exemption(c)-Privacy stated that at the time, she was not aware of what a ‘FansOnly page’ referred to. Exemption(c)-Privacy continued, “that site got some media attention a couple of weeks later, coincidentally, and I realized it was like an amateur porn site."47 Chief Gonzalez, during his interview, denied having any knowledge of what a ‘FansOnly page’ was. Chief Gonzalez also denied having any knowledge of whether the ‘FansOnly page’ contained content of a pornographic nature.

Exemption(c)-Privacy described a text exchange between her and Chief Gonzalez, during his first few days of employment at the Brookline Police Department. Exemption(c)-Privacy stated that she had sent Chief Gonzalez a text stating that 99% of the Department was really happy that he was there. According to Exemption(c)-Privacy, Chief Gonzalez asked who the other 1% was so that he could straighten them out. Exemption(c)-Privacy stated that she jokingly replied that she was the 1%. Chief Gonzalez then replied, ‘you bitch.’ Chief Gonzalez stated during his interview, “No, I don’t have a specific memory. I think we were going back-n-forth and I don’t know if it was bitch or beeatch or

43 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 4
44 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 4
45 Email from Kayla Toleno to Ashley Alexander Gonzalez, dated June 1, 2022
46 Screenshot of message exchange between Chief Gonzalez and Exemption(c)-Privacy
47 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 6
something. We were going back-and-forth. And it humors."48 (Please see screen shot of text exchange between Chief Gonzalez and Exemption(c)-Privacy)49 Chief Gonzalez described another exchange, via text, with Chief Gonzalez after he had commented that she was wearing her collar insignia upside down. According to Exemption(c)-Privacy, Chief Gonzalez offered to meet her in the female locker room to assist her. Chief Gonzalez acknowledged sending this text. Chief Gonzalez was asked the purpose of his text. Chief Gonzalez replied that he was just being funny. (Please see screen shot of text exchange between Chief Gonzalez and Exemption(c)-Privacy).50 Chief Gonzalez described Exemption(c)-Privacy Chief Gonzalez was asked how much contact he has with Exemption(c)-Privacy on a day-to-day basis. Chief Gonzalez replied, 'a lot.'

Chief Gonzalez was asked to recount a conversation he had with Exemption(c)-Privacy regarding her birthday. According to Chief Gonzalez, Exemption(c)-Privacy told him she was  and asked him how she looked. Chief Gonzalez stated that he replied to Exemption(c)-Privacy, "oh my God, you look like a total milf."51 Chief Gonzalez was then asked what the meaning of the word 'milf' was. Chief Gonzalez replied, "So...I think milf is starting to become more mainstream as far as an attractive person or mother. There's a vulgar connotation to it."52 Chief Gonzalez was then asked what the vulgar connotation was. Chief Gonzalez replied, "I think it says mom I'd like to fuck."53 Chief Gonzalez acknowledged that the comment was very inappropriate. Chief Gonzalez was then asked, as a professional, if he believed that comment would violate the policy against discrimination, sexual harassment, and retaliation. Chief Gonzalez replied, "Yes, sir. That is sweet too and there was an instant connection with her. I have the highest respect for her. Her husband is on the job, we talk about him often. I remember when I said that, we were going back-and-forth, and her response was like, 'yes!' Now that I find myself in the seat answering to these questions, I am looking at things very differently."54

Chief Gonzalez became visibly upset during his interview, crying at times. Chief Gonzalez stated, "I was raised to treat people with respect and that is my expectation of my officers, so I want to lead by example and looking back as we review these texts, I think my, my intent to be approachable, funny and relatable as terribly gone wrong."55

Chief Gonzalez acknowledged showing a video of his daughter performing gymnastics, to Exemption(c)-Privacy. Chief Gonzalez denied making any statements to Exemption(c)-Privacy relative to her husband wishing she could do that. Chief Gonzalez later added, "I don’t believe I said that, with almost 100% certainty."56
According to Exemption(c)-Privacy after every instance where Chief Gonzalez had made inappropriate comments, he would conclude with, ‘Oh, don’t tell your husband I said that.’ Chief Gonzalez, during his interview, denied making these statements.

During a conversation with Chief Gonzalez, regarding paygrades, Exemption(c)-Privacy explained to Chief Gonzalez that while she was employed with the Exemption(c)-Privacy she was a Exemption(c)-Privacy According to Exemption(c)-Privacy Chief Gonzalez then stated, “Oh, you sure are a 10.” During his interview, Chief Gonzalez denied making that statement.

Chief Gonzalez was asked if he had conversations with others in the Department, prior to his swearing-in, as to what his Exemption(c)-Privacy looked like. Chief Gonzalez replied, “No, I don’t believe so.” Chief Gonzalez was then asked if he had ever made a statement to Exemption(c)-Privacy that ‘she was even better looking than people told him she would be.’ Chief Gonzalez replied, “I don’t believe I ever said that.” Chief Gonzalez added, “If I said something, ‘like Exemption(c)-Privacy I’ve ever had,’ but I was not referring to her looks.”

Chief Gonzalez was asked if he recalled sometimes saying to Exemption(c)-Privacy ‘good morning blondie?’ Chief Gonzalez acknowledged that he had. Chief Gonzalez added, “My wife is blonde, my kids are blonde, their all blondies, so there’s that connection with the blondies. It was not a demeaning full or any other tone to it.” Chief Gonzalez was asked if he agreed that it was a comment on her appearance? Chief Gonzalez replied, “I suppose, yes.”

Chief Gonzalez concluded his interview by stating that it was not his intention to be offensive and that he is happy to take whatever corrective actions necessary to be better.

According to the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016, “This policy applies to all persons employed by the Town of Brookline Board of Selectmen and any of the departments and division that report to the Board of Selectmen including represented and unrepresented employees, and to volunteers, interns, and, where applicable, to appointed and elected officials of the Town of Brookline, collectively referred to as “employees” herein.”

The policy states, in part, that the Town of Brookline has zero tolerance for the conduct that is described in the policy and that all employees have the right to work in an atmosphere free from discrimination, sexual harassment and retaliation. The policy prohibits discrimination (i.e., adverse or hostile treatment) on the basis of gender (among other protected classes), when such conduct is associated with, or could reasonably be expected to impact the workplace. During Exemption(c)-Privacy interview, she became visibly upset, crying at times. She stated that after Chief Gonzalez’s comment during the Exemption(c)-Privacy on June 8, 2022, she cried all the way home. During Exemption(c)-Privacy she stated that after Chief Gonzalez made several inappropriate comments

57 Transcript of interview with Exemption(c)-Privacy, August 4, 2022, Page 5
58 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 18
59 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 19
60 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 19
61 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 19
62 Transcript of interview with Chief Ashley Gonzalez, August 5, 2022, Page 19
63 Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016, Page 3
to her, she became nervous, anxious, and uncomfortable. She also stated that she began to have arguments, at home with her husband.

The policy defines Prohibited Discriminatory Harassment as, "hostile treatment that is based on, motivated by or expresses a negative attitude toward a person’s membership in a protected class or protected characteristic and that creates an intimidating, hostile, or offensive work environment." According to the policy, examples of prohibited discriminatory harassment include, "jokes that have the purpose or effect of demeaning or making fun of a person based on a protected characteristic" as well as, "any other verbal or non-verbal conduct that has the purpose or effect of creating a hostile work environment based on a person’s protected characteristic." Exemption(c)-Privacy

Chief Gonzalez referred to Exemption(c)-Privacy via text and LinkedIn messages as, ‘(f), ‘My girl’ and ‘bitch’. During the June 8, 2022, Chief Gonzalez made a comment to Exemption(c)-Privacy that made her feel ‘humiliated, undermined, horrified, embarrassed, and lost.’ Although Chief Gonzalez stated that it was not meant as a sexual innuendo, Deputy Superintendents Allen, Cullinane and Mealy also personally believed that Chief Gonzalez’s comment to Exemption(c)-Privacy constituted sexual harassment under the policy. Chief Gonzalez, via LinkedIn, also made reference to a ‘FansOnly page.’ According to its website, “OnlyFans is the social media platform revolutionizing creator and fan connections. The site is inclusive of artists and content creators from all genres and allows them to monetize their content while developing authentic relationships with their fanbase.” Exemption(c)-Privacy According to Wikipedia, “OnlyFans is an internet content subscription service based in London, United Kingdom. The service is used primarily by sex workers who produce pornography, but it also hosts the work of other content creators, such as physical fitness experts and musicians.” Exemption(c)-Privacy Chief Gonzalez denied any knowledge of the content of the site.

Exemption(c)-Privacy described an interaction between Chief Gonzalez, Detective Lieutenant Campbell, and herself, where Chief Gonzalez made a joke about spanking. Detective Lieutenant Campbell later sent an email to the Town of Brookline/Human Resources, stating that he believed the spanking comment was made to Exemption(c)-Privacy in reference to spanking in a sexual manner between Exemption(c)-Privacy and her husband. In his email, Detective Lieutenant Campbell wrote that Exemption(c)-Privacy stated that the comment was inappropriate and unnecessary.

The policy also states, in part, “sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any one of the three following criteria is met:

(1) Submission to such conduct is made either explicitly or implicitly a term or condition of the individual’s employment, participation in a Town program, service or activity, or receipt of a Town benefit;

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64 Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016  
65 Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016  
66 Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016  
67 Website, start.onlyfans.com, What is OnlyFans  
68 Wikipedia.org, OnlyFans
After the June 8, 2022, Exemption(c)-Privacy stated the she was ‘humiliated’ and ‘embarrassed.’ She stated that she attempted to stay away from Chief Gonzalez as much as possible. Exemption(c)-Privacy stated that the statements made to her by Chief Gonzalez caused her to feel ‘nervous’, ‘anxious’, and ‘uncomfortable.’ She added the way that he looked at her and spoke to her was very ‘degrading’ and ‘creepy.’ Exemption(c)-Privacy

According to the policy, “All supervisors are expected to know and understand this policy. Supervisors are expected to follow this Policy and to be alert to any possible discrimination, sexual harassment and/or retaliation that may be occurring in the workplace. As detailed below, all supervisors are required to report any such behavior in writing to the Town’s Human Resources Office (in addition to making any department-specific report required by the supervisor’s department) and to take appropriate steps to prevent the reoccurrence of any such behavior and cooperate with the Human Resources Office in this regard.”

The policy continues, “Supervisors are required to make a report promptly to the Human Resources Director (within 24 hours, or by the conclusion of the next weekday in the case of week-ends and holidays) in the event that they receive a complaint or report, or observe or otherwise become aware of an alleged or perceived violation of this Policy, even if they believe the complaint or report is without merit. (They must also make any other report to other personnel as may be required by their supervisors, such as a report within a Department to the chain-of-command.)”

Although Brookline Police Department Policy and Procedure, nor the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation explicitly defines the term ‘supervisor,’ each individual that attended the June 8, 2022, Exemption(c)-Privacy based on their rank, served in a supervisory capacity. The policy explicitly states that ‘all supervisors’ are required to report any discrimination, sexual harassment and/or retaliation to the Town’s Human Resources Department within 24 hours of receiving a complaint or becoming aware of an alleged or perceived violation of this policy.

Exemption(c)-Privacy as well as Deputy Superintendents Allen, Cullinane and Mealy, each believed that Chief Gonzalez’s comment during the June 8, 2022, Exemption(c)-Privacy constituted a violation of the Town of Brookline’s Policy Against Discrimination, Sexual Harassment and Retaliation. Superintendent Morgan, upon speaking with Exemption(c)-Privacy later in the evening on June 8, 2022, also became aware that Chief

69 Town of Brookline, Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016
70 Town of Brookline, Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016
71 Town of Brookline, Policy Against Discrimination, Sexual Harassment and Retaliation, Revised March 2016
Gonzalez's comment constituted a violation of this policy. However, it was not reported to the Town's Human Resources Department until July 19, 2022; almost six weeks after the alleged violation.

Paul Campbell, based on his rank as Detective Lieutenant, also serves in a supervisory role with the Brookline Police Department. Detective Lieutenant Campbell was present when Chief Gonzalez made a joke to Exemption(c)-Privacy regarding her husband spanking her. According to Exemption(c)-Privacy, this occurred in mid-July. Detective Lieutenant Campbell believed the spanking comment was made to Exemption(c)-Privacy in reference to spanking in a sexual manner, between Exemption(c)-Privacy and her husband. Detective Lieutenant Campbell did not report the alleged violation to the Town's Human Resources Department until July 27, 2022.

According to the Brookline Police Rules and Regulations, Prohibited Conduct; Conduct Unbecoming an Officer is defined as, "Any specific type of conduct which reflects discredit upon the member as a police officer, or upon his/her fellow officers, or upon the police department he/she serves."72

According to the Brookline Police Manual, Process for Police Department Discipline and Selectman Review; "On each such allegation, a proposed finding based upon a preponderance of the evidence shall be made using the following categories and definitions:

a. "Unfounded" - investigation revealed that the alleged conduct did not occur.

b. "Exonerated" - alleged action occurred but was reasonable and proper.

c. "Not Sustained" - allegation cannot be either proven or disproved.

d. "Sustained" - investigation indicates sufficient evidence to support the allegation.

e. "Mediated" - both parties agree to a proposed and described disposition (Classes A and B only).

f. "Filed" – no action necessary or possible at this time."73

The policy further states that the findings and conclusions should include any mitigating or aggravating circumstances.

72 Brookline Police Rules and Regulations, Prohibited Conduct, Page 1
73 Brookline Police Manual – Process for Police Department Discipline and Selectman Review, Page 9
FINDINGS AND RECOMMENDATIONS

Based on a thorough review of submitted documents, to include, in part, the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation; the Brookline Police Department Rules and Regulations; as well as the interviews of relevant parties; Comprehensive Investigations and Consulting, LLC., concludes the following:

1. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Chief Ashely Gonzalez did sexually harass in violation of the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation.

   SUSTAINED

2. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Chief Ashely Gonzalez did create a hostile work environment for in violation of the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation.

   SUSTAINED

3. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Chief Ashely Gonzalez did sexually harass in violation of the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation.

   SUSTAINED

4. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Chief Ashely Gonzalez did create a hostile work environment for in violation of the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation.

   SUSTAINED

5. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Chief Ashely Gonzalez did violate Brookline Police Department Rules and Regulations, specifically, Conduct Unbecoming an Officer.

   SUSTAINED

Based on sufficient evidence to support the allegations that Chief Ashley Gonzalez violated the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation as well as the Rules and Regulations of the Brookline Police Department; it is the recommendation of Comprehensive Investigations and Consulting, LLC., that Chief Ashley Gonzalez be TERMINATED from his employment as the Chief of Police in the town of Brookline, MA.

6. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Superintendent Mark Morgan did violate the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, by failing to report the alleged sexual harassment within 24 hours to the Town’s Human Resources Department.

   SUSTAINED
Based on sufficient evidence to support the allegation that Superintendent Mark Morgan violated the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation; **Exemption(c)- Personnel Info**

Mitigating circumstances include **Exemption(c)-Privacy** conversation with Superintendent Morgan on the evening of June 8, 2022. Superintendent Morgan reported the following, "At this time I stated that I needed to report this to Town HR, and **Exemption(c)-Personnel Info** stated that she did not feel that she had a good relationship with Town HR Director Ann Hess Braga and did want me to report the incident. I then offered to report it to Leslea Noble, or go with her to HR to report the incident. **Exemption(c)-Personnel Info** asked me not to do that at this time, she did not want to go forward with a complaint. I asked her if she wanted me to speak with Chief Gonzalez about his behavior and she asked me not to."**74** During his interview, Superintendent Morgan stated, "I did a balancing act of what was best for the victim here. I had no hesitancy once I knew she wanted to report it."**75**

7. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Deputy Superintendent Richard Allen did violate the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation, by failing to report the alleged sexual harassment within 24 hours to the Town’s Human Resources Department.

**SUSTAINED**

Based on sufficient evidence to support the allegation that Deputy Superintendent Richard Allen violated the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation; **Exemption(c)- Personnel Info**

Mitigating circumstances include Deputy Superintendent Allen’s conversation with Superintendent Morgan, his direct supervisor, within 24 hours of the June 8, 2022, **Exemption(c)-Privacy**. As a result of this conversation, Deputy Superintendent Allen believed that Superintendent Morgan would be filing a report with Human Resources. According to Deputy Superintendent Allen, the conversation was as follows:

Allen  "I thought it (the comment) was very inappropriate."

Morgan  "I agree and looking at the policy, I am going to have to report it."

**76**

8. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Deputy Superintendent Paul Cullinane did violate the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, by failing to report the alleged sexual harassment within 24 hours to the Town’s Human Resources Department.

**SUSTAINED**

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74 Email from Mark Morgan to Ann Hess Braga and Leslea Noble, dated July 19, 2022
75 Transcript of interview with Superintendent Mark Morgan, August 12, 2022, Page 5
76 Transcript of interview with Deputy Superintendent Richard Allen, August 18, 2022, Page 4
Based on sufficient evidence to support the allegation that Deputy Superintendent Paul Cullinane violated the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation; Exemption(c)-Personnel Info

Mitigating circumstances include the fact that Superintendent Mark Morgan, Deputy Superintendent Cullinane's direct supervisor, was in the Exemption(c)-Privacy during the time that Chief Gonzalez had made the comment. According to Deputy Superintendent Cullinane, “I felt it would’ve been handled by my supervisor.”

9. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Deputy Superintendent Kevin Mealy did violate the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, by failing to report the alleged sexual harassment within 24 hours to the Town’s Human Resources Department.

SUSTAINED

Based on sufficient evidence to support the allegation that Deputy Superintendent Kevin Mealy violated the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation; Exemption(o)-Personnel Info

Mitigating circumstances include Exemption(c)-Privacy conversation with Deputy Superintendent Mealy, within 24 hours of the June 8, 2022, Exemption(G)-Privacy

According to Deputy Superintendent Mealy, the conversation was as follows:

Mealy

“What do you want to do?

I don’t want to do anything about it right now. I’m coming to you in complete confidence because I trust your opinion and I trust what you are going to tell me.

I’ll go to HR if you want?

Mealy

100% absolutely do not go over. I don’t trust HR. I have no faith in them right now. I know there have been leaks, confidentiality stuff has gone through the building that shouldn’t have and I am begging you do not go over there. I’m retaining an attorney and I’m going to handle it.”

10. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Deputy Superintendent Jennifer Paster did violate the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, by failing to report the alleged sexual harassment of her co-worker, Exemption(G)-Privacy, within 24 hours to the Town’s Human Resources Department.

SUSTAINED

77 Transcript of interview with Deputy Superintendent Paul Cullinane, August 18, 2022, Page 5
78 Transcript of interview with Deputy Superintendent Kevin Mealy, August 18, 2022, Page 4
Based on sufficient evidence to support the allegation that Deputy Superintendent Jennifer Paster violated the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation; Exemption(o)- Personnel Info

11. Comprehensive Investigations and Consulting, LLC., finds sufficient evidence to support the allegation that Detective Lieutenant Paul Campbell did violate the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation, by failing to report the alleged sexual harassment within 24 hours to the Town’s Human Resources Department.

SUSTAINED

Based on sufficient evidence to support the allegation that Detective Lieutenant Paul Campbell violated the Town of Brookline Policy Against Discrimination, Sexual Harassment, and Retaliation; Exemption(o)- Personnel Info

Mitigating circumstances include a conversation that occurred between Exemption(c)-Privacy and Detective Lieutenant Campbell, immediately following the comment made by Chief Gonzalez. According to Detective Lieutenant Campbell, Exemption(c)-Privacy was very insistent that he not say anything to Chief Gonzalez or make a report to Human Resources. Detective Lieutenant Campbell also stated that he was aware from speaking to Exemption(c)-Privacy Exemption(c)-Privacy they were already working with an attorney on this exact issue and that they were preparing to go forward.” 79 Detective Lieutenant Campbell added, “So, if I had gone to HR at that time knowing what I knew, I do wonder if I wouldn’t have been undermining some of what they were planning to do.” 80

12. Comprehensive Investigations and Consulting, LLC., finds insufficient evidence to prove or disprove the allegation that Deputy Superintendent Paul Cullinane stated, ‘Oh Chief, good one,’ after Chief Gonzalez made an inappropriate comment to Exemption(c)-Privacy

NOT SUSTAINED

79 Transcript of interview with Detective Lieutenant Paul Campbell, August 12, 2022, Page 3
80 Transcript of interview with Detective Lieutenant Paul Campbell, August 12, 2022, Page 3
13. Comprehensive Investigations and Consulting, LLC., finds insufficient evidence to prove or disprove the allegation that Deputy Superintendent Richard Allen laughed after Chief Gonzalez made an inappropriate comment to Exemption(c)-Privacy NOT SUSTAINED.
Respectfully submitted,

Daniel Bennett
Comprehensive Investigations and Consulting, LLC.

Kerry Gilpin
Comprehensive Investigations and Consulting, LLC.
Good morning. My name is Daniel Bennett. I am here on August 4th, conducting an interview with regards to an incident that happened in the Town of Brookline with their police department. If everybody could just introduce themselves for the record.

How long have you been employed by the Town of Brookline?

In total at the Town of Brookline.

What role have you played there? What roles should say have you played there?

Alright.

I oversee an entire. I had for a short time also I was also in charge with overseeing while that position was vacant. I manage kind of the day-to-day operations.

What's the command structure of the Brookline Police Department?

We currently are fully staffed at the command level position. So, we have a chief, one chief, one superintendent, four deputy superintendents, and then lieutenants report to the deputy superintendents.
Bennett: Who do you report to?

Exemption(c)-Privacy

Bennett: Who was the chief in December of 2021?

Exemption(c)-Privacy

Bennett: That was acting chief Richie Allen. We've had a lot of transition. And if it's okay with you guys, I do have some notes if I could refer to them if I need to?

Bennett: As long as it's alright with your counsel. Anything that...

Exemption(c)-Privacy

Bennett: Anything that you would like to look at or any information that you want to make sure that I receive during this interview I am happy about that the more information I have the better job I can do. The other thing is if at some point you want me to step from the room so you can speak to counsel go right ahead.

Bennett: Thank you. And I am going to correct myself already, in December of 2021 Mark Morgan was the acting chief. In January of 2022 he went out on leave and Deputy Superintendent Richie Allen became acting chief.

Bennett: What's the difference between superintendent and chief in the Brookline Police Department?

Exemption(c)-Privacy

Bennett: My understanding of how it's supposed to function is the superintendent kind of manages the day-to-day operations of the police department while the chief is more like interacts more with town administration, attends public meetings, and does kind of functions in a way similar to other department heads in town, like the DPW commissioner, recreation.

Bennett: When did you first meet the current chief?

Exemption(c)-Privacy

Bennett: The day of his searing in on June 1st.

Bennett: What is the current chief’s name?

Exemption(c)-Privacy

Bennett: Ashley Alexander Gonzalez.

Bennett: Up until then what process was going on in the Town of Brookline to get a full time chief?

Exemption(c)-Privacy

Bennett: So, we had been without a full-time permanent chief for a number of years. It gets a little bit confusing. They had hired PERF: Police Executive Research Forum. Specifically, Chuck Wexler and Charlotte Lansinger to conduct a nation-wide search for a chief. Exemption(c)-Privacy

Exemption(c)-Privacy

Bennett: Okay.
With regards to June 8, 2022, was there an incident that took place on that day?

Yes.

What took place that day?

So present in the room were myself, Chief Gonzalez, It was sort of meant to I think just bring together for the first time for the chief to kind of hear from us any concerns we might have. And towards the end of the meeting as we were wrapping up he asked if anybody else, Chief Gonzalez asked if anybody else had anything that they wanted to add? And so, I said, I interjected, I said “I do actually, I have one thing that keeps me up at night.” And the chief kind of started laughing and was just like how he said it was like “Oh, your husband?” And, I was shocked. And, what made it worse is that Deputy Superintendent Cullinane, who I knew my entire life, was like “Oh, chief, good one.” And then Richie Allen started laughing (choking up).

At that time how did you feel when both chief said that and the reaction of?

I’m sorry I’m crying. Um, humiliated, undermined, horrified, embarrassed and like feel lost.

How was the chief’s behavior after that with regards to you?

So, I ... you know not the best. My way to deal with this is to ...

If you need to take a break..

No, I’m okay.

Okay.

I just tried to there was so much to do leading up to the U.S. Open with the golf tournament that we hosted which was you know a major event. I just stayed busy and stayed away from him (laughs) the best that I could. We had a successful golf tournament by most accounts. The final day of the tournament I had already I was kind of double booked and I was supposed to attend a Juneteenth celebration in town and the chief was also scheduled to attend so I knew that I would have to kind of just be in the same space with him which was causing me a lot of anxiety because I was clearly not (laughs) dealing with it in a way that was effective for me.

Was that after that first meeting where he made that statement was that the first long term contact you were going to have with him since that meeting?

Yeah.

What happened when you had that contact with him?
So I tried you know a few ways. He wanted to first meet me at the field and drive it was kind of a logistics thing we had to get drop one car off at one place and then drive up to where the there was like parade that was going to start so I actually finagled it so that two other department heads would ride in the car with us so I didn’t have to be alone with him. We were up there. I introduced him to one or two people and then just went I mean it was a big community event and that is my job so they are kind of my people and just went and found other people that I could talk to, and I even as the ceremony was going on the chief was speaking and I think I don’t know if people noticed that I made an effort to just stay away from the chief.

Oh.

Yeah, (laughs) they have rank. They have significant rank.

I did.

That question has less to do with what I am supposed to be doing today, more to do with the fact that I have investigations for fire departments so I was curious on rank. Did you become aware of any other potential incidents regarding Chief Gonzalez with any other member of the Town of Brookline as an employee?

I do.

Either from your own memory or with the aid of notes, do recall any of those comments that she related to you.

I do. Yeah, she told me that on so Chief Gonzalez was sworn in on 6/1 on 6/2 which was his you know he didn’t go to the office on his first day so on his first real day which was the 2nd they were kind of getting to know each other. And, he made I don’t know the exact words but it was some sort of comment that you are a milf. And she was just like whoa that you know she didn’t know what to do, like she’s not an easily offended person. And she was kind of caught off guard by it but I think like me with some earlier text messages I had received before the chief got here, I just was like maybe, maybe it’s a misunderstanding, someday maybe it’ll be better when he gets here and this will all be we’ll be able to clear this out. I’ll be able to say something to him. I guess the very next day. Second day he was showing her a video, from what I understand he has two kids, boy and a girl. The girl maybe is like twelvish and is into acrobatics and circus type
performances. and said “Oh, I bet your husband wishes you could bend like that?” Which and that’s the one that stuck with me like because I just don’t understand like how you could look at your child and pull a sexual comment like that. That ones really .. I won’t swear but (laughs) its pretty messed up. And then yeah later on not in that same conversation but a little bit later she mentioned something about him calling her a ten when she was trying to help him understand in town and she made reference to the fact that you know something like oh, you’re definitely a ten. And then she said you know its she it kind of made her realize she said after every time he said something like that, he said oh, don’t tell your husband I said that. Which you know the made me think of like earlier text messages and conversations we had had before he even got here. You know I was texting him about work stuff trying to get him acclimated. Trying to get him a phone. Trying to make him feel welcomed and get him prepared to jump in day one because the department needs a lot of work.

Bennett

When you say him you are talking about Chief Gonzalez.

Bennett

Sorry, Chief Gonzalez, yes.

Bennett

Chief Gonzalez, yes.

Bennett

You now one or two times when I was on the phone with him or texting him he would say like oh is your husband going to get jealous? And it just seemed so ridiculous to me. My husband and I have (laughs) a very good relationship. When I met him, I was a police officer. My whole life is being around guys, he is not never had reason to be jealous. So, it just that kind of stuck with me as being odd.

Bennett

Were you able to, I have two questions related to this. Do you have those text messages still? I do.

Bennett

Okay, thank you. That’s all I wanted to know there. Earlier you mentioned that She is responsible for . She’s responsible for .

Exemption(c)-Privacy

Bennett

When you said

Exemption(c)-Privacy

Exemption(c)-Privacy

Bennett

When Chief Gonzalez made that comment to you during that first meeting, what do you think the purpose of that was by Chief Gonzalez, if you have an opinion on that?
Bennett

I mean, I think it's just sexual harassment and trying to get be one of the guys. I mean I

And that comment had the effect of making you feel demeaned? Is that fair to say?

I cried the entire ride home.

Is there anything else that you that I missed asking you that would be of significance in your
mind that you would like to relay to me during this conversation?

Yeah. Prior to Chief Gonzalez’s arrival I have several text messages that you know kind of
that he was trying to get out earlier he I didn’t see them for what they were at the
time. I had reached out to him on LinkedIn you now professional networking when he was
announced as the next chief and offered my cell phone number. You know I didn’t expect at the
time that the acting chief would do that because I know he really wanted the permanent
position so. About two weeks after I originally reached out, he sent me, this bizarre, he sent me
a picture of myself, my face and I know the picture and a picture of me. So, he sent me back that picture with and he said “Oh girl” And I’m like mm, okay. And I kind of joke because he was in Texas at the time, I said “Oh is that on a wanted
photo a wanted posted in Texas?” And he said “No, I got it from your FansOnly page.” And I
didn’t know what that was. But then it actually that site got some media attention couple weeks
later just coincidently and I realized it was like an amateur porn site that people go on and like
make their own videos and people subscribe to them. I haven’t looked at it but um so I have
that. There was another his first day he said or I don’t know very early on his first couple of days,
he had sent me a text message that he walked into we have in-service training going on

So, he reported to me that he walked in and said “All rise.” You know so to have all the officers attending training stand up
and then he kind of joke ha, ha just kidding. And I said you kind of let him know to let you
know because there were a few people that were not happy he got the job. I was optimistic
(laughs) be the change that we needed. And I said “Oh, just to let you know 99% of the
department is really happy you are here.” And he wrote back “Who’s the other 1%? I’ll
straighten them out too?” And I joked that it was me. I said “It’s me, ha ha.” And he wrote back
and said “You bitch.” And I was like wow that’s kind of a strong language out of the gate. But
again I didn’t see it for what it was. And then there were a couple things like before I
I think a few days before I was in his office I’m like you know just benign
I don’t even remember what it was about but he made it was back-to-back days I remember
because both days he made comments that I didn’t wear my wedding ring.

I very much love my husband.

You don’t have to justify it.

But just like I was thinking to him like I don’t know why I am saying this to the chief. He brought it up again the next day. I was like just let it go. I
don’t know what this is about. But he had pointed out so
Bennett said, "Oh, it's a pet peeve." I guess. So, the point he's like you know the point is supposed to be going that way. Oh okay.

Describe how you pointed when you said the point was going that way?

With the point going towards like your back I guess, I said "Actually, nice. No body has ever brought that to my attention before." And so, I think I went down to my office and made the correction. Later that day I went up to see him to follow up on something we had talked about, again I don't really remember what it was but, he wasn't there so I had to send him a text message. And I said "Oh did you quit? And he said "I'm thinking about" or something along the lines of "I'm thinking about it."

And I said "You know there's never been anybody in the locker room to show me."

And he said "Oh, I'll meet you in the locker room tomorrow morning." And I was like oh, no thank you, please." (laughs) That was my response to him on text. I think I didn't get to somehow on Juneteenth how it ended. That's probably because I cut you off by accident. But you go ahead it's fine to me.

So Juneteenth we did the march. We were down at the field where the march was ending and the chief needed to go back up to the Ridley School and get his car so he needed me to give him a ride and there was also a community leader there who also needed to get a ride back so I was really trying to find to come with me so I didn't have to be alone with him in a car. And then at the last minute something happened with he wasn't able to join us so I had to be alone in the car with the chief. Which I was just trying to (laughs) get there as fast as I could. He asked me if everything was okay? And I was like yes, why? Why do you ask? And he said I noticed you had gone back in text messages and removed two laughing emoji's from earlier conversations. And I said yeah, And then I just said I have to tell you the meeting that we had comment that you made really bothered me and it made me I went back looking to see if there's anything that I had said or we joked about that made you think that that would be an okay thing to say. I couldn't find anything but with that comment you know some of the earlier text messages did weren't funny anymore. There was something about him like telling my husband to see a therapist like not to go to a women therapist or something like I don't even remember it was something stupid that I no longer find funny. He apologized. He said he remembered the comment. He apologized. And then it got weird like he almost seemed like he needed me to make him feel better like I almost felt like he was looking for me to apologize to him for brining it to his attention. It just got weird. I said no lets just put it behind us like I just want to go to work and (laughs) you know continue to do a good job. Then I had to go back to the golf course trying to round and he called me when I got up there and he said "You know if you want I can make a public apology?" And he said "apologize in front?" And I said "No." Like please don't, like I just, I just want to be done with this and not have it come back. And he said "Okay." But you know Richie Allen grabbed me, not physically (laughs), he asked me to come into his office just before they opened the fire before they open and he say he's like wow that was really, that
was really crazy what he said. Like that was really messed up you should report it. And I you know I mean I know the policy I know as the victim I can report it but I don’t have to. I also know that he was supposed to if he was a higher up as a supervisor. And then he ..

Bennett

When you say he this..

Bennett

Sorry, Richie. And then he said that he was aware that Chief Gonzalez had said other messed up stuff. And it just it almost felt like and Richie I know very much wants the chief’s job and he wanted it and he felt like he should’ve gotten it. And I felt like he was and then it felt worse like I felt like he was using me to do his dirty work like work that he should’ve been doing as supervisor rather than circumvent. Sort of the hiring process and I think he imagined that he would be back in that job if something were to happen.

Bennett

You mentioned him as a witness and you mentioned the other as witnesses that were in, for any of these other events and I’m not really talking about the text messages now for anything else that took place, conversations between yourself and the chief. Is there anybody else that would be a witness to these or were they in situations were it would be just you talking to the chief?

Bennett

I think they’re just maybe talking to the chief in his office. On the second day that he brought up the ring, there was one point like the door was open and the fire Chief John Sullivan came in and the three of us spoke for a little while but I can’t remember I don’t know that he witnessed anything or did. I don’t remember.

Bennett

Anything else that you think that would be something that I should know as a result of doing this inquire and speaking to you about the events that happened with the chief?

Bennett

Yeah. When I was worried that the complaint involving the Ex. (c), Privacy meeting had been filed. I had asked him also if they could let me know when the chief’s going to be made aware because that was causing me a lot of anxiety like having to work with him when he knows. And I got an email back saying that at this point the chief shouldn’t know, nobody should’ve told him and I kind of took that you know to be true. I do know in speaking to HR Director Ann Braga with the same concern she wanted to know when the chief was made aware it was causing her a lot of anxiety as well and she just said oh, he knows. Which was concerning to me that nobody had let me know that he was made aware and I don’t know what he knows but I do know that yesterday I was sitting at my desk around 3 o’clock and I got a personnel order at the same time the rest of the department got a personnel order letting me know that two Ex. (c), Privacy were being reassigned to a different division and I was not notified, consulted and you know that seems retaliatory.

Bennett

What would the normal procedure be before someone was transferred Ex. (c), Privacy?

Bennett

I would at least I mean I should’ve been notified that formally that they were being interviewed Ex. (c), Privacy, I think pretty well. They did let me know themselves that they were interviewing. What the one they guy from the night shift, Ex. (c), Privacy, interviewed, there were two days of interviews for a position which was actually the comment that I wanted to make about Ex. (c), Privacy (27:59) one’s already gone, he retired. I think officially in two weeks but he was gone as of last
week and the other one is retiring in two weeks and then we have nobody in the Ex. (c), Privacy so that’s what was actually keeping me up at night. We didn’t really get to it in the meeting. They should have at a minimum let me know that this is who they were going to chose and they would notify all the applicants who didn’t get the job. They should’ve asked me Ex. (c), Privacy.

He’s one of now two Ex. (c), Privacy on evening shift if we’re supposed to have three had to go back to days in patrol (inaudible 28:46) because of family issues. Ex. (c), Privacy They are now taking one without letting me know and he does you know Ex. (c), Privacy and all that so they are taking the person that does that. Whether or not they plan to replace him I don’t even know because there’s been no communication and that was done by Paul Cullinane in conjunction with the chief.

Bennett

Would the people in Ex. (c), Privacy have other roles as far as ensuring that officers communication between officers and Ex. (c), Privacy is also taking care of and/or the investigations that involve Ex. (c), Privacy as far as retrieving documents from, getting a warrant, and retrieving documents for a potential defendant? Like going to Google and getting their information about something the defendant may have posted?

Bennett

Ex. (c), Privacy So, that would typically follow the detective that has the case. But they would do anything internal. Ex. (c), Privacy

So, they are big shoes to fill is why I was concerned but. Yeah, Ex. (c), Privacy

Bennett

Ex. (c), Privacy

Sorry, no. So, the IT division reports to the chief, maybe the superintendent. They don’t fall within one of the four units that our department has. Ex. (c), Privacy So essentially, I feel like Ex. (c), Privacy and it feels retaliatory.

Bennett

Anything else that you think I should know? And there’s not there’s not a rush here you take your time and if you’d like to take a break and me step out.

Exemption(c)-Privacy

Bennett

Its at 31:20 and I’m gonna stop it right here. Alright so we are back on at 31:25. Is there anything else that you wanted me to be aware of?

Exemption(c), Privacy

Yeah. Prior to Chief Gonzalez arriving, when Richie Allen was acting chief and Deputy Cullinane was had been promoted by Deputy Allen was overseeing patrol. It was brought to my attention again like my primary function. Ex. (c), Privacy
And that just stuck me they didn’t tell me about the meetings. They didn’t run anything by me. Sorry, they being Richie Allen and Paul Cullinane. It felt like they were trying to undermine me. So, it definitely felt like an attempt to kind of box me out of interactions I would normally have with the public and you know kind of get in the middle of good relationships that I had. And then specifically I know they gave a few community members information.

If you could describe what the Exemption(c)-Privacy is?

Sure, Ex. (c), Privacy

And Brookline District Court only handles Brookline?

Correct. So, it works for and we have a great relationship anyway. So, when people had questions about that program or what to do when their loved ones are in distressed they directed them to contact Sergeant Hatchett, who has never had anything to do and doesn’t I mean she knows enough about it to know who to go to if she has a question about it but its not her job at all.

And she someone that would’ve normally Ex. (c), Privacy or is she in a different?

Exemption(c)-Privacy

Ex. (c), Privacy

Right. But she’s Ex. (c), Privacy. I have another text message too that I think kind of speaks to that. Before his arrival on the 2nd of May, Chief Gonzalez sent me a text message. He had been in the building but at that point I hadn’t met him yet. And so, I said “Oh, I heard you were here. I was hoping to meet you in person.” And he responded to me and said “Oh, I thought you were out at that media briefing.” And I didn’t know what he was talking about despite being Ex. (c), Privacy. But it was media day for the U.S. Open and Paul Cullinane and Richie Allen were up there. Didn’t let me know about the event. Which would’ve directly impacted my job (laughs) during the seven days of the tournament. And he said “Exemption(c)-Privacy?” And I responded “The kind who wasn’t told about the event.” So, I just I think that’s important because it speaks to you know just its not at this point just one person. I mean there’s one person making disgusting offensive comments but there are others who I think are kind of
complacent and not seeing them for what they are and my department and my work is directly impacted.

Bennett: Thank you. Is there something you wanted to bring to my attention?

Bennett: I'm going to If it's alright its 36:10 I'm gonna turn it off at this point.
Bennett: Good morning. My name is Daniel Bennett. I have been hired by the Town of Brookline to look into some issues that have taken place at the Brookline Police Department. If everybody could just introduce themselves for the record.

Interviewer: You could state your name again and this time spell it for the record.

Bennett: How are you employed?

Interviewer: How long have you been working for the Brookline Police Department?

Bennett: What did you do for the town before?

Interviewer: With regards to you said I think? What does that entail?

Bennett: How much contact does that mean you are going to have with the chief on a day-to-day basis?

Interviewer: In a normal circumstance?

Bennett: Yeah, that’s a better way to put it not a lawyer way to put it.

Interviewer: Who’s the chief in Brookline?
Ashley Gonzalez.

Bennett How long have you known Chief Gonzalez?

Bennett Since I met him the day of his swearing in June 1, 2022.

Bennett Did you have any contact before that by email, by text, or anything like that?

Bennett No, no text. I think he would’ve been liked cc’d on an email that I did or something but not directly.

Bennett On June 2, 2022 at his swearing in did you have a conversation with him at that time?

Bennett No. I was introduced to him.

Bennett How did he react to you then?

Bennett It was just a oh hi someone said to him oh Exemption(c)-Privacy. Okay nice to meet you. There was a million people around so he just kind of went about his business.

Bennett When was the first time you had some type of steadied conversation with him?

Bennett The next day in the office.

Bennett What if anything took place the next day that was significant or?

Bennett It was a lot of just business as usual but then at the end of the day I was still there and he came into my office. Like say this is my desk ...

Bennett Okay, just because we’re and I understand exactly what you are saying for the record if you can describe it because we are recording?

Bennett Okay, sure. So, I was sitting at my desk facing him. He was sitting in a chair across from me. He just came in and we were just kind of getting to know each other. And he said Exemption(c)-Privacy And I was working I took my computer with me and sending emails out. And then he was just sitting right there Exemption(c)-Privacy And he was like “Oh, you’re a milf, totally milf.” Like in such an awful like juvenile tone. And I just I was so I just was like “Milf?” Like I remember I went like “Milf?”

Bennett And without saying what that means, you knew what that meant at that time?

Bennett Of course, yes.

Bennett How did you feel when he actually said that to you?

Bennett I was I think I was in shock but I was I was just so insulted like it made me feel me awful. I was embarrassed. No one was around I was just like I was scared well not scared but I was like grossed out. I was just like oh my god this is my boss day 1. His literally first day in the office with me.

Bennett And that was something total inconsistent with the prior chiefs?
Oh, God, absolutely. Nothing but respectful awesome men that I’ve worked for. Even before Brookline, I got (inaudible 5:17) and his office as one of his assistants. It was great. Then when he left, I was his office as one of his assistants. It was great. Then when he left, he was the chief. I worked for him for a long time. He’s a great guy. Obviously, I know who is. They still have his picture up in the ... Lobby or something?

Yeah, Were there other instances, and I’m going to kind of generalize and then I may come back to some instances that potentially I got in an email, are there other instances that stick out in your mind about statements that Chief Gonzalez made to you?

Yes.

If you could start with whatever one you want too first?

Sure. So that was his first day in the office so his second day in the office again waiting till the end of the day when no one else is around. That’s how I felt. Again, I was sitting at my desk and he was sitting in front of me. There’s a table there. So, he was sitting across from me and you know small talk and he said he had two children a boy and a girl, like she’s twelve or something like that. And then she’s into like acrobatics and stuff. And I was like oh interesting you know. I was just like oh okay. He’s like oh, I will show you a video. So, I was like alright. So, again sitting at my desk, he comes around and stands over my left shoulder and shows you know on his iPhone plays a video and it’s his daughter in like a position it reminded me of like Cirque du Soleil like you know like her legs are behind and this and that.

So, let me just. So, she was in a twisted position with her legs behind her head?

Yes, like a pretzel as I referred. Yeah, yeah, yeah.

And I said “Oh, my god I can’t ...” You know I was complimenting. I said “Wow that’s amazing. Good for her that she can do that. That’s amazing she can bend her body like that.” And he’s standing right over me and he goes (whispering) “I bet your husband wishes you could bend like that?”

And what was your reaction at that time?

I honestly went “I’m sure he does.” Like trying to laugh it off because he was over my shoulder like it was no one you know a lot of the officers work 7:30 to 3:30 you know what I mean so I was like oh, I’m sure he does. And the he left a few minutes later. That one made me a little nervous.
So your reaction to that was nerves. Any other feelings that you were having at that time?

I don’t mean I was nervous. I was upset you know to talk about my husband he doesn’t even know my husband, doesn’t even know me! Basically.

It was only two days in for you working for him?

Two days, two days.

Now you mentioned the 7 to 3:30 shift ...

Well, yes, yes that’s the day shift. You know there’s some 8 to 4 or something depending upon what they are doing.

Right, it varies with traffic or the time they’re in.

Yeah, yeah.

What time was this when he came?

I would say ... it definitely was after 4:30 because I used to always take my lunch at 3:30. I always walk but I stopped doing that. I’d say 4:30ish.

What other comments did he make that stand out in your head?

Can I look at my notes?
Bennett: You can look at anything you want. As a matter of fact, if something occurs to you that you want to talk about that you have to, I prefer you not read I prefer you read them and then state it back to me.

Bennett: Okay.

Bennett: Whatever you want. But if there’s something that you need some time to think about, take it. We’re here for as long as you want to be.

Bennett: Okay. You know I was writing down things and this date I’m not sure of. It was definitely ... it was like early July for sure. He’s very concerned about his vacation time and his sick time and this and so what he said “can you find out this week? Can you find out this week?”

Bennett: And we are talking about the chief?

Bennett: The chief, yes. And I was explaining to him that the Town of Brookline is like a step system. You get hired. So, we were talking. He called me into his office and he was asking me questions about the different steps and this and that. So, I explained to him that I really didn’t know about the chiefs because that’s kind of different. He has a contract. I don’t know everything about his contract or whatever. And then, I was explaining to him that in the “Oh, you sure are a 10.” He’s sitting at his desk now and I was standing in front of his desk and he says that I’m was just like (fake laughs). He’s like “I remember I was asking around was going to look like and oh boy.” You know he’s looking right at me and he’s like “Oh, much better than I was told.” There was like this ridiculous, awful conversations like two minutes I just left. I just pretended I had to do something.

Bennett: So, you pretend you have to do something because of what feelings were you having at that point?

Bennett: It was a feeling that I really, I swear to God I’ve never had before like the way he was looking at me and talking to me was very like degrading and creepy.

Bennett: He said that he had asked around about you ahead of time?

Bennett: Mmhmm.

Bennett: Have you heard that from anybody else that he asked around about you ahead of time?

Bennett: No. No. He said it. And if you have notes that would be easier for you to do it this way why don’t you go through any instances that you think to you were significant and then we’ll just take them down? Okay. Oh, you know what I wanted to tell you is that after everything that he says the bending thing the this or that he always says “Oh, don’t tell your husband I said that.” Every single time. Every single time he says something he says that to me. You know I was thinking about it going
well obviously he knows what he’s saying is wrong if he’s saying _don’t tell your husband._

Bennett: Is your husband...

Exemption(c)-Privacy

Bennett: 

Exemption(c)-Privacy

Bennett: Oh, he is?

Exemption(c)-Privacy

Bennett: Okay.

Exemption(c)-Privacy

Bennett: What was the feeling you got from him, your personal feelings you got from him saying something like that _don’t tell your husband?_

Well, I just knew that he knew what he was saying was wrong and that he shouldn’t be saying it because why would you say that?

Bennett: I got an email that was sent to the town was part of the information I got to review as an opportunity before we did this interview and it stated that everything that was said earlier in an interview was true and there were other things. And I am paraphrasing there. If you can go through the other things that would be fantastic.

Okay. Then the next incident, again I don’t remember the exact date, I should’ve written these things down. But now it’s the end of day again.

Bennett: And what month are we in?

July. Mid-July. Again, I am sitting at my desk, I sound like I never leave my desk but. I’m at my desk and Lieutenant Campbell who is now he was the internal affairs lieutenant for a long, long time but now he is over at the court. He’s the court lieutenant. He was standing in my doorway and we talk all the time, one of the nicest guys. And the chief came by and was like hey, what are you two talking about? And what Lieutenant Campbell and I were talking about was just the Town of Brookline and like just how nubby some of the things that they do with like just you go through different examples right? And Lieutenant Campbell said “Oh Chief, we were talking about oh my god a couple of years ago they were trying to get a warrant article passed that they were trying to ban parent’s from spanking their children.” And I said “Oh, my god so crazy, it didn’t end up going through, blah, blah, blah.” And the chief is standing there next to Paul right next to him in the doorway and he like hit his arm, hit his arm like that and said “Oh, your
husband wouldn't want that for you." No more spanking." And I was just like I just sat there. And he was over there so I was like okay. So, he walked away. And Paul was like "Oh, my god. He's like oh, I'm so sorry I should've said something." But you know like you're like he's the new boss. You know what I mean? Like it's very awkward. I said to Paul I go "Paul, see what I mean?" I said "He could've said that to you." And said something like oh, your girlfriend wouldn't like that. But instead, he hit Paul on the arm and was like oh, your husband won't want that. And Paul said "Do you want me to say something to him? I will." And I was like "No." Paul's trying to get promoted like and I'm just like I didn't want him to get on the bad you know what I mean. I was like "No, don't." But then when he preceded to talk about it and Paul's like That's awful." And I was like "I know."

Bennett  The feeling you got there is

"But don't tell you husband I said that. Don't tell." As he's walking away. I'm like ick.

Bennett  Complaining about him could affect how he was going to treat people within the organization.

Bennett  Yeah, like never mind me like these are my friends like I you know I love these people and I didn't want Paul's been trying to get promoted for a long time to deputy superintendent. I didn't want him to have anything else against him. Ex. (c), Privacy

Bennett  Oh, yeah, yeah. Ex. (c), Privacy

Bennett  Keep going.

Bennett  Okay, let's see. And then you know like I said here I was again I put down sorry I wish I knew more exact dates I really should've written that stuff down.

Bennett  Well you know what? Don't worry about exact days.

Bennett  Okay.

Bennett  You are not a calendar but if you can put it into general terms, late July, early July.

Bennett  Yes this is July 21 or 22 because I looked back at the calendar and I was like I think it was one of those days. And again, just coming in he comes in the office ten times a day you know asking me different things.

Bennett  When you say he comes in the office ten times a day because this is

Bennett  At least, yeah.

Bennett  Alright, that's what I was asking.

Bennett  Yeah, yeah. Everything's on emails this and that and that but a lot of what I do like personnel orders is it's you have to discuss it in person you know? And they have to see it, the personnel orders that's all they're very important whether it be transfers or trainings that people are going to. He has to sign a lot of things. I really, I really tried since the first day to not have to go into his office. I prefer to sit in my office and he can come into mine.

Ex. (c), Privacy
Bennett And what was the reason for that?

Because he creeped me out on day one and I didn’t want to be in his office with him.

Bennett And part of that creeping you out on day one was the milf comment, is that fair to say?

Very fair to say, yes. And the looks like the up and down, the eye blinking that people call it, nonstop.

Bennett Okay. Go ahead.

Bennett So on that day we were again I don’t even remember what we were doing and I remember I was sitting at my desk and I had my hands on like this ...

Bennett My fingers intertwined with my arms up and I had a bruise on my arm I don’t even remember how I got it, didn’t hurt whatever and he’s like (Whoa) standing right in front of my desk he’s (Whoa, how did you get that bruise? What do you do to you?) Now referring to my husband Again, we’re alone and I went “Oh, I didn’t know it was there.” And then like that was it.

Bennett Did you take that he was inferring that you were a victim of some type of domestic violence?

I didn’t know if it was domestic violence or in my mind because I’m so I was thinking ew, what’s he thinking like handcuffs or something? In my mind that’s what I was thinking. Because you know it’s right there and I was like he’s probably thinking that. Then he walked off. Then

Bennett Take your time.

Bennett Then I just kind of like I said earlier for years I swear to God it’s been like eight years Ex. (c). Privacy and then come back and work for half hour in work out pants whatever. I just I did it like twice and I just couldn’t do it anymore because no lie the couple of times that I did it Ex. (c). Privacy all of the sudden he’s calling me into his office. And it was just so gross and so like I remember it’s been such a warm summer but I know this I never unaware of being around a lot of men and blah, blah, blah. I had workout pants on, sneakers and T-Shirt. When I get back, I always put on a zip up or something. I shouldn’t have to but I do. It was about a ninety something degrees and I’m like dying with a zip up on. And he would just always call me in there so I just couldn’t do it anymore. So, now all of the sudden I’m a morning person and wake up at 5:30 Ex. (c). Privacy and then just I don’t even bother anymore. And people have noticed it because it’s Exemption(c)-Privacy And I’m like eh, I don’t know I’m a morning person now. Like I just make a joke about it which I am not but.

Bennett And that was inconsistent with what any of the prior acting chiefs when she said that?

They were so like you taking a lunch today? Exemption(c)-Privacy Yeah, like never did I ever feel I had Daniel Leary, I had Andy, there’s been a few, and Andy Lipson, Mark Morgan who’s a superintendent now who’s been acting chief twice, and acting Chief Richie Allen. Such I mean I have been so lucky, such awesome gentlemen. Never, I swear to God, never did they ever make me feel uncomfortable, ever.
Now I understand the superintendent and the chief have different roles is there one that is actually above the other one or are they equal and you ...?

Richie feels above. He’s like he’s number one. But Superintendent Morgan has been on the job I think either thirty or forty years. He knows his stuff like he’s the go to guy if you need to know anything. So, I would say Gonzalez one and Morgan number two. I mean if you look at the org chart that’s how it is as well.

Okay, that’s how it is on the org chart?

Yes, yes.

So he’s actually the top person as far as responsibilities with work that you would need to report to in that position?

Yes, yes. But it’s such a change because he’s not from here so he doesn’t know how things work yet. So, it’s for the first time in a long time its different. It’s a lot of questions and a lot of this you know.

A lot of questions to you or the superintendent or both?

Well, unfortunately to me. It’s this weird thing that’s going on since he’s been here like he hasn’t talked to Superintendent Morgan or asked his opinion about a lot of things. And Mark and I both we don’t understand it. It’s weird. He should, he knows everything, everything.

Now, do you call the superintendent Mark when you ...?

When we are alone, I do but if we are in front of people, I always call him superintendent.

And how about the chief, did the chief start to call you ...

Yes. I always called him chief.

Okay.

Yeah, Chief Gonzalez maybe once in a while but just always chief, yeah. But in regards to that like the whole he hasn’t done much. He hasn’t we have a system at work it’s called Larimore where all the police reports are and everything. He hasn’t logged into it once.

You know that because, why do you know that?

I know that because ... probably like three weeks ago he first of all it’s the first thing that you do when you’re at the police station. It’s your ID number and then you make up a password. That’s where you do everything, that’s everything. So, couple of the IT guys, which are both police officers, first day had set up a computer, gave him everything, your ID number, everything’s there. And I remember Scott Wilder one of the IT guys again coming in my office said “Oh, chief hasn’t logged into Larimore.” And I was like “What?” It was July.” And I was like “What do you mean?” He’s like he hasn’t logged in once.” And I was just shocked by that. Anybody would be shocked by it. The first thing you do is you come in and see what’s happened form the night before, you know?
Between that June and the end of July were there significant events ether taking place in Brookline or happened in Brookline that you’d want to see the police report for?

Ugh, there was a suicide report a woman jumped off a building and few of the officers were there. One of them was very effected by it because he was talking to her and then she jumped. It was sad. There was a couple of you know there’s a lot of break-ins in Brookline and a lot of threats you know people steal off the stairs and the different stairs and stuff. And just day-to-day stuff, motor vehicle, traffic stuff, everything. All the information being a police officer you do you get it in Larimore. So, you know Scott and I hadn’t talked about it again and I was like oh that is so bizarre. Like two weeks ago, again I am in my office at the desk and he comes in and he says what’s Larimore? And I’m like at this point I can’t stand he’s done right? So, I was...

When you say he’s done, what do you mean?

In my mind I don’t respect him. I think it’s ridiculous.

And that’s because of the statements he’s made to you?

It’s because of all of the statements that he made and I know that he’s not doing his job in my opinion. He’s a lot of fluff like you know like oh, get his picture taken, put it on Instagram but he’s not doing police work he hasn’t he’s not doing anything. So, I said “What’s Larimore?” And I remember I kind of like and I’m not that way but I was like “What’s Larimore?” And he’s like “Yeah, yeah, what’s Larimore?” I said and I remember I looked on my desktop and I said “See this icon right here? This is Larimore. You log in with your ID number and your password.” And he goes “Do you know what my password is?” And I go “No that’s the whole point I’m not supposed to know your password.” And then he walked out and I was just like oh, my god. Do you know? Still has not logged into Larimore. August 4th still has not logged into Larimore and I know this because again talking to the IT officer and that was a joke.

He has still been you still had to interact with him since August 1st is that fair to say?

Oh, yeah. Every single day. Every single day. But since last Thursday, he hasn’t come in and said “Good morning blondie” or “Good morning good looking. What’s going on? What’s cooking?” I haven’t heard that since Thursday.

Did he actually say good morning blondie?

Every single morning. Every single morning is good morning blondie. It’s insane! Every single morning. Last Thursday good morning, and walked by my office and I’m like eh, gawd. It’s so apparent you know I was just like and I know people have heard him say it. I know I can’t say that for sure but like he’s like “Hey, good morning blondie (in a loud voice).” And that’s how he does it. You know what I mean? In my opinion you how like I think men and women both like napoleon complex whatever I think he has that like so long on blondie (in a gargle voice). And then when I stand next to him it’s ridiculous.

I am assuming that means you are taller than he is?

Yes.

What other events or somethings anything else significant that you wanted to?
I had this written done too. He’s always like “My girl, my girl.” So, he first said that to me when going back to when we were talking about the steps and the pay and stuff like that and he’s like “Oh, I got to get my girl a raise. Get my girl a raise.” I swear to God I just want.

Bennett

That was I don’t believe and I am mistaken frequently that you brought up that pace and race before what do you mean by that?

Bennett

Oh, the situation I told you about when I was in his office and he was asking me about step grades and stuff like that and he said “Oh, I talked to Mel. It’s a process to get you man.” And I was just like “I know.” So, it’s just you know my girl it’s so annoying. Number one, I’m not. He’s older than me you know what I mean? And you know what I really want to talk about to so he’s started June 1st so it must’ve been or the day before. The town administrator called me over to his office which has never again happened before. I think Mel’s been there fifteen years. Probably said five words to him. Wanted to have a meeting with me, just him and I. And I remember saying to Superintendent Morgan “It’s really strange.” And he said “Yeah.” So he called me over there to like first tell me “Oh, you know your amazing. Never heard a bad word about you. The town loves you.” And whatever. I am like okay. And he said “You got to really help this new chief out. He’s from out of state.” This and that. And I said “Of course.” I remember saying to him “Mel, I don’t care that he’s from out of state. I don’t care that. I don’t care where he’s from whatever. “He’s going to need your help.” Blah, blah, blah. And I said “Mel, nothing to worry about. I will continue being the great employee that you think I am.” I remember he laughed or whatever. We talked for a couple more minutes. Then I left. I just found it so weird. Like I felt like he was like concerned about this hire. He didn’t come out and say it and of course he wouldn’t. But he was like making sure that I would help him. And I was insulated as well because why would he think I wouldn’t? You know what I mean? You just said I’m the no one’s ever said a bad word about you, you’re amazing. So, why wouldn’t I? I was just like that was weird. And again, I hadn’t met the chief yet. And then the next day I met him. And it’s just so sorry I’m like going on and on.
Exemption(c)-Privacy

Earlier you asked me about the day of his swearing in it was the strangest thing. So, I was over at the town hall with like the selectboard meeting or whatever and there were some people there not a ton but some people. Ann Braga who is the HR director was like “I'm giddy. (Inaudible 34:37) Wait till you meet him. He's so charismatic.” If I heard charismatic like one more time that day and I was thinking oh yeah maybe he is, good. “Oh, that's great Ann.” I'm not a fan anyway but I was like “Okay, good.”

When you say not a fan that's against?

I'm sorry, of Ann yes. So, oh come one and meet this one meet this one. This one's from Boston. I said “I know they are.” “Oh, this guy. He's from..” I'm like “I know too.” Like she's trying to introduce me to people I know all these people. So, “Oh, wait till you meet him, he's just amazing.” So, I said “Okay.” So, I sit there at the swearing in whatever I leave. I go back to my office I had stuff to do. I'm in the elevator with a bunch of the guys that came over from the swearing in from and you know just one of the sergeants and stuff. I remember one of the sergeants said to me “Wasn't Ann like so weird?” I go “What do you mean? What do you mean?” (laughs) Because I was like tell me what you think. And he goes “She was like so excited and so happy and stuff.” And I go “Ugh, I know.” Because it's very unusual because in our opinion she's not a fan of the police. There's a lot of different things going on that she has dropped the ball on and hasn't done this and that a lot of things. So, it was so odd to us that she was oh, you guys he's so awesome blah, blah, blah. Chris and I both were like oh, my god, I know. It was so gross to us we were like oh, god, you know but he didn't come in that day so then again, I didn't meet him until the next day. And why you know I'm going to talk about her for a minute. You know this whole confidential thing to me is crap because I had somebody who I don't even work with he's in a different department call me the other day and he's like (whispering) “Are you okay?” I'm like “Yeah, yeah, why?” Like I was doing something I was like “Yeah, what do you mean?” He goes “oh, I talked to Justin.” Now Justin is this really nice guy. I'm sure he meant nothing by it whatever he works over at the town hall, town hall. And I said “Yeah, and?” And he goes “Well, he told me you know he called and said ‘What’s going on over there?’ And Kevin goes and Kevin didn’t know what he was talking about. Kevin said “Well, what do you mean?” He said “Oh, I don’t know I heard somethings going on with and sexual harassment but its so I mean you know its true. That's messed up.” So, then Kevin called me because he felt bad and he said “Are you alright?” and I said “Yeah, Yeah, I am but I'm not talking to you about it.” And I said “Kevin, I'm pissed.” And he's like “Not me?” And I said “No, not at you.” And then later on I was driving home. I stopped at Roche Brothers. I was getting bread and I came out and I called Kevin again. And I was like “Kevin, who like do other people know about this like this it's supposed to be confidential.” He doesn't work in HR or town counsel. This kid Justin. Nice kid. But I mean and I don't think he meant I think he was probably generally concerned about me because we like each other.

Kevin?

Kevin and Justin, I assume.
Yup.

Cause I don’t know why we get a long great. So, I was just so mad about because now I’m like I had to go over to the town hall yesterday and I swear to God a mam like being paranoid and I swear to God I swear to you that people were like talking about me. You know how you feel it? I knew it. I was bullshit. So, I had to go downstairs to the mail room and grab some stuff and I was just so mad. So, I went across back to the police station. I sat outside to collect myself and I was like okay, I’m just going to chill. I’m just going to sit here for a few minutes. And then the chief had text me and he said, it was like 4:30, “I’m taking off. Do you want me to close your door?” And I said “No, I’m down at the PSBO.” Which is the public safety business office. I said “I’m going through some mail. I’m getting some stuff done.” And he sent me like a thumbs up or whatever back. So, I was like oh good, he’s leaving. And then he went into the building and this is how I was thinking he was lying to me and that he was gonna be up there so I was so nervous. I went down my fob opens up the chief’s garage. So, I was like walking like this and I went beep and I went around the corner and was like alright, he’s gone. Like that’s insane. I’m saying to myself oh, my god this is so crazy. Because I knew oh no because you know what I did I called Paul Campbell, and I said “Paul are you still here?” And he goes “No, why? Are you okay?” I was like “Yeah, yeah, I’m fine.” He’s like “Well, I’m gone.” I was said oh he didn’t (inaudible 39:29) or whatever. And I go “Okay, good. Go have fun.” And internal affairs Chucky Thornton he was already gone. Superintendent Morgan had a dentist appointment so he was gone. So, I was like “Oh, I don’t want to be up there.” And Paul goes “Oh, I don’t know if he’s there.” So then like I said I just kind of did that and then I checked the garage and he’s car was gone because I really you guys I swear to God I thought he was going to be up there. I was so ... I yeah. I think he waited for a while to and probably had something you know.

Well, you don’t know that though.

I don’t. No, no, no I don’t. I do not know that. No.

Right. You know that you were nervous about being alone with him.

Yes.

Because of the past events.

Yeah, and I have been but you know what am I going to do? I work till 5 o’clock. I can’t leave every day. Now that I can’t you know what I mean I’m there. So, I just try to find other things to do outside. So, yes did the mail take me a little while longer than usual? Yes, and I did a few other things and talked to a few other people and then went down to the basement floor. But I mean as I’m going down to the basement floor you guys I heard like a you know the guys and the women with their guns or whatever and clanking and I was like oh, my god. So, I ran up into the stairwell and like hid because picture like there’s a stairwell and then there’s all the Poland Springs water bottles or whatever and then the garage is right there so I was like oh, shit that might be him going to his car. So, I stood in the stairwell. It wasn’t him so then I proceeded to find out that his car was gone.

You’re nervous because of the things he’s said to you and his body language with the ways he’s looked at you?
Yes. All of the above. The things he has said to me. The staring, the looks. And the fact knowing that he knows. It’s been a very, very uncomfortable few days. But like I didn’t want to not go to work like that’s not me. I get being a non-union employee I get one sick day a year and I haven’t even taken it yet and I don’t like to do that. I mean COVID I didn’t miss a day; I was in every day. I didn’t want to its just not me I’m just always there.

They only give you one sick day a year?

We used to have two. Well, you can yeah non-union employees now you can take one sick without getting penalized. So, I always take it like the day after Thanksgiving or something. And if you don’t use anymore, you get these things called A days and this like bonus days that you can either use or like cash out. So, I’ve always gotten the extra ones. I usually just cash them out and use them for like Christmas shopping whatever. So, I don’t like to be out. I’m knock-on wood I haven’t been sick in a long time, so that’s good. Oh, again this one really gets me to. So, in my position Exemption(c)-Privacy you are not supposed to be aloud overtime. I don’t know why. So, that’s an Ann Braga thing. But if you’re doing like a project, you can do it. So, that Larimore that I was referring to before that has all the information in it the Ex. (G), Privacy

If you could I have them all scanned in and this. But they need to be in the persons personnel information in Larimore. Their supposed to do it themselves, none of them ever do it. So, Scott said “This would be a good project for you.”

Who’s Scott?

Scott, sorry, is one of the IT officers.

Okay. Go ahead.

And he said “Would you be interested in doing it?” And I said “Yeah, sure. I’d love to.” So, I think I probably started like January maybe. I had to get permission to do it. So, I probably only do like 6 to 8 hours a week. Just after work I’ll stay from like 5 to 7 or something like that and do it. So, maybe two nights a week. And every time that I’m staying and he’s like walking out or whatever he’s like “Oh, you’re still here? Oh, get a life. Would you get a life?” He says it to me all the time. And I’m like “OT.” And that’s all I do. I’m like “Overtime.” You’re not doing your job at least I’m doing my job.

So the statements he’s made and the things he’s done would have a negative effect on your ability to actually get overtime and make more money?

Yes. And last night my husband was working so I was like oh, good I can I’ll work too. And then that’s why I was so concerned about if he was there or not because if he was there, I wasn’t going to do it. I wasn’t going I’ll just pass on the overtime. I think I did like three hours the other night or whatever. So, I was happy when he wasn’t there because then I worked till 8 o’clock and did it. But if he had been there, I definitely would not have stayed.

Okay.

I’m probably just rambling. I’ve been so lucky we talked about my bosses before and the places I’ve worked. I mean I’ve worked at Exemption(c)-Privacy and
I've never been a person that had like anxiety or anything. And I don't even like its like an awful feeling.

Bennett: What bar across the street?

Yeah, it was the Exemption(c)-Privacy. That's when I was there it was still that. But you know so...

Bennett: You seem very upset right now.

(crying) (inaudible 45:50) because it's just not me you know? Like I love my job and I'm always so happy and like I really am you know and people would I mean I don't think I think people are going to be shocked by this because I don't acct any different. I play of like I'm happy all the time. You know what I mean? But I don't know.

Bennett: I can tell you're very upset right now.

Yeah, I was lying to my husband for a while because I didn't want him to know. (crying) I mean we were fine but he was pissed you know because when he found out because he's like why didn't you tell me? Because I didn't. I don't know.

Bennett: And it was very upsetting not being able to talk to people about it?

Well, yeah. Like I was thinking about talking to we have a social worker who's great at the police station, Ann (inaudible 46:52) but like a piece of me I wanted to but I just was like ugh, not that I don't trust her but I just didn't want her to say anything. I probably should but I decided not to. I haven't even told my sister. I tell her everything I just.

Bennett: Well, you certainly didn't do anything wrong by not telling anybody else.

No, I know. I know and then I want to say it was the end of June Exemption(c)-Privacy. We went to this place that we used to go to when we were younger or we didn't know each other when we were younger but and I was like oh, let's go get a mudslide. He was like alright. And then like the second my slide I don't know what it was but I just started talking a little bit and I told him about the milf thing and he was like oh my .. like he was pissed. And he's like is this what's been going on? And he because I get home from work and like I was just in a mood and like it's just not me. And then like I didn't even want to be with him like you know what I mean I was like ew, men. You know? So, you know it just caused a couple arguments here and there. I mean he's amazingly so supportive of this and his glad that I'm doing this because you know I wasn't myself. Its just like its two months of just like and I have been so happy there. (crying) Dan, I'm not a crier I'm sorry. I don't know what's this.

Bennett: There's nothing wrong with you crying right now. If you and I'm not suggesting you need to compose yourself you've been but if you'd like to take a break and speak to your attorney and me step out that's fine to whatever you want to do.

Yeah, just for a second.

Bennett: I'm back on record. Its 48:40 when I came back on. I think you wanted to continue.

Well yes continue but just actually go back. If that's okay?
Absolutely.

I was thinking you know like I said how he always said after everything like don’t tell your husband, blah, blah, blah like I know I said the one with the bruise on the arm I know that he said it right after that comment to you know? That’s why I knew it was like a sexual thing because again why would you say don’t tell your husband? You know and its like a constant. You know when I was typing this up I didn’t really think much about it but every single time he said to something he would say that. A couple of times he’d call me on the intercom and sometimes its hard to understand whether it’d be muffled or something like that. And he has said oh, don’t tell your husband but I even didn’t hear what he said anyways I’m just like and just hang up. He just says it all the time. All the time. It’s just stupid of me if he ever met Exemption(c)-Privacy, it might have stopped I don’t know. Doubt it but. They both worked at the U.S. Open you know when the chief started that’s when the U.S. Open was.

Your husband and the chief?

And Chief Gonzalez yes. But they didn’t meet. I thought they would’ve have but.

Is there anything else that you thought that you wanted to bring up? Knowing that if something does come to you at a later point certainly its totally understandable that you wouldn’t know that it wouldn’t necessarily be right at the front of your mind while we are having this interview that there could be other things that you want to bring up that you haven’t. I am not precluding you from saying anything right now but I also don’t want you to feel like oh this is my one chance.

Right, right. No, thank you. No, definitely if something else other things I will let you know or let Exemption(c)-Privacy, I’m supposed to.

Let your attorney know.

Okay. Thank you. But I think I’ve covered a lot. Yeah, yeah.

Is there anything you wanted to add?

Exemption(c)-Privacy

I’m going to stop it now at 51:30. Thank you very much everybody.
Good morning. My name is Daniel Bennett. I have been retained by the Town of Brookline to look into issues and matters with regards to events at the Brookline Police Department. This is going to be a taped interview and if the party could introduce himself and spell his name for the record.


I am currently chief of police.

What’s your general employment history?

I have been in law enforcement coming up on thirty-four years. I did twenty-nine years in Norwalk, Connecticut. I retired as the rank of deputy chief. I was then hired as chief of police for the Austin Independent School District Police Department in Texas. I was there four years and I had been with the Brookline Police Department just over two months.

Can you describe to me what the Austin well actually why don’t you just describe for me what you did down in Texas?

As a chief of police of the police department normal 24/7 operation. In charge of protecting children and staff, assets of the school, comprised of 85,000 students, 12,000 staff, 130 schools spread out over 230 square miles. Provided police services around the clock.

And that’s obviously a major job. Is that different than what the superintendent or chief of police in the City of Austin would do or is it the same thing?

It’s a different police department within the City of Austin. Just different jurisdictions. But chief of police of the school district has jurisdiction within the school district. Officers are assigned to the school district also have normal powers within the City of Austin as well.

What is your educational background?

I have an associates in criminal justice and I also have a bachelor’s in criminal justice. And then I have some leadership training from different institutions.

What is that training that you have from different institutions or police training, anything to do with your training?

Sure. As you progress through law enforcement and as you move up through the ranks there’s different command and leadership courses, (inaudible 2:51) courses that you attend. So, I attended the FBI Leadership Executive. I had attended the Southern Police Institute administrative officer course in Louisville, Kentucky. Various other leadership training.

What brought you to Brookline?
You know I was in Austin for about four years the climate started to change a little bit with the defunding movement. There was going to be some major cuts with the police department. There was also change in the leadership of the district. So, I just felt that at that time I didn’t really feel comfortable with what resources we’re going to have to protecting those children. I was in Connecticut when Sandy Hook happened so I take that very seriously. And you know my mothers getting older. She’s still in Connecticut so I wanted to be closer to her.

Tell me about what the process was to become the chief up in Brookline?

I sent a process. They hire PERF which is an executive search. They did the screening process, various interviews and selection at the end.

When were you notified that you were going to be hired as the chief of police in Brookline?

I believe sometime in ... I am trying to remember the dates ... in March I was the sole finalist and I was put forward for selectboard for voting and I believe that took place on April 5th.

When was your swearing in?

June 1st.

What are your actual responsibilities as chief of police in Brookline? And Brookline as a little different structure than a lot of the departments that I’ve dealt with over my thirty years and that is you have superintendent also, what are your responsibilities?

I’m the head of the department and my second in command is my superintendent. And below him are four deputy superintendents. So, the chain of command after that is eleven lieutenants and sixteen sergeants.

Okay, I am just going to stop this here for one minute as I go grab a class of water. Would you like something chief?

That would be great. Thank you so much.

We are back on its about five minutes and 45 seconds into the interview. On a day-to-day basis what do you do as the chief of police in Brookline?

Just general oversight of the police department. Make sure that things are running, deal with the issues of concerns that we have to deal with operations, meetings, oversite of the staff, staffing.

With regards to the command staff, who’s on the command staff?

So I would say the command staff is the superintendent and also the four deputy superintendents.

What’s the superintendents name?

Mark Morgan.

Who are the four deputy superintendents?
Bennett: Do you recall what date was your swearing in?
Gonzalez: On June 1st.
Bennett: Sometime in the early part of June did you have a meeting and possible also Deputy/Lieutenant Paul Campbell? Do you recall this meeting at all?
Gonzalez: I had a Deputy Paul Campbell was not in there. But the
Bennett: At that meeting did make a comment about what kept her up at night? I see you nodding but because it’s a recording.
Gonzalez: Yes, I’m sorry, yes.
Bennett: And when she said this is what keeps me up at night chief did you respond something?
Gonzalez: I did.
Bennett: What did you say?
Gonzalez: I um, I blurted out your husband.
Bennett: What was the purpose of that particular statement?
Gonzalez: So, I, I was trying to be a little humorous. It was first meeting and I didn’t want to come in to heavy, wanted to be relatable to the staff. Did not mean any disrespect to her. I recall there was some chuckle and then we moved on.
Bennett: Do you remember who was chuckling?
Gonzalez: I don’t.
Bennett: Now, before we had the meeting I showed you the Town of Brookline policy against discrimination, sexual harassment, and retaliation. Is that correct?
Gonzalez: Yes, sir.
Bennett: Had you seen that before I showed you outside the office where we are doing this recording?
Gonzalez: No.
Bennett: If you could go now to page 5 on your copy of it.
Gonzalez: Yes.
Bennett: Going down to the fourth dot above the bottom there.
Gonzalez: Yeah.
And I am going to read that statement off to you. Sexual obscene gestures, noises, whistling, remarks, suggestions, innuendo or jokes. Was that a violation of the sexual harassment policy when you made that?

When I made the comment it wasn't meant to in a sexual manner. We didn't elaborate and kept moving forward and, in my mind, and we had a conversation later on I believe on June 19th about this issue.

Okay, let me stop you there. I am going to make sure you get an opportunity to say everything.

In your mind what was the comment meant as if not some type of sexual innuendo?

I snore. I snore a lot. I keep my wife up at times and I use a c-pap machine. So, it was a long those lines I was not meaning any sexual innuendos or demeaning her or going with that and later on I found out she was offended by it but that was not my intent.

Now I cut you off a little there and I don’t want to do that. When you said later on you found out she was offended by it described what happened once you found that out that she was offended by it?

On June 19th we attended a function. It was Juneteenth and that was at the end of the U.S. Open. So, myself and myself attended that function. We had to meet at one location, march and then return to the U.S Open or the station where I left my car and we had agreed that she would give me a ride back to my vehicle. When I got back in the vehicle, I saw that she was kind of quiet. Backtracking a little bit, I had noticed on some text’s I had received some notifications that she was deleting some stuff, some remarks, emoji’s, laughing emoji’s, and so I said “Are you okay?” And she goes “You know that comment you made at the meeting really bothered me and I was that’s really,” I am trying to remember the words she used, and I was shocked. I distinctly recall she was driving I distinctly recall looking at her and to give you a little bit of background, was the first one to reach out to me when I was officially named as chief out of the entire police department and she offered to with anything to help you out with the transition. I’ve you know I’ve read about her a little bit I know that she had applied for the job and we text a lot through LinkedIn and going back-n-forth that I think in my mind we hit it off. She was witty, she was you know quick, and so we had a banter going back-n-forth. And so, but when she told me that what I said had offended her or had bothered her that bothered me a lot.

What do you mean by bothered you a lot though, chief?

I have a daughter and I have a wife and the last thing I want to do is make somebody feel bad or uncomfortable. And I pride myself on being respectful. And I did not want her to feel like that. It bothered me a lot and I apologized to her profusely and I am so sorry. That was not what I meant. I value you tremendously, I didn’t mean to.” I think she, I am trying to recall the facts, I think she might have said that she felt embarrassed in front of her colleagues. I said “That is the last thing I wanted to do. You’re a valuable part of the team. I think you’re an awesome cop.” And I apologized to her profusely and I said “If that’s what I did I don’t have
a problem apologizing to you publicly in front of the staff if I did something.” And she said “No, no. That would make it worse.” And so we left it at that.

Bennett

The people on your team now you don’t recall who they were that laughed, did that give you pause that some of the other people was laughing after you gave that comment?

Gonzalez

No, honestly, to be honest with you at the time it was a chuckle you know when you are having a meeting the comments were being made and so at that time I didn’t recognize that I had impacted her. And it wasn’t until we had that conversation on June 19th.

Bennett

You mentioned when you were answering that question that you and had exchanged text messages ...

Gonzalez

Yes, sir.

Bennett

... through LinkedIn before the transition before you were actually sworn in, describe the nature of those text messages?

Gonzalez

I am just trying to remember the sequence this has been a whirlwind of over two months.

Bennett

Chief, you take your time. This is not a rush here to get through anything.

Gonzalez

You know I remember I think it was before I got sworn in, I got brought into the department and given a quick tour by the at that time acting chief, Rich Allen. And we went into

Bennett

There was a lieutenant there that was kind of startled by us coming in and when he got up he knocked down I think his radio and his lap top and so we chuckled about that and she asked me how my sense of humor was? I think it was how’s your dry sense of humor or something like that. We talked about continuing to joke coming in and saying something to him or something like that.

Bennett

The text messages, they’re text messages through LinkedIn, is that right?

Gonzalez

Yes.

Bennett

Do you still have all your text messages?

Gonzalez

I don’t have them all.

Bennett

And I am just talking about the ones with

Gonzalez

I think I have some recent ones but not all of them. I could look if you want.

Bennett

You should preserve whatever text messages you have.

Gonzalez

Okay, I could show you right now so you know what I have?

Bennett

Absolutely, that’s a great idea chief. And these are from so there was the and for the record what I just looked at was there was an invitation to a meeting and then followed up with a text inviting you to that function.

Gonzalez

It was a community event, yes that’s correct.

Bennett

And that was on July 9th, I believe?
Gonzalez: That is correct.

Bennett: I'll just keep going here. You then said back-n-forth there was an exchange and this was also on July 9 in the afternoon that it was a plan and that you were going to be going. Then on July 20 there was a back-n-forth about a Zoom call that the call was on. And then on July 26 there was a question from you to about whether or not you'd be wearing your cover inside for a meeting. Then on Tuesday of this week oh and there was a what kind of emoji is that?

Gonzalez: That's like a laughing emoji.

Bennett: Laughing emoji, okay. Then there was back-n-forth on Tuesday this week holding what appears to be a very attractive dog. And that you she couldn't wait to tell her kids you wouldn't let me keep him and then you said okay, okay not the kids gift trip, you can have one. Giving her permission to have the dog. And then there's a picture and I believe that's you chief with somebody else, is that correct?

Gonzalez: Correct.

Bennett: Also holding the dog. And then a thank you she took

Gonzalez: She took those pictures.

Bennett: And then a thank you from you for those pictures. So, did I accurately portray what's in the text?

Gonzalez: Yes.

Bennett: So the furthest it goes back that you have retained of those texts is July 6th is that fair to say?

Gonzalez: That is fair to say.

Bennett: Yes, it would be good if you preserve those though even though I've I think summarized them fairly...

Gonzalez: Yeah.

Bennett: ... it'd be good if you preserved them. Was there text that took place before you became sworn in as chief through the LinkedIn where you sent a picture of herself?

Gonzalez: Yes.

Bennett: Can you describe that series of events with the picture of herself?

Gonzalez: I am trying to remember. I think it was a ... a picture of her in uniform somehow but I sent it to her because I didn’t know what she looked like I don’t recall the exact comments but it was a picture sent.

Bennett: So you sent her a picture of herself.

Gonzalez: Yeah.

Bennett: Was she in uniform or out of uniform? If you can recall?
Gonzalez: I believe but I am not 100% she was in uniform.

Bennett: If you remember these text going back-n-forth you know I am going to say them one at a time

Gonzalez: Okay.

Bennett: Just alert me if with yes or no or I don’t know or however you want to answer them whether you remember these. Do you remember her saying back is that me from a wanted posted?

Gonzalez: I don’t recall her saying that but it sounds like something she would say because as I explained before she’s witty and she has quick comebacks.

Bennett: Do you recall if you said back to her that’s from an OnlyFans page?

Gonzalez: I don’t recall that.

Bennett: Do you know what an OnlyFans page is?

Gonzalez: Its like a private page.

Bennett: Did you know what that was before you became the chief out in Brookline?

Gonzalez: No, I mean OnlyFans is a not exactly it depends on Instagram I don’t have mine is not restricted mine is public I don’t know if its just a category for friends only or.

Bennett: Would you have referred to it maybe as a FansOnly page instead of a OnlyFans page? Do you know what a FansOnly page is?

Gonzalez: No.

Bennett: Were you aware with the OnlyFans page that there is some content on that site is of a pornographic nature?

Gonzalez: No, sir.

Bennett: I am going to just show you something here from what we looked at. I am not saying now that you knew what that meant but with regards to that if you had known what that meant with regards to sending back a response like that would that have violated the sexual obscene gestures, noise, whistling, remarks, suggestion, innuendo or jokes, of the sexual harassment policy?

Gonzalez: Again, you know there was nothing pornographic about the picture that’s not what I meant at all and it was just part of the banter that we went back-n-forth on. There was absolutely no innuendo from my part that’s lets say she’s got one of those sites if that’s what it is or that I was eluding that she was not wearing any clothes or anything like that. Again, the picture was in full uniform.

Bennett: So let me just go back though, alright? Taking that what your answer is right there chief but only asking if you had sent her a response it’s from your OnlyFans page if you have, I am not saying that you did I am saying if you had and then that site had pornographic material on it would that have been a violation of the town’s prohibited sexual harassment policy under the part that is sexual obscene gestures, noise, whistling, remarks, suggestion, innuendo or jokes? And I am
asking this now not that you did it I am asking as the chief of police in Brookline if you saw that if you saw that conduct, sending that text in your professional opinion would that have been a violation of that particular part?

Gonzalez I think I would have to examine it to tally those circumstances to determine if that’s what that meant in the content. If you are telling me OnlyFans is strictly related to pornographic fan pages and I was not aware of that correlation so.

Bennett If it was related to a number of things but some of them were pornographic, would that have been a factor about whether or not this was violating this particular policy?

Gonzalez I think ...

Bennett Remember I am asking now now as the person who sent it ...

Gonzalez Right.

Bennett I am asking now as the chief of police in Brookline who’s a professional and if not familiar with the Town of Brookline’s particular sexual harassment, discrimination and retaliation policy but in general with over thirty years of law enforcement experience?

Gonzalez I think sending content from pornographic material websites back-n-forth would be a violation.

Bennett And making a joke about that do you believe that that would be a violation?

Gonzalez I think knowing you are making jokes about pornographic sites can be construed as a violation. And again, I want to be clear that that was..

Bennett Yeah, you make sure you get everything out chief that you deem ...

Gonzalez I’m here to answer your questions truthfully sir. I want to be fully cooperative. I will own up to my mistakes. And I will tell you at no time did I mean to embarrass her or to talk about that context with her. I feel extremely bad that she feels like that.

Bennett I am not suggesting what her feelings are one way or another.

Gonzalez I am. I am. I take it seriously. If any of my actions had made any of my staff members be uncomfortable you know I feel responsible.

Bennett Now you mentioned before that she was one of the more supportive well not necessarily more supportive but someone who was supportive of you that you appreciated that?

Gonzalez That’s correct. She was the first one to reach out.

Bennett Do you recall a series of texts that went back-n-forth where, well I am going to start at one part at a time, do you recall a text she sent to you saying that 99% of the department was in support of you?

Gonzalez Yes, sir.

Bennett Do you recall sending back who are the other 1%?

Gonzalez I think I might have replied that.

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Well when you say might what's your certainty level or what's making you think might?

I'm just trying to think my frame of mind if I don't remember because you know as I am examining the department and I know the department is very divided I think I am trying to licit information on who are the folks that I need to work on or, or what is, what is the other issue that the department has been without constantly (inaudible 30:26) for two years and I mean you are from the area and Brookline in particularly it's my impression the department took quite a hit from the community. So, they are trying to reel back and so as a new chief coming in I want to tackle as many morale issues that I can to try to bring officers back to a comfort level.

Understandable coming in to that situation. Do you recall her sending back to you I'm that 1% with a ha ha emoji or some type of emoji that made you think that would represent that that was a joke that she was that 1%?

That she was the 1%?

Yes. Let me say it clearer so that there isn’t a communication issue. Did she send back a statement to you that she was the 1% that she’s against you but at the same time she sent back to you she put some type of emoji like ha ha or smiley face or something that would indicate to you she really wasn’t that 1%?

It’s possible, it’s possible. I mean this is the banter back-n-forth that joking around and witty humor.

You’re saying it’s possible. You don’t have a specific memory but it’s not something inconstant?

I don’t recall the specifics.

Do you recall after what I described to you before with the text messages you sent back to her bitch as your reply?

(long pause) I may have.

So lets just dive a little deeper in that.

Yeah.

Do you have a specific memory of sending back bitch?

No, I don’t have a specific memory. I think we were going back-n-forth and I don’t know if it was bitch or beeatch or something we were going back-n-forth. And it humors.

You don’t have a specific memory of saying bitch or beeatch but you do know that you were sending humorous things back-n-forth and you may have said bitch?

Yes, I think that’s the tone of it and I am trying to remember how that conversation went.

And just going back to what we talked about what I was referring to before and this time I am going to look at a different page here. And if you go to page 4. Look down onto prohibited discriminatory harassment down the bottom. And the bottom dot there the bottom and it says any other verbal or non-verbal conduct that has the purpose or effect of creating a hostile work
environment based on a person's protected characteristic and of characteristics. Gender is one of them for the town. In your opinion, if you sent that bitch would that be a violation of that particular policy of creating a hostile work environment?

Gonzalez  
At the time this conversation I am not even sure if I had taken office already and it was between two friends. And again, joking around. I was not trying to offend her as a woman. One of the things I shared with is that one of things I have pride myself of is trying to create opportunities for women in law enforcement and advancing them. And we have our station not to get sidetracked about..

Bennett  
I want you to say whatever you want to say.

Gonzalez  
Thank you, I appreciate that.

Bennett  
Yup, go ahead.

Gonzalez  
Having a meeting with just all the female officers in the police department. I had done that in Austin. Just to get a gage on their perspective on the police department policies and opportunities for them kind of create a mentor program so we can develop new female officers who want to take on more challenges. Now with the specialized units or who are advancing within rank so I was not trying to be offensive or demeaning full because of her gender. And then I don’t trying to remember if there was an earlier emoji following the back-n-forth in conversation.

Bennett  
Did you ever end up having that meeting with the female staff?

Gonzalez  
I have not as of yet. Coming in June 1st and then the U.S. Open and everything that’s been going one. We are in the process of putting a chief advisory board together. And so mostly from officers from the cross-section departments so we can have a direct line of communication with the chief once a month to talk about issues from their perspective.

Bennett  
What would the advisory board be made up of? Who would be on it?

Gonzalez  
So I solicited volunteers and the goal was primarily from the ranks of officer and detective. A panel of about 8 or 9 and maybe 1 from the union. That I can meet directly with them once a month to talk about their issues directly from them not the stuff that I am hearing that has been filtered through sergeant/lieutenant or a deputy superintendent. That way they feel they have a little bit of a voice, issues that we can probably work on because they are the ones experiencing it out in the field. So, it’s just another way of reaching out to the department. I had one in Austin and it was very effective.

Bennett  
In the Brookline Police Department is there more than one union representing the officers? Many departments have one union for the commissioned officers, and one union for rank and file officers. Is that the way it works in Brookline?

Gonzalez  
Just one union.

Bennett  
How far up the chain does that go as far as …?

Gonzalez  
It covers all the way up to the rank of lieutenant.
Bennett So lieutenants are in the same union as patrol officers?
Gonzalez Correct.
Bennett So captains and deputy superintendents they are not in a union?
Gonzalez So there’s no captains.
Bennett Oh, I apologize.
Gonzalez No, no its okay. My understanding is the rank of captain was eliminated and converted into deputy superintendent. So, deputy superintendents are the equivalent of captains.
Bennett And they are not a union there outside of union protection?
Gonzalez Yes.
Bennett With regards to uniforms do you have any particular things about the way uniforms are worn by police officers that bother you? Is there anything?
Gonzalez There is not. I’m guessing you are asking the question because I made a comment about
Bennett I am. That’s exactly it. Why don’t you just go forward with that chief.
Gonzalez So, so, what I like is officers to look professional and sharp especially as you move up the rank. There was one time when came in my office and she wears her on her, on her I’d like..
Bennett So you are pointing to the Exemption (c) - Privacy.
Gonzalez And I noticed that she had Exemption (c) - Privacy. Not everybody that you know that they might look same but I said “Hey you Exemption (c) - Privacy.”
Bennett Was there then a text exchange with regards to the that you can recall?
Gonzalez (long pause) Yes.
Bennett And what was in that text exchange?
Gonzalez I am trying to remember. We were talking and she says I’m in the locker room Exemption (c) - Privacy.
Bennett Do you recall sending back that you would come down into the women’s locker room to help her with her?
Gonzalez She said (laughs) yes I am sorry I don’t mean to chuckle she said “It’s not like I have somebody here who can help me.” And I think I responded “Do you need me to come down and help you?”
Bennett What was her response to that?
Gonzalez I think she said “No, thank you.”
Bennett What was your purpose at that point chief in saying that you would come down and help her in the locker room?
I was just being funny.

Did you know that if you’d come down into the women’s locker room it would’ve been inappropriate at that point?

Absolutely, 100%. I would never do that. Even if she said yes, I would never do that. I want to be very clear about that.

Do you know who...

As many things as right now sitting here you can recall does...

How much personal contact do you have with her on a day-to-day basis?

A lot.

Could you be a little more specific? I don’t mean to say seven times a day just when you say a lot what does that actually mean?

I mean throughout the day we have contact.

You’re pointing some fingers there, this is coming up what do you mean by that?

Would she be able to do her job if she couldn’t have contact with you?

Would she able be?

Would she be able without contact with you on a day-to-day basis, can she actually do the job she has?
Yeah, I suppose she could.

How would she do that? how could she do that without having contact with you?

Oh, I am sorry. I thought you meant in person. I mean there's emails and phone calls, intercom so.

So the way she could do her job without it being in person is if the two of you emailed back-n-forth, and you and or through intercom had discussions.

Yes.

You need to have those discussions though I take it for her to do her job?

Yes, the standing communication, yes.

When was the first time?

I believe the first time I met her was at my swearing in ceremony.

What type of conversation or contact if you can recall took place at your swearing in?

Brief it was a whirlwind meeting people that day. That was the first meeting her I think we had talked on the phone before that.

The first day that you actually after you were sworn in did you have some conversations with her on that day?

I am trying to remember. I got sworn in around 11 o'clock.

Not on that day. I apologize chief. I probably asked that question poorly. Not the day of swearing the day after the swearing in did you go to work that day?

Yes, I did.

And on that day did you and have conversations together?

I believe so.

Do you remember the substance of any of those conversations?

Not in any particular order, no I don’t. I think it was just touching base and aligning things.

Later on in the day on the first day after your swearing in do you remember having a conversation telling you that she was years old?

Yes.

Do you remember what you said back to her?

I do.

What did you say?
I think we were talking about birthdays and How do I look? And I think my comment was like oh my god you look like a total milf.

With regards to that, she asked you how she looked?

Yes.

And you said she was a milf. What is a milf?

So ... ... I think milf is starting to become more mainstream as far as an attractive person or mother. There's a vulgar connotation to it.

What's the vulgar connotation?

I believe it stands for mom, mom I'd like to...

But I am going to ask you chief to say what it is.

Yeah.

What does it stand for?

I think it says mom I'd like to fuck.

Now with regards to that statement going back to parts of the policy against discrimination sexual harassment, and retaliation back under prohibited sexual harassment would that violate the term of sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendo, or jokes?

I think that was very inappropriate.

Okay, well I am asking you as a professional would that violate that particularly?

Yes, sir. too and there was an instant connection with her. I have the highest respect for her. Her husband is we talk about him often. I remember when I said that we were going back-n-forth and her response was like yes! Now that I find myself in the seat answering to these questions I am looking at things very differently.

Fair enough. I just want to get back to one thing. Your memory now is when you told her she was a milf she said yes and gave some type of physical gesture that most people would interpret as she was taking that comment in a positive manner, sort of a ...

And it was meant as a compliment. She does not look her age. It was not meant in an excuse me for a second it was meant in a demeaning way.

And chief at any point you want to take a break get some water.

I appreciate that.

You go ahead.

Thank you. This is difficult for me. To have not one but two people come forward um and say that I made them feel uncomfortable its very difficult for me. I acknowledged that the thing with
Bennett: I wanted to fix it right away. I don’t want anybody feel like that. That is not my goal. So it bothers me a lot (choking up) excuse me.

Gonzalez: You can tell your obviously upset its causing you some anguish right now as you sit there.

Bennett: Very much. I’ve been experiencing this since got your phone call. That too was unexpected. Almost thirty-four years in law enforcement and I’ve been suspended. It was raised to treat people with respect and that is my expectation of my officers so I want to lead by example and looking back as we review these texts I think my, my intent to be approachable, funny and relatable as terribly gone wrong (sniffling/crying).

Gonzalez: The next day, the day after the milf comment did you show to a video of your daughter doing some tremendous gymnastics?

Bennett: I did.

Gonzalez: Did comment on how tremendous that was that she could do that?

Bennett: Yes.

Gonzalez: Do you recall what you responded to that?

Bennett: Um ... I think I said she certainly didn’t get that from me. I was talking about flexibility, heights, (inaudible 52:17) to heights.

Gonzalez: Do you recall a statement at any point with regards to that video I bet your husband wishes you could do that?

Bennett: I do not.

Gonzalez: When you say I do not are you saying that you did not make that statement, possibly could’ve made that statement but you don’t remember?

Bennett: No, no I don’t. I don’t I believe I would say I mean that’s raising to a level.

Gonzalez: And that as a professional as the police chief not saying you made that statement at all but as the police chief if an officer made that would be a violation that would violate the prohibitance sexual harassment policy, is that fair to say?

Bennett: I mean I just want to back up a little bit because I don’t there’s things that I don’t recall and I am trying to be as truthful here to recall things but that is one thing I absolutely do not see myself saying.

Gonzalez: Fair enough. Let’s put it on the record you’re denying that you said that and its clear that you were making statement that’s just not true. Now I am asking you as a professional as the police chief if an officer said that to another personnel within the office made that statement would that be a violation of the sexual harassment policy?

Bennett: What was the comment again? That you wish your husband could be that flexible?
Certainly, I want to repeat it. There was a gymnastic style video being shown at a certain point it was clear that the gymnastics involved your daughter in a bent over sort of flexible position and that...

It wasn't, I mean she was stretching, she was with her lyra on, there was different poses, it wasn't bent over, it wasn't.

Well describe and I don't want to get too much into what your daughter does believe me.

I am happy to try to dig up the videos.

Well I end up showing everybody my son's football videos so I understand that. But describe what takes place on those videos and then we will go back to the last question.

I think it's my Dora, my daughter, um climbing on a ring that's called a lyra. It's suspended by a rope and doing all kinds of maneuvers on it. And its stretching before and before, contorting her body in different positions.

With regards to contorting her body,

Yes.

Would it be a violation of the prohibited sexual harassment policy if one of your officers said to another police personnel I bet your husband wishes you could do that?

I want to back up a little bit because and make it a point that I would not turn what my daughter was doing into a sexual content or sexualized so I want to be noted that I would almost 100% certainty did not say that and we've had conversations about her husband, her husband we talked about him all the time so I don't believe I said that with almost 100% certainty.

Understood and lets just put it on the record you're saying that you did not say that. And I am just getting back to a question asking you as the chief of police in Brookline with over thirty years' experience in law enforcement, I think you said deputy chief down in Norwalk, Connecticut and then the chief of the Austin Unified School District, all this background professional. If one of your officers said I bet your husband wishes you could do that to another person in the Brookline Police Department would that be a violation of the prohibited sexual harassment policy?

I believe so.

You mentioned her husband what type of conversations have you had with her about her husband?

I know that and you know we had those conversations because I was assigned to and had a brother who was and had a. Talked about plans for the weekends or what are they doing? Traveling, different things.

Where were you on the in Norwalk?

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Gonzalez: In Norwalk.

Bennett: That's a very high-pressure type of job no question about it.

Bennett: What type of city is Norwalk? Is it a big city?

Gonzalez: It's the sixth largest in Connecticut. About 91,000, located about between Bridgeport which is the highest concentration crime and New York City about forty-five minutes away from New York City so.

Bennett: So it's an area that requires a lot of police officers then?

Gonzalez: 179 sworn officers.

Bennett: Going back to what you've said to her about her husband at certain times have you said to her don't tell your husband that I said that?

Gonzalez: I don't believe so.

Bennett: At certain times have you said things and then said don't tell your husband?

Gonzalez: I don't recall saying that. I don't believe so. I don't even think I would be saying that in a joking matter.

Bennett: Now at a certain point was someone in your office and you were talking about the different employee benefits of the City of Brookline as far as sick time and pay and things like that?

Gonzalez: Yes.

Bennett: Did she indicate to you that their employment chart?

Gonzalez: Yes.

Bennett: Did you say back to her you sure are a 10?

Gonzalez: What's the question? Are you sure you're 10?

Bennett: No, when she was saying that she you say back to her you sure are a 10?

Gonzalez: No.

Bennett: And so that statement was never made?

Gonzalez: I don't believe so. We were taking about steps, up and up. The pay issue came up about her and found out she is grossly underpaid. I think she's classified right now as a 10. I think only go to the 10 steps and I begun to look into to see if we could rectify that. I had a conversation with the town administrator about it because he also felt she should be at a different level. But we're trying. Recently they updated the pay grades and they are updating the charts so we've had a couple conversations about that. She also discovered that the Norwood Police Department making about $75,000.00 and she's only making she shared with her that she's...
making about $100,000.00 with overtime. And I suspect a lot of responsibilities so I think that’s when the levels of pay grades came up.

Bennett: Just going on that overtime for a part is able to do some overtime?

Gonzalez: Yes, sir.

Bennett: And what times of day would she be doing that overtime?

Gonzalez: At the end of the day, after hours.

Bennett: Who would be around when if anybody when she was doing her overtime?

Gonzalez: It depends if somebody’s working late. Sometimes I will be working late. Sometimes she’s by herself.

Bennett: sometimes if she’s doing the overtime she’d be alone?

Gonzalez: Yeah.

Bennett: Sometimes she’d be with you if you were working late?

Gonzalez: Yup.

Bennett: Just to make it a little bit easier if she was to work overtime there could be a combination of those officers up in that area?

Gonzalez: Yeah.

Bennett: or there might be nobody up there?

Gonzalez: Yeah, more than likely usually leaves early (laughs) by 4 o’clock, 3:59, but it depends on the other ones coming in and what kind of paperwork they are doing.

Bennett: Now getting back from that overtime issue do you at some point recall telling you sure are a 10?

Gonzalez: I do not. I do not recall that.

Bennett: Did you have conversations with other people related to the police department before you were sworn in about what was going to look like?

Gonzalez: No, I don’t believe so. Its not a choice or that I would choose. I knew coming in

Chief Gonzalez 18
Bennett: Did you say to Exemption(c)-Privacy at some point you’re even better looking than people told me you are were going to be?

Gonzalez: I don’t believe I ever said that.

Bennett: Anything like that indicating to where she was better looking than people had told you?

Gonzalez: No, I’m trying to remember. If I said something like one of my Exemption(c)-Privacy I’ve ever had but I was not referring to as looks.

Bennett: Just to so that we are clear..

Gonzalez: I believe I believe if I said that it was a compliment as far as ... she does so much work compared to what my previous Exemption(c)-Privacy used to do and so I have a very high regard for.

Bennett: Do you recall complimenting her on her looks at different times?

Gonzalez: I think the only time I want to say is when she shared that she Exemption(c)-Privacy that was that conversation.

Bennett: Not since you’ve been made aware that there’s a potential problem but before that do you greet her every morning?

Gonzalez: I do.

Bennett: And how do greet her before you were informed that there was a potential problem?

Gonzalez: Ah, trying to remember. Good morning Exemption(c)-Privacy

Bennett: Do you recall at least at sometimes saying to her good morning blondie?

Gonzalez: Yes.

Bennett: What was the reason that you instead of good morning Exemption(c)-Privacy you would say good morning blondie?

Gonzalez: My wife is blonde, my kids are blonde, their all blondies so there’s that connection with the blondies. It was not a demeaning full or any other tone to it.

Bennett: Did she know it was because of your high regard for your wife and your children that you were calling her blondie?

Gonzalez: Uh, I don’t know if she knew. I mean she knows what my family looks like. I have a picture of all of them. All three are blonde. And usually when somebody comes in and says is that your family? And I say those are my blondies.

Bennett: And did she hear that you were saying those are my blondies?

Gonzalez: I don’t know if she’s heard that or not but or even mention to her but just about everybody that comes in my office inquires.

Bennett: You’d agree that that’s a comment on her appearance?

Gonzalez: I suppose, yes.

Chief Gonzalez 19
Bennett: Well you suppose, is it a comment on her appearance?

Gonzalez: On the color of her hair not appearance but.

Bennett: I am not trying to parse words here chief.

Gonzalez: Yup. And neither am I.

Bennett: But commenting on someone’s hair is a comment on their appearance, is that fair to say?

Gonzalez: Okay. Yes.

Bennett: I don’t think I have any other questions but I want to make sure you have an opportunity to say whatever you want with regards to any of the subjects we’ve spoken about. Anything that you think is important for this inquiry. I want you to be able to do that.

Gonzalez: Thank you.

Bennett: So, want don’t you go ahead if you have something of that nature.

Gonzalez: As I related to you I have never found myself in a situation like this. I have come in to the Brookline Police Department insert a little humor and trying to be more relatable. Multiple officers have said to me well the chiefs never done this, he’s never hung out with us, at events his never stayed at the end or has never (inaudible 1:08:32). I remember even before I took over I sent an email to everybody to all the ladies about Mother’s Day and appreciation. And I did the same thing for Father’s Day. I’m coming into the police department at a delicate time. They’re working without a contract. They don’t feel appreciated from the public and many times from across the street the town administration specifically the select board. There’s been some changes with personnel so I think things have changed a little bit. It breaks my heart (choking up) to know that to be pried I felt close to, value and respect, had been impacted by my comments. It was not my intention to be offensive, demeaning full. Not because they’re not considering close to it but to have an impact on any employee. This has been quite a learning lesson for me. Again, the minute I found out I had offended wanted to fix it, I wanted to address it and I wanted to take ownership of it. And, reassure. To say this is a misstep is quite an understatement. I am happy to take whatever corrective actions I need to do to do better. One thing I’ve told my department is I’ve been doing this for almost thirty-four years doesn’t mean I have all the answers I have a lot to learn. Especially as new chief in a very particular town. Not only have I disappointed two of my best employees I have disappointed myself greatly. I feel horrible that I put them in that situation. I feel horrible that I put the town administrator and the leadership of the town to have to look into this. I know that its what you have to do. I felt very neighborly answering your questions. I’ve tried to do it truthfully, tried to be cooperative, and just wondering about what the next steps (choking up) are?

Bennett: Well, I can’t give that to you. First of all, this is an interview but the other reason is when it comes down to the next steps I am the person doing the investigation, the inquiry, I am not the person who makes the next steps that’s people of the Town of Brookline.

Gonzalez: Okay.

Bennett: When I say people, I mean people in the administration that decide what the next steps are.
Okay.

I'm gonna turn it off now. It's 1:12:30. Thank you very much.
Interview Superintendent Morgan

Bennett

It's August 12th and I am now recording with regards to an incident that happened at the Brookline Police Department with Chief Gonzalez at a meeting with different Brookline personnel. If everybody could just introduce themselves and spell their last names for the record.

Morgan

Mark Morgan. M-O-R-G-A-N.

Simpson

Attorney James Simpson. S-I-M-P-S-O-N.

Bennett

Superintendent how are you employed?

Morgan

As a superintendent of the Brookline Police Department.

Bennett

How long have you been a Brookline police officer?

Morgan

I'm on my fortieth year.

Bennett

What training have you received over the years?

Morgan

Police academy, FBI National Academy, FBI Leader Law Enforcement Executive Development Session, 40 to 48 hours plus of in-service training per year, drug training in Florida and I also took police technology management, a litany of training over the course of my career.

Bennett

Any specific training on sexual harassment?

Morgan

Yes.

Bennett

When was that?

Morgan

I believe it was covered fairly recently.

Bennett

Now I am going to show you a policy. It's a policy against discrimination, sexual harassment and retaliation and just ask you if you recognize that policy?

Morgan

Yes, I do.

Bennett

Who was the Brookline Police Chief about a month ago?

Morgan

Chief Ashley Gonzalez.

Bennett

Do you recall approximately when he was sworn in?

Morgan

I believe it was June 1st of 2022.

Bennett

Do you recall the first meeting he had with the

Morgan

Yes, I do.

Bennett

Was there anything significant that happened with regards to him and an interaction with

Morgan

Exemption (c) - Privacy..
Yes, there was.

What happened?

At that time I'll read from my statement if that's okay?

Yeah, you know what I'd just prefer it if you take your time read a paragraph or two and then from your own because I have your statement anyhow but just take your time though. There's no rush. If you want to read a paragraph summarize or whatever even if you want to repeat it. Reading it is a problem.

During the course of the meeting stated what keeps me up at night what is keeping me up at night and Chief Gonzalez stated that your husband.

What was the reaction in the meeting at that time?

At that time I heard some laughter. I had focused my attention at this time. I did not recognize this as what a comment whatever it was and I saw her reaction that she got she kind of you know blushed, turned red, she tilted her head a little bit and looked down and then she proceeded to answer but deflected that comment and moved on to something that was germane to police work.

When you say she deflected do you remember how she deflected it? In general terms, not exactly what she said?

No, I think she didn't address it as far as my recollection is she kind of like tried to sidestep it and move on you know standing she in there like trying to deflect it and then move on.

At a later time did she come to you and talk to you about what had happened during the meeting?

She had called me on the phone.

And just the substance of that phone call and certainly review with your notes and take your time as far as what would happen during that phone call?

She said I am paraphrasing that what the chief had said was demeaning and unprofessional. It devalued her in front of the other all male members in the meeting.

What was your reaction to that?

At the time I told her that I am sorry that had occurred. I told her that the comment went over my head based on I believe that she may have had some previous conversation with Chief Gonzalez stating whatever her family issues or her husband sleepwalked, snored, you know works another job, comes in late at night that I wasn't privy to so and then when she told me that how offended she was by that then it clicked in my mind that you know that the chief did not have any information that she had disclosed on about any situation. And at that time I said to her that I would like to report this to you know that we needed to report it to the town HR department.
Bennett: Why did you need to report it to the town’s HR department.

Morgan: Because I’m aware of the policy.

Bennett: And that policy is under the sexual harassment policy, is that correct?

Morgan: (inaudible 6:05)

Bennett: Okay. Is there a timing to when you have to report that?

Morgan: Yes.

Bennett: How long do you have to report it?

Morgan: You are supposed to report it immediately.

Bennett: Now with regards to you making an offer or telling her that you needed to report it, how did she react to that?

Morgan: She didn’t want me to report it. I know one of the purposes of the policy is stated when a person in power being an employee. She had stated that she did not have a good relationship with the HR department in Brookline. Specifically, named HR Director Ann Braga. I said well I there’s an Assistant HR Director Leslea Noble we can go to her. She said no I don’t want to go forward with a complaint now I’m paraphrasing basically didn’t want to go forward the complaint. I said I am charged to do so. At this time and I said he had mentioned it we need to let Chief Gonzalez confront him as far as this. She said no I don’t want to report the incidence yet. She asked me not to go forward at this time making up her mind. I was well aware of my role in as an acting chief in the department for a period time and superintendent for over decade that there had been some information and some strife with her between her and HR previous issues. I know that she had been a candidate for the chief’s job which I guess chief Gonzalez was very recently when that thing was so I could understand that there’d be some in trepidation to her feeling that she was gonna get a fair shade from the process. I still encouraged her to go forward but I didn’t at that time. I didn’t.

Bennett: Paraphrasing you and there may be other reasons too that I don’t want to limit you on at least part of it was because someone that would be viewed as the victim was telling you I don’t want to go forward with this and there’s always a fear of damaging the victim. Is that fair?

Morgan: Yeah.

Bennett: Or am I limiting you?

Morgan: No that was my primary reason for not that was the only reason I was not trying to hid this activity I was not trying to protect chief who I had no working relation with. That was not my intent at all my intent was basically her wishes I know that could’ve damaged her forward. And down the road when she told me that she was coming forward with her complaint or she was hiring an attorney I immediately filed a report indicating what exactly had occurred on that day.

Bennett: Let me just go back to one thing that I skipped and I shouldn’t of. What was your relationship with Exemption(c)-Privacy at that time when you had the conversation which led you to believe there may be a reporting responsibility?
Morgan: The initial conversation that night?

Bennett: Yes.

Morgan: She’s worked for me in various capacities over the course of her career. I think I have a good relationship with her. Supportive relationship. I know she’s aware of this policy herself and I know I’ve sent her train with the Massachusetts Women in Law Enforcement and the National Association of Women in Law Enforcement so I know she is up on women issues in law enforcement. But I kind of I guess good working relationship with her.

Bennett: You said that she’s aware of the policy is that in reference that she had the same obligation that you had to report it as a Exemption (c) - Privacy.

Morgan: It states a supervisor in the policy I don’t the way it’s written yeah I believe yes she does but I don’t know if that’s fair or not but that’s what it does say yes.

Bennett: You mentioned that you produced the letter that was sent to Ann Braga when you learned that Exemption (c) - Privacy had an attorney. Expand on that a little bit what you mean by that? What type of conversation happened?

Morgan: I walked into her office and you know about regular police thing and she had told me basically I hired an attorney but with the chief and I said Oh well then I said I need an immediate report that was I think I went and I field a report.

Bennett: Now and I don’t want to confuse the timing of things, June 8th according to your email time Ann Braga was the day of the meeting where this incident happened. Is that fair to say?

Morgan: That is correct.

Bennett: When was that phone call?

Morgan: It’s indicated in my report. It’s around 6:15 P.M.

Bennett: Oh, I asked that question very poorly. The phone call you got from Exemption (c) - Privacy what date did that happen that you got that phone call?

Morgan: On the same day of the incident.

Bennett: Okay and then it was in July that she informed you that July 19th she informed you that she was going to an attorney?

Morgan: Yes.

Bennett: This event happened, and I’m talking about the event at the meeting, this happened within ten days of the chief being sworn in. Is that fair to say?

Morgan: Yeah, eight days actually.

Bennett: And was there any effect on as a result of you not knowing what Exemption (c) - Privacy relationship with the chief as far as their ability to interact under those circumstances?
Morgan

I’m trying to (inaudible 12:53). I think that I know her relation that they had talked previously you know as far I didn’t have much conversation with the chief. Whether they had conversation that gave her or him some indication as I detailed earlier as what she or he may or may not know. But as far as that I don’t know. I know they’ve had you know there’s still interaction post that where you know things were the activities in the department were still working. She’s still did her work related to the department.

Bennett

Attorney Simpson do you have questions?

Simpson

I have no questions.

Bennett

Now, I don’t want to cut you off superintendent one tiny bit are there other things that would be beneficial that you think that you wanted to bring up with regards to this incidence and your reporting?

Morgan

I just want to reemphasize that you know that I understood the policy but I was understanding that the whole curve advancement the back story is that the mitigating circumstance of her situation and that was the purpose of the report is to empower and support them. You know I know the (inaudible 14:07) but I did a balancing act of what was best for the victim here. I had no hesitancy once I knew that she wanted to report it onto (inaudible 14:16) and I know I also know her position in the department, her time in service, her training that I knew that she wasn’t someone that was afraid to speak up if they were willing to. It wasn’t a new employer or someone just out of the academy they would’ve felt the power somebody that wouldn’t want nowhere to turn I know she would’ve turned. But I didn’t want to you know that is my only reason to basically that she had asked me not to and there’s all the other dynamics that are at play in this situation but there was a hesitancy to seek or not to follow policy.

Bennett

I don’t have any further questions.

Morgan

Thank you.

Bennett

Okay, thank you. Just about fifteen minutes on this interview.
Good morning. Today's date is Thursday, August 18, 2022 and the time is now 11:40 A.M. My name is Kerry Gilpin of Comprehensive Investigations and Consulting, LLC. This interview is being conducted at the Brookline Town Hall. You are aware and consent to the fact this interview is being recorded?

Yes, I am.

Do you have any questions before we begin?

No, I don’t.

Could you please state your full name for the record, spelling your last name?


And here with you today?

Attorney James Simpson. S-I-M-P-S-O-N.

Thank you. Comprehensive Investigations and Consulting, LLC was retained by the Town of Brookline to investigate a complaint or complaints alleging sexually harassing statements in the workplace. By whom are you presently employed, sir?

I’m presently employed with the Town of Brookline.

How long have you been employed there?

Thirty-seven years and nine months.

Congratulations.

Thank you.

What is your present rank?

Deputy Superintendent Patrol Division.

How long have you held that rank?

Approximately nine months.

And you stated that you are the deputy superintendent in charge of the patrol division?

Yes ma’am.

Can you briefly describe your duties and responsibilities?

I oversee three patrol platoons and just to make sure day operations are running smoothly, attendance, sick time, scheduling, things like that.

Can you also briefly describe any training that you have received over the years?
Cullinane: That’s kind of a, any particular training?

Gilpin: No starting with the academy just kind of anything that majorly comes up.

Cullinane: Yeah, okay I can go with the big stuff.

Gilpin: Yeah.

Cullinane: I went to the Brookline Police Academy in 1984. After that, when I was promoted to sergeant, I went to sergeant supervisory school. I also took a firearms licensing course every year. I was doing firearm’s license at the time. I took a civil service bypass class for when I was doing recruit investigations. Several criminal law updates for when I was an inhouse instructor for our criminal law updates when I was a sergeant. When I became a lieutenant, I immersed myself in the marijuana laws. There wasn’t much training there so it was more on the job and asking questions. I also went to supervisory school when I was suicide prevention school when I got promoted on each occasion. Basically, that’s it except for last month I went to a two-day training for major events in sporting events specializations.

Gilpin: Great. Thank you, sir. Who was the chief of Brookline Police Department on or about June 8, 2022?

Cullinane: That would be Ashley Gonzalez.

Gilpin: When was the first time you spoke to or met Chief Gonzalez?

Cullinane: Chief Gonzalez came in with acting Chief Allen before he was sworn in. He came and brought him into my office and introduced me to him.

Gilpin: Did you exchange phone calls? Text messages? Social media? Anything like that prior to him beginning here at Brookline PD?

Cullinane: No.

Gilpin: Did Chief Gonzalez ever ask you what his [Exemption(c)-Privacy] looked like?

Cullinane: No.

Gilpin: Did you attend a [Exemption(c)-Privacy] meeting on June 8 of 2022?

Cullinane: Yes.

Gilpin: Who was in attendance at this meeting?

Cullinane: [Exemption(c)-Privacy] and the chief.

Gilpin: Was there anything significant that happened during that meeting with regard to an interaction between Chief Gonzalez and [Exemption(c)-Privacy]

Cullinane: Yes.

Gilpin: Can you tell me about that please?
Chief Gonzalez we were going around the table talking about our concerns and when it got time to get to her she made a comment a generic comment what keeps me up at night meaning that she’s worry about something and the chief blurted out your husband or what your husband or your husband something similar to the effect.

And what, if anything, happened after that?

Pretty much shock and all. I don’t think I really can’t tell you I mean I can tell you what I was thinking. I was you know I had never experienced that in any kind of meeting with the Brookline Police Station. So, I had the opportunity I was planning in the U.S. Open that week well for about thirteen months, and I had the opportunity not to attend this meeting because of that and I just kept thinking in my head why did I come to this meeting?

I understand. Did you observe anyone in the room chuckle or laugh after Chief Gonzalez made that statement?

No.

Did you chuckle or laugh after Chief Gonzalez made that statement.

No.

Did at any point after that statement was made and I quote did you say “Good one Chief, her husband.”

Absolutely not.

What was reaction to the chief’s comment?

I think she was pretty much devastated.

Did you look at her? Could you see her physical or emotional behavior?

Yeah, I could see emotional strain.

What happened after that? What was response?

I don’t recall. I don’t even know if she had one.

Since the comment was made have you discussed it with anyone?

Yes.

Who was that? Outside of counsel.

June 13th was the first day of the U.S. Open and I discussed it with in the front of the UCC up by the handrails.

And what was said?

I told her I was very upset about the comment. I was disturbed. And I felt sorry for her and she told me that basically she was going to handle it.
Gilpin: Did she say how she was going to handle it?

Cullinane: She did not.

Gilpin: How did you end that discussion?

Cullinane: I just think it was just generic you know I support whatever you need to do.

Gilpin: Again, outside of counsel, did you discuss it with anybody else?

Cullinane: Yeah, I discussed it with Kevin Mealy recently, to Deputy Mealy and my wife.

Gilpin: And outside of that?

Cullinane: No.

Gilpin: Does the Brookline Police Department have any policies against discrimination, sexual harassment and retaliation?

Cullinane: They do.

Gilpin: Have you read and understand these policies?

Cullinane: I believe I did.

Gilpin: Is this a fair and accurate representation of those policies?

Cullinane: Yes.

Gilpin: And although at the top it says Town of Brookline, Massachusetts, are these applicable to the Brookline Police Department?

Cullinane: Yes.

Gilpin: Did you recently receive training on these policies?

Cullinane: Yes.

Gilpin: Do you recall when? It doesn’t have to be exactly.

Cullinane: Well, it was after I got promoted to deputy superintendent. So, I would say it was either in April or May.

Gilpin: Do you remember who gave that training?

Cullinane: It was private law firm that was hired by the HR department.

Gilpin: Specifically was the sexual harassment policy discussed during this training?

Cullinane: Yes.

Gilpin: And this comes, it’s not an exact quote, but this comes from that policy sexual harassment includes sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendos, or jokes as well as any other verbal or non-verbal conduct of a sexual nature that has the purpose or
effect of subjecting a person to an intimidating, hostile or offensive environment. Does that sound familiar?

Cullinane  Yes.

Gilpin  Do you believe that Chief Gonzalez’s comments constituted sexual harassment under this policy?

Cullinane  I believe it did.

Gilpin  Did you report Chief Gonzalez’s comments or behavior in writing to the town’s human resource office within 24-hours as per the policy?

Cullinane  I did not.

Gilpin  Can you tell me why?

Cullinane  Well basically we were in a room with the chief of police who had been there for seven days. The superintendent of police who had been the acting chief prior to that, I felt it would’ve been handled by my superior.

Gilpin  Being?

Cullinane  Superintendent Morgan.

Gilpin  Are you aware of any other statements that you physically heard or actions that you believe would be relevant to this investigation?

Cullinane  No.

Gilpin  Did Chief Gonzalez come to you at any time and tell you that Chief Gonzalez had made any comments to her that were inappropriate?

Cullinane  No.

Gilpin  Can you think of any relevant questions that I did not ask you?

Cullinane  No.

Gilpin  Attorney Simpson?

Simpson  I have nothing.

Gilpin  Is there anything that you would like to add, sir?

Cullinane  Yeah, just that it’s very unfortunate that in thirty-seven and half years this is the first time I’ve ever had to experience this. And you know I hold the town administrator responsible for this because I think it was poor decision to select Mr. Gonzalez for this position. And I don’t think they did their homework because you don’t start making these comments at age fifty-four.

Gilpin  Can you think of anyone else with relevant information that we should be speaking with?

Cullinane  No.
Okay, if there's nothing else, we will be going off the record at 11:46 A.M.
Interview Deputy Superintendent Richard Allen

Gilpin

Good morning. Today's date is Thursday, August 18, 2022 and the time is now 10:25 A.M. My name is Kerry Gilpin of Comprehensive Investigations and Consulting, LLC. This interview is being conducted at the Brookline Town Hall. You are aware and consent to the fact this interview is being recorded?

Allen

Yes, I do.

Gilpin

Do you have any questions before we begin?

Allen

No, I do not.

Gilpin

Attorney Allen?

Atty. Allen

I have no questions I just want to make clear to you I'm not sure whether your role is just to be a fact finder or to determine culpability. But in any event, I just want to make it clear that we are aware of the policy. We are aware that some questions have been raised whether people in the room violated the policy by not reporting it in a timely fashion. After looking at the policy and the applicable law, it is our position that Deputy Superintendent Allen were not supervisors in that room and were not bound by that policy. Had Deputy Superintendent Allen been having a meeting of his staff then he would've been the supervisor in the room. But he wasn't a supervisor in that room.

Unfortunately, this policy doesn't have a definition of supervisor but if you look at the only definition that has been widely accepted in the law in these types of situations that's the National Labor Board's definition of supervisor. He would not he I say he but he would not qualify as a supervisor. The only supervisor in the room would be the chief. If he is the subject of the comment that is being investigated then it falls to the Superintendent Morgan who is the supervisor. So, it is our position that on a legal basis and you'll hear when he testifies that he did take certain actions but that he is not the supervisor and he didn't violate the policy of the town.

Gilpin

Okay. Thank you, sir. Could you please state your full name for the record, spelling your last name?

Allen

Richard Allen. A-L-L-E-N.

Gilpin

And here with you today is?

Allen

Attorney Jeffrey Allen. No relation and I represent him and you have my contact information.

Gilpin

I do. Thank you, sir. Comprehensive Investigations and Consulting, LLC was retained by the Town of Brookline to investigate a complaint or complaints alleging sexually harassing statements in the work place. By whom are you presently employed?

Allen

Brookline Police Department.

Gilpin

How long have you been employed there?
Thirty-three years.

What is your present rank?

I am a deputy superintendent.

How long have you held that rank?

Just over a year.

Where are you currently assigned as a?

To the detective division.

Can you briefly describe your duties and responsibilities?

It’s to oversee the criminal investigation aspect of the department and any crimes that required follow up. I assign detectives and oversee the detective division.

Can you briefly describe any training that you have received over the years? Briefly.

I’ve received my academy training early on when I started. I’ve gone to numerous trainings we receive I believe it’s sixty hours in-service training every year and all aspects of I’ve received specialized training I’ve been to PERF, three-week upper management training.

Great. Thank you. Who was the chief of Brookline Police Department on or about June 8, 2022?

Ashley Gonzalez.

When was the first time you spoke to or met Chief Gonzalez?

I had been acting chief prior to Chief Gonzalez getting the job. The day after he had been sworn in he stopped over to the station to introduce himself and that was the first time I had spoke to him.

You had no phone calls? No text messages? No social media?

No.

Did Chief Gonzalez ever ask you what looked like?

No.

Did you attend a meeting on June 8 of 2022?

Yes, I did.

And who was in that meeting with you?

It was Chief Gonzalez, Superintendent Morgan, and myself.

Was there anything significant that happened during that meeting with regard to an interaction between Chief Gonzalez and
Yes.

Can you describe that for me please?

Chief Gonzalez was attempting to wrap up the meeting and he was going around to each person and when he got to [redacted] she said "Do you know what really keeps me up at night?" And Chief Gonzalez said "Your husband."

Do you recall if anything was said or anything happened after that as far as any emotions in the room? Did you look around to see?

I was taken back by it. I was pretty startled that a chief would say a comment like that. And I believe everyone else in the room had the same and he kind of chuckled a little after he said it. But you know everyone seemed a little perplexed that somebody would make a comment like that.

Aside from Chief Gonzalez laughing did you observe anyone else chuckle in the room or laugh after he made that statement?

No, no. It was more of like a huh, huh, I don't know how to I'd really describe it but people seemed a gassed by it, shocked.

Did you yourself chuckle or laugh after Chief Gonzalez made that statement?

No, nope.

After Chief Gonzalez made the statement "Your husband" did you hear Deputy Superintendent Cullinane then state and I'm quoting "Your husband, good one Chief."

No, I did not.

What was reaction?

If this was a table she was sitting here. I was sitting at the end and she was looking up towards the chief who was sitting up here. And I just saw she had her hand up she said "I'm just going to let that go" or "I'm going to by-pass" something to that effect and just went on about what her point was that she's worried about the fact that the IT people would be leaving soon and we haven't made any steps to fill that position that it's just an important position and it was concerning to her.

Did you see any physical or emotional reaction from [redacted]?

No.

Since the comment was made have you discussed this outside of attorney privilege with anyone?

Yes.

And who was that?
Allen: So, the next day after the meeting I went down and saw Superintendent Morgan. And I told him that I thought the comment was inappropriate during the staff meeting and he agreed. I said "I thought it was very inappropriate." And Superintendent Morgan said "I agree and looking at the policy I am going to have to report it."

Gilpin: Did you speak with anybody else besides Superintendent Morgan?

Allen: I spoke with [Exemption (c) - Privacy] that day that same day I spoke to Superintendent Morgan.

Gilpin: What was said?

Allen: I just told her I thought it was inappropriate that he would make a statement like that.

Gilpin: Did you mention [Exemption (c) - Privacy] you had spoken to Superintendent Morgan and that he was going to make a report?

Allen: Yes.

Gilpin: Does the Brookline, and I already know the answer to this question but I got to ask, does the Brookline Police Department have any policies against discrimination, sexual harassment and retaliation?

Allen: Yes.

Gilpin: Have you read and understood these policies?

Allen: Yes.

Gilpin: And this is the policy we are talking about?

Allen: Yes.

Atty. Allen: Looks to me like the same. Revised June 2016?

Gilpin: Yes, sir.


Gilpin: And on the top it says Town of Brookline, Massachusetts Policy but to your knowledge does this same policy apply to the police department as well?

Allen: Yes.

Gilpin: Did you recently have training on these policies specifically the policy against discrimination, sexual harassment and retaliation?

Allen: Yes.

Gilpin: And when was that?

Allen: I'm not sure the exact date but we did have a training on it.

Gilpin: In the past month, two months, three months?

Allen: I would say three months.
Gilpin: Do you know who gave that training?
Allen: I believe it was the HR Department maybe.
Gilpin: Specifically was the sexual harassment policy discussed during this training?
Allen: Yes.
Gilpin: So in reading the policy it says sexual harassment includes sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendos, or jokes as well as any other verbal or non-verbal conduct of a sexual nature that has the purpose or effect of subjecting a person to an intimidating, hostile or offensive environment. Does that sound familiar?
Allen: Yes.
Gilpin: Do you believe personally that Chief Gonzalez’s comment to [Exemption(c)-Privacy] constituted sexual harassment under this policy?
Allen: Yes, yeah.
Gilpin: Did you report, as the policy states, Chief Gonzalez’s comment or behavior in writing to the town’s human resource office within 24-hours as per the policy?
Allen: I reported to Superintendent Morgan.
Gilpin: Are you aware of any other statements or actions that you believe would be relevant to this investigation?
Allen: No.
Gilpin: Did you ever hear Chief Gonzalez make any other statements to [Exemption (c) - Privacy] or any other female that may work in the building?
Allen: No.
Gilpin: Can you think of any relevant questions that I did not ask you?
Allen: No, I cannot.
Gilpin: Is there anything that you would like to add, sir?
Allen: No.
Atty. Allen: I would just go back on two things. First of all, from mine discussions with my client and as a former state police officer you know that the police departments historically there’s a lot of chatter. It is my understanding is Chief Gonzalez was not the type of chief that interacted with people a lot and I think it would be fair to say that Deputy Superintendent Allen in the two months that Chief Gonzalez was there had very little interaction with him. It was a long period of time before they even had any substantive conversation during the course so that when you ask if he’s heard or seen others there was very little opportunity to see or hear anything else. And I just want to go back to the definition of supervisor because I think its critical. Richie’s been there.
Allen

As chief just one time.

Atty. Allen

I think it’s important that he’s understanding of the policy is that you know if Mel Kleckner was having a department head meeting and one of the department heads made an inappropriate comment that was could be deemed as sexual harassment or was sexual harassment certainly the policy doesn’t require thirty reports. And the policy in this case would require one report and I know my client won’t do this but that say it that responsibility fell to the supervisor, Superintendent Morgan. He confirmed that the next day. So, under the policy and under the National Labor Relations Board’s definition of supervisor he actually acted above what the policy requires because he wasn’t a supervisor but he made sure that a report was going to be filed.

Gilpin

Okay. Thank you, sir. Did any other person either within or outside the department come to you regarding any inappropriate comments that Chief Gonzalez may have made?

Allen

No.

Gilpin

Is there anything that you would like to add?

Allen

No.

Gilpin

Can you think of anyone else with relevant information that we should be speaking with?

Allen

No, there’s no one. I mean actually there are a lot of rumors and talk but it’s all just inherent when something like this happens in a department.

Gilpin

I understand.

Atty. Allen

You certainly would, I mean.

Allen

Yeah.

Atty. Allen

Has nine years as a selectman I know there’s no secrets across the street.

Gilpin

We will be going off the record at 10:40 A.M.
Interview Lieutenant Kevin Mealy

Gilpin: Good morning. Today's date is Thursday, August 18, 2022 and the time is now 11:15 A.M. My name is Kerry Gilpin of Comprehensive Investigations and Consulting, LLC. This interview is being conducted at the Brookline Town Hall. You are aware and consent to the fact this interview is being recorded?

Mealy: Yes.

Gilpin: Do you have any questions before we begin?

Mealy: No.

Gilpin: Attorney Simpson?

Simpson: No questions.

Gilpin: Could you please state your full name for the record, spelling your last name?

Mealy: Kevin G. Mealy M-E-A-L-Y.

Gilpin: And here with you today is?


Gilpin: Thank you both. Comprehensive Investigations and Consulting, LLC was retained by the Town of Brookline to investigate a complaint or complaints alleging sexually harassing statements in the workplace. By whom are you presently employed, sir?

Mealy: Brookline Police Department.

Gilpin: How long have you been employed there?

Mealy: Thirty-one and half years.

Gilpin: What is your present rank?

Mealy: I am a deputy superintendent.

Gilpin: How long have you held that rank?

Mealy: Since April of this year.

Gilpin: Where are you currently assigned?

Mealy: Traffic and records division.

Gilpin: Excellent. Can you briefly describe your duties and responsibilities?

Mealy: I'm responsible for everything to do with the traffic division, special events, records, public records, citations, parking tickets, civilian parking clerk, public safety business office, three supervisors, five police officers, motorcycle officers, just a broad responsibility for anything to do with traffic and records in the town.
Can you also briefly describe any training that you have received over the years?

I received dozen and dozens of different trainings from the time of a patrol officer through the time of being a sergeant, lieutenant, supervisory training, different responsibilities moving up the ranks. The present position since I just started there's been no specialized training. In that position also training that's offered by the town for all their policies and procedures.

Who was the chief of Brookline Police Department on or about June 8, 2022?

Ashley Gonzalez.

When was the first time you spoke to or met Chief Gonzalez?

Probably a month prior. I said hi when he was walking around the station with Richie Allen.

Did you ever exchange any phone calls? Text messages? Social media?

No.

Did Chief Gonzalez ever ask you what looked like?

No.

Did you attend a meeting on June 8 of 2022?

Yes.

Who was in attendance at this meeting?

It was chief, Superintendent Morgan.

Was there anything significant that happened during that meeting with regard to an interaction between Chief Gonzalez and?

Yes.

Can you tell me about that?

Well during the course of the meeting, this is really the first time I've ever spoken to the chief other than a couple words I think it was only the third time I've actually seen him face to face. We kind of went around the room, talked about different issues and problems going on in the department, things moving forward. We had the U.S. Open starting in five days but it was really taking off just in three days. It was kind of an update to make him aware of where we stood. And towards the end of the meeting we just kind of went around the room to each to say any final thoughts or concerns we had. So, I had I think the superintendent spoke then we almost went around the way we were sitting.

Can you describe that for a second please? If the chief was up here.

So table like. The superintendent was at this chair And then the chief sat almost directly across from me.
Okay.

So we kind of went around the room. I told him some concerns we have with the traffic division moving forward. There hadn't been anyone assigned as the deputy in the traffic division for over nine months so it was being run by two sergeants. The town wouldn't approve any promotions for nine months for whatever reason. So, I was kind of coming in to try and straighten things out because things have gone a little sideways. So, I said my peace and then he went to next to found out what she had a concern about.

Okay.

So, I think I was still talking she had said I have an issue and then said I'll finish and then he went back to her and what she said was what's really keeping me up at night is the fact that our two IT officers are both leaving very shortly and the town hasn't made any effort whatsoever to try and hire or replace them or give us any blue print moving forward. And that's critical for us. And at that time the chief made a comment. I don't know if she even finished her entire sentence but after she said what was keeping me up at night, he made a comment as to the point of oh, I thought it was your husband that keeps you up at night. Or words to that effect.

And what, if anything, happened after that?

There was kind of a pause in the whole room. Like I kind of had a quizzical look like did I just hear that? Or did I miss hear that? He laughed as he said it like it was almost an inside joke of something but I just thought you're in a meeting first time I was like what don't know out of nowhere I've never heard anything like that. So, I think hesitated and then kind of continued on with her thoughts and then the meeting concluded shortly after that.

Aside from Chief Gonzalez laughing did you observe anyone else in the room laugh?

Well, I couldn't see to this side because was leaning forward. I heard probably like a nervous noise like a whoa like I don't know if I would categorize it has a laugh just maybe like a nervous chuckle or even an acknowledgment that something was said but it was hard, I wouldn't say it was someone like laughing.

Who would you attribute that too?

I would say Paul probably was the one but that would be his normal I wouldn't take that as anything different cause sometimes I think that's his normal response to something that he's uncomfortable with. And I couldn't really tell what else.

And when you say Paul?

Paul Cullinane.

Did you personally chuckle or laugh after Chief Gonzalez made that statement?

No.

Did you hear Deputy Superintendent Cullinane state and I quote "Your husband, good one Chief."
Mealy No, I don’t remember that.

Gilpin Could you see what reaction was? Either physically, emotionally?

Mealy Well I was sitting right next to her so when I say I looked over and her face had this just complete blank like did I just hear that right? And you know she’s professional and she just kind of continued on. Because this is like I said the first time we’ve ever had a meeting with the chief so it was, it was bizarre. It was just a bizarre statement.

Gilpin Since the comment was made have you discussed it with anyone?

Mealy Yes.

Gilpin Who was that?

Mealy came to see me.

Gilpin What day was that?

Mealy I think it was the following day and she said I wanted to talk to you about the comment yesterday at the meeting.

Gilpin And what did she say?

Mealy At first, I said I just want to talk I wasn’t quite sure I wanted to make sure we were on the same page because it was so weird I said “Tell me what you heard?” to see if it matches up. And she gave pretty much the same thing I said of what I thought I heard. And she goes “Well what do you think?” And I said “That’s at a minimum bad taste, unprofessional you know whatever you want to call it in a staff meeting in general and to say it to you is even worse.” She goes “Okay I just wanted to come to you to get your opinion.” So, I said “What do you want to do?” So, she said “I don’t want to do anything about it right now. I’m coming to you in complete confidence because I trust your opinion and I trust what you are going to tell me.” I said “I’ll go to HR if you want?” And she said “100% absolutely do not go over. I don’t trust HR. I have no faith in them right now. I know there have been leaks, confidentiality stuff has gone through the building that shouldn’t of and I am begging you do not go over there. I’m retaining an attorney and I’m going to handle it.

Gilpin Is there any other part of that conversation?

Mealy She asked me also if I heard someone laughing and I basically gave the same thing. I kind of heard a nervous noise or chuckle from the other end of the table.

Gilpin And you wouldn’t or didn’t attribute that to Deputy Superintendent Cullinane laughing like it was a joke?

Mealy I didn’t think he thought it was a joke. I think it was more of a I know the chief he laughed when he said it and it was more of a I think it was just a nervous reaction that responds to that.

Gilpin How did you leave that conversation?
Mealy: I took it as she took me into her confidence. She's the you know real agreed party here. She's sworn me to hold onto this and I took that as she trusted me with this and there is no way I am going to break that breach of trust. I also took it as when she said "I'm going to handle this" I knew she would handle it because I have confidence in her. I didn't think she would blow it off or tell us to not do anything. And she did.

Gilpin: Outside of counsel, have you spoken with anybody else about this?

Mealy: Just in general just discussing that we have to go over and be interviewed but I didn't get into any in depth discussions with anyone.

Gilpin: Okay. Does the Brookline Police Department have any policies against discrimination, sexual harassment and retaliation?

Mealy: Yes.

Gilpin: Have you read and understood these policies?

Mealy: Yes.

Gilpin: I am showing you a copy of a Town of Brookline, Massachusetts Policy Against Discrimination, Sexual Harassment and Retaliation does that look familiar?

Mealy: Yes.

Gilpin: Is the Town of Brookline Policy Against Discrimination, Sexual Harassment and Retaliation the same that applies to the Brookline Police Department?

Mealy: Yes.

Gilpin: Did you recently have training on these policies?

Mealy: Yes.

Gilpin: And when was that approximately?

Mealy: Just a few months ago.

Gilpin: Who gave that training?

Mealy: Ann Braga and she had an outside but I can't think of the name of the person she had come in.

Gilpin: Who is Ann Braga?

Mealy: She's the director of HR.

Gilpin: Specifically, was the sexual harassment policy discussed during this training?

Mealy: Yes.

Gilpin: I'm going to this is not a quote but I read the policy. According to the policy, sexual harassment includes sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendos, or jokes as well as any other verbal or non-verbal conduct of a sexual nature that has the purpose or
effect of subjecting a person to an intimidating, hostile or offensive environment. Does that sound familiar?

Mealy: Yes.

Gilpin: Do you believe that Chief Gonzalez’s comment constituted sexual harassment under this policy?

Mealy: Yes.

Gilpin: Did you yourself report Chief Gonzalez’s comment or behavior in writing to the town’s human resource office within 24-hours as per the policy?

Mealy: No.

Gilpin: Why not?

Mealy: Based on my conversation with and also based on the entire situation where they bring chief of police. He’s been there seven days. It’s our first meeting. I know that there were conversations from town hall to him or rumor had it that he would possibly be undermined or discredited by the so there was political considerations also. And 100% it was because asked me and told me and begged me not to do it. And I took that as if I did a breach of trust on that that would be way worse than waiting until she was ready to report it.

Gilpin: Aside from Chief Gonzalez who is the highest-ranking supervisor in the room?

Mealy: Superintendent Morgan.

Gilpin: Did you ever have any conversation with Superintendent Morgan regarding this?

Mealy: After it was reported. I can’t give you the exact date of when it was reported. He said that he reported it per request.

Gilpin: When you say after it was reported, by him or by request.

Mealy: Well I believe she had him report it. I’m not sure of the exacts, sequence of events there.

Gilpin: Are you aware of any other statements or actions that you believe would be relevant to this conversation?

Simpson: That you witnessed firsthand.

Mealy: Firsthand, no.

Gilpin: Did you hear from anyone else, any other females, any other inappropriate statements that Chief Gonzalez had made?

Mealy: I didn’t hear any of them personally.

Gilpin: Okay. Can you think of any relevant questions that I did not ask you?
Mealy: I can’t really think of anything. That’s kind of it.

Gilpin: Would you like to add anything?

Mealy: Yeah. My only opinion is that I understand the policy. Everyone in the room understands the policy. It was a very one of the most bizarre situations I’ve ever encountered in that environment. I think in a normal situation something like that would have been immediate but there was just there’s more to it than just running across and reporting it based on the policy. Yes, was the one who’s the agreed party and I’m going to go with what she is gonna do.

Gilpin: Okay. Attorney Simpson, do you have anything?

Simpson: I have nothing.

Gilpin: Can you think of anyone else with relevant information that I should be speaking with?

Mealy: Other than who was in that room for this event, ah no.

Gilpin: Okay, we will be going off the record at 11:33 A.M.
Interview Lieutenant Paul Campbell

Bennett: I'm turning on the recorder on August 12th at approximately 1:07. I am going to interview Paul Campbell. If everybody in here could state they're name, spelling the last name for the record?

Simpson: Attorney James Simpson. S-I-M-P-O-N.

Campbell: Lieutenant Paul Campbell. C-A-M-P-B-E-L-L.


Bennett: Lieutenant Campbell what type of training have you had?

Campbell: I have been a police officer for twenty-four years. I went to the police academy which I think was 21 weeks of training. I was promoted in 2004 to sergeant. There were some sergeant training two weeks sergeant school. Over the years we get 48 hours of various in-service Trainings, too many to list. In 2009 I was promoted to Lieutenant. 2011 I moved into internal affairs. I worked ten years in internal affairs where I did some internal investigation type training classes. Its hard quantify how many trainings I've been to but a fair amount.

Bennett: With regards to sexual harassment and discrimination have any of those trainings in the last five years dealt with that?

Campbell: Yes. We had recently we had a training class department wide that covered some of the that, the sexual harassment policy.

Bennett: What are your responsibilities in your current position?

Campbell: I'm the police prosecutor. I am assigned to Brookline District Court. So, liaison between the court and the police department. I handle discovery matters, summonses, over time of officers that come to court. I do hearings, criminal hearings as well as traffic appeals. Pretty much anything else that the court might need from the police department.

Bennett: Now are you familiar with the Town of Brookline policy against discrimination, sexual harassment and retaliation?

Campbell: Yes.

Bennett: Do you know who is?

Campbell: Yes.

Bennett: How do you know her?

Campbell: Exemption (c) - Privacy
Bennett: Do you know what her responsibilities are?
Campbell: Detailed day-to-day I probably don’t know exactly what she does.

Bennett: What is your relationship with her?
Campbell: We have a good working relationship. I consider her a friend of mine. We talk socially at work. Sometimes we don’t socialize outside of work but on days off we’ll text sometimes. We’ll talk on the phone sometimes. I know a little bit about her personal life. She knows about my personal life. I consider her a friend.

Bennett: Now at one point were you and Chief Gonzalez discussing former warrants from Brookline, Brookline warrants?
Campbell: Yeah, a particular warrant article that was proposed, yes.
Bennett: What was that warrant article?
Campbell: It was a warrant article that had been proposed in town meeting. Someone tried to propose a law that would make it unlawful for parents to spank a child. That was essentially it. It never went anywhere and I think eventually they passed a resolution. I am not entirely sure the force of law that a resolution has but basically frowning on spanking of children but I think that was the extent of it.

Bennett: Did the chief have any interaction at that point regards to that warrant?
Campbell: At some point, yes. He made a comment. I wish I could remember it better but it was something to the effect of I imagine your husband is happy that a spanking ban didn’t get passed or something along those lines that was certainly the gist of it.

Bennett: There was some sexual innuendo to that? Is that fair to say?
Campbell: Yes.
Bennett: Now I am just going to pull five out of the harassment policy. What I am going to ask is what you probably 80% down the page a line that says sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendo or jokes. Was what the chief said at that time would you consider any of those things?
Campbell: Yeah, I would say innuendo is probably the closest match. Yeah. It was clear this was not a comment about spanking children. So, it was a comment about and her husband.

Bennett: At some point did you give her reaction to her feelings about that comment?
Campbell: Yes. Yes. So, this was at the end of the day. The chief was literally walking out the door and so almost immediately after that comment, I would say within 60 seconds he had gone for the day. Said to me that she thought again I don’t remember the exact words but that this was that comment was unnecessary and not appropriate.
Bennett: What was your reaction?
Campbell: I felt bad. The comment had sort of gone over my head and I didn’t recognize it. And say something like that, I felt bad that I hadn’t recognized it and I think I apologized to her although I am not certain and I told her I said “Do you want me to say something to Chief Gonzalez about that?” And she was very insistent that she prefer that I not saying anything.
Bennett: And as the court liaison you have been taught over the years that you should respect the victim’s rights? Is that fair to say?
Campbell: Yeah.
Bennett: Now I am going to show you something that’s on page 7. It comes over onto page 8. I am going to point it out. And that is the requirements for supervisors?
Campbell: Yes.
Bennett: And if you look down at the bottom of page 7, supervisor required to make a report promptly to resource director within 24 hours or by the conclusion of the next week day in the case of a weekend in the event that they have received a complaint, a report, or observed or otherwise become aware of an alleged per c (8:58) violation of this policy. Were you aware of that policy at the time?
Campbell: Yes.
Bennett: At that point did you report it?
Campbell: I did not.
Bennett: And what was the reason you didn’t report it?
Campbell: So, it was a combination of things. I was emphatic that she didn’t want me to say anything to Chief Gonzalez and I do remember offering to her a second time, I have no problem saying something to the chief. She was emphatic that she didn’t want that. I’m also broadening this too much. I’m aware of extreme distrust of the human resource’s department. [REDACTED] feels very distrustful of HR. I know [REDACTED] is part of this also. [REDACTED] is also a close friend of mine. I am aware from speaking with [REDACTED] were already working with an attorney on this exact issue and that they were preparing to go forward. I’ve had a conversation with [REDACTED] about this and about this issue connected with HR. And she was very clear that she was working with an attorney on this and she doesn’t trust HR and she wants to work with her attorney and follow the direction of her attorney. If that ultimately results in HR being notified then they are prepared to that but if not then they’ll she’s going to follow her attorney’s advice. So, if I had gone to HR at that time knowing what I knew I do wonder if I wouldn’t have been undermining some of what they were planning to do.
Bennett: Is it fair to say and just correct me if it’s not, And so whatever responsibility you had to report this she would have had the exact same responsibility?
Campbell: Yes.
Bennett: Lt. Campbell 3
I would agree.

As a result of all the information you just presented did you feel that you’d actually be potentially hurting and what she wanted to do?

Yeah, I felt like it might undermine what they were doing. This is not my area of expertise so I don’t know the importance of timing on piecing things together but my understanding was that they were working with an attorney about making sure that whatever they’re plan was for how they were going to proceed that they had it timed right and that they were coordinating it in their own best interest. I wasn’t part of that and so for me to interject myself I just don’t know what that would’ve done, it may have done nothing.

So with that knowledge you couldn’t comply with your with the information you had that it could possibly undermine what they were doing and still comply with the 24-hour rule? Is that fair to say?

Yes, yes.

I don’t have any other questions. Attorney Simpson did you have questions for him? Anything you want to say you feel free I am not in a rush and whatever you want to say.

Just one other issue that’s related to this. One of the things that I can tell you is that she’s on this issue very private. And she was struggling with this issue coming out at all. And like I said she had concerns about HR and the trustworthiness of HR. I have since talked to a civilian that we work with and really nice guy and came in trying and to be supportive he mentioned to her hey, I’ve heard that there’s some things going on. I’m really sorry. I hope you are doing okay. Nice guy, means it in the best possible way. But its actually indicative of the problem with HR that a civilian in the department who has no connection to any of this within days, I think before many of the command staff even knew had received that information. And I can tell you was hugely upset by this.

Who was the person that came in?

Now I am wondering if I just should’ve just ended the meeting. His name is Kevin Mascoll (14:25). He’s the director or I don’t even know what his position is. He is in charge of the business office. Like I say he’s a great guy.

Very nice guy.

was very clear that his message was all about wanting to support her. But you know it’s a problem when you can’t make a complaint and have it leak all over. That’s a problem I thought.

Attorney Simpson did you have any other questions?

I have no further questions.

Did you have anything else that you wanted to say? I am not trying to cut you off, Lieutenant.

No. No, I think that’s everything.
Okay. It's 15:30 seconds into the interview and I am now going to shut it off.
Hi,

Here is the email trail for his orientation and Policy packet. I will also forward the other related onboarding information.

Ann Hess Braga, Esq. MPA
Director of Human Resources

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From: Kayla Toleno <ktoleno@brooklinema.gov>
Sent: Monday, August 8, 2022 7:49 AM
To: Ann Hess Braga <abraga@brooklinema.gov>
Subject: FW: New Hire Benefits/Policy Orientation

From: Kayla Toleno
Sent: Wednesday, June 01, 2022 8:55 AM
To: Ashley Alexander Gonzalez <agonzalez@brooklinema.gov>
Subject: New Hire Benefits/Policy Orientation
Importance: High

Hi Ashley,

Congratulations again with your new position with the Town! Are you available for a quick Zoom Orientation tomorrow Thursday, June 2nd at 2:00PM? After our orientation, only the benefits you wish to sign up for will need to be completed, printed out, and submitted. When submitting the forms please drop the documents off in Room 208-Town Hall. It is very important all benefit materials are received by this office by 10 days from you hire date (including weekends). There are no exceptions. Please find below the link web address for our Zoom Call. Look forward to seeing you soon!

Best,
Kayla
Join ZoomGov Meeting
https://brooklinema.zoomgov.com/j/66002324922
Meeting ID: 160 902 2492
Passcode: brookline1
One tap mobile
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Passcode: 4435643733

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New Hire 2022-2023 GIC COBRA Health New Hire Policy
Benefits.pdf Benefit...ide.pdf Genera...IC.PDF Packet.pdf
POLICY AGAINST DISCRIMINATION,
SEXUAL HARASSMENT AND RETALIATION

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Ann H. Braga, Director
Office of Human Resources
Revised March 2016
The Town of Brookline is proud of its tradition of congenial, respectful, professional relationships among its employees and its citizens and is committed to ensuring that these relationships remain cordial, respectful, inclusive and free of bias and prejudice. The Town of Brookline is committed to ensuring equitable participation for individuals of all backgrounds in all of its daily operations, consistent with state and federal civil rights laws. Consistent with these laws, the Town prohibits discrimination, sexual harassment and retaliation by or against its employees, as detailed below.

To achieve our goal of providing a workplace that is professional, diverse and inclusive, the Town of Brookline has zero tolerance for the conduct that is described in this policy, and when reported, it will take prompt, appropriate steps to investigate and, where found to exist, eliminate the conduct and impose any necessary corrective action, including significant disciplinary action.

This policy also serves as the Town's Notice of Rights and Grievance Procedure under Title IX, Title VI, and similar federal and state laws.

This policy applies to all persons employed by the Town of Brookline Board of Selectmen and any of the departments and division that report to the Board of Selectmen including represented and unrepresented employees, and to volunteers, interns, and, where applicable, to appointed and elected officials of the Town of Brookline, collectively referred to as "employees" herein. This policy does not apply to members of the Brookline School Committee or any of the employees or departments or divisions that report to the Brookline School Committee, including volunteers or interns of the Brookline School System; those individuals should refer to the Brookline Public School's anti-discrimination and sexual harassment policies.

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1 E.g., Title VII of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and the Genetic Information Nondiscrimination Act of 2003.

2 E.g., Massachusetts General Laws, Chapter 151B.
This policy has four general aims:

1. to educate employees of the Town of Brookline as to their right to work in an atmosphere free from discrimination, sexual harassment and retaliation as set forth in this policy;

2. to educate employees of the Town of Brookline as to what might constitute prohibited discrimination, sexual harassment and retaliation so that they will not engage in such behavior and will understand and expect specific consequences should they engage in such behavior;

3. to empower and strongly encourage those who reasonably believe that they have been the victims of discrimination, sexual harassment or retaliation to report any incidents of such behavior and to obtain relief, as appropriate under the circumstances, through a simple, yet comprehensive, complaint procedure; and

4. to hold responsible and discipline those who engage in discrimination, sexual harassment and/or retaliation.

III. PROHIBITED DISCRIMINATION

The Town of Brookline ("the Town") strictly prohibits discrimination (i.e., adverse or hostile treatment) on the basis of the following protected classes and characteristics:

- Race or color,
- Religion,
- Gender identity3,
- Sexual orientation, or
- Current or former membership in, application to, or obligation to perform military services

- Age (40 and above),
- Physical or mental disability,
- Genetic information (i.e., results of genetic testing),
- Maternity leave,
- National origin or ancestry,
- Gender.

3 M.G.L. Ch 4, sec. 7 provides "Gender identity" shall mean a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held as part of a person's core identity; provided, however, that gender-related identity shall not be asserted for any improper purpose.
Discrimination based on protected classes toward or by employees occurring in the workplace or outside of the workplace when such conduct is associated with, or could reasonably be expected to impact the workplace, will not be tolerated by the Town.

This policy prohibits adverse treatment based on the protected classes and characteristics described above in all Town-sponsored practices, programs, services and activities, including, but not limited to:

- Recruitment,
- Selection,
- Compensation and benefits,
- Professional development and training,
- Reasonable accommodation for disabilities or religious practices,
- Promotion,
- Transfer,
- Discipline including termination,
- Layoff,
- Other terms and conditions of employment and provision of services, and
- Participation in a Town program, service or activity, or receipt of a Town benefit.

Prohibited Discriminatory Harassment: Hostile treatment that is based on, motivated by or expresses a negative attitude toward a person’s membership in a protected class or protected characteristic and that creates an intimidating, hostile, or offensive work environment is strictly prohibited by this policy. Such prohibited hostile treatment may include, but is not limited to:

- use of epithets, slurs or nicknames that refer to a person’s protected characteristic such as, but not limited to, race or sexual orientation;
- jokes that have the purpose or effect of demeaning or making fun of a person based on a protected characteristic,
- graffiti or other visual messages or displays that degrade a person based on a protected characteristic, and
- any other verbal or non-verbal conduct that has the purpose or effect of creating a hostile work environment based on a person’s protected characteristic.

Non-Employees: This policy prohibits Town employees from discriminating against non-employees in connection with any of the Town’s programs, services and activities. Such non-employees could include citizens or vendors of the Town. In addition, the Town will strive to protect its employees from any discrimination by non-employees.
IV. PROHIBITED SEXUAL HARASSMENT

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

1. Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment, participation in a Town program, service or activity, or receipt of a Town benefit;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or a decision regarding an individual's participation in a Town program, service or activity or receipt of a Town benefit; OR

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, participation in a Town program, service or activity, or receipt of a Town benefit, or creating an intimidating, hostile or offensive work environment.

Sexual harassment may include conduct by men toward women, men toward men, women toward men, women toward women, employees toward supervisors, supervisors toward employees, employees toward citizens or vendors, and citizens or vendors toward employees.

Sexual harassment may include, but is not limited to:

- Sexual advances or propositions or requests for sexual favors;

- Preferential treatment or promises of preferential treatment for submitting to sexual conduct, or less favorable treatment or threats of less favorable treatment for not submitting to sexual conduct;

- Physical attacks of a sexual nature, including rape, battery, and molestation, and attempts to do so;

- Other unwelcome touching of a personal nature, including but not limited to, hugging, kissing, pinching, patting, grabbing, brushing against, and poking;

- Sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendo or jokes;

- Comments or questions enquiring about a person's body or sexual abilities, deficiencies or experience;

- Staring or leering;

- Displaying (including, but not limited to, on walls, lockers, and computer screens), or by the reading or viewing, of sexually-suggestive or pornographic objects, pictures or other graphic or written material (materials being used in official police department investigations are exempt from this prohibition provided that investigating officers use reasonable care to shield the otherwise restricted material from all personnel other than those with a legitimate need to view such materials as part of the employee's job responsibilities);
• disseminating sexually-suggestive or pornographic graphic or written material by voice mail, email, or websites, or other electronic means (with an exception for official police department investigations, as provided above);

• Preference to employees because they are involved in a consensual sexual or romantic relationship or less favorable treatment of same because they are not involved in a consensual sexual or romantic relationship; and

• any other verbal or non-verbal conduct of a sexual nature that has the purpose or effect of subjecting a person to an intimidating, hostile or offensive environment.

Sexual harassment of or by employees occurring in the workplace or outside of the workplace, when such is associated with, or could reasonably be expected to impact the workplace, will not be tolerated by the Town. Such conduct could include, but is not limited to, following a person home from the workplace without the person's consent, making repeated unwelcome sexual overtures by telephone, by email or other electronic means, or sending unwelcome sexual materials through the mail, email or through other electronic means.

Employees shall disclose to their supervisor, department head or the Human Resources Director if they become involved in a romantic, sexual or dating relationship involving a co-worker who works at the same site or within the same department whether the relationship arose before or after the date of adoption of this policy. Supervisors must also report such relationships to their department head; however, they are prohibited from engaging in such a relationship with any employee who reports directly to them.

V: PROHIBITED RETALIATION

The Town prohibits punitive action of any kind against a person for engaging in protected conduct such as complaining of, reporting, or opposing acts of discrimination, sexual harassment and/or retaliation, or for participating or serving as a witness in an internal or external investigation or proceeding concerning such conduct. Prohibited retaliation may include, but is not limited to:

• demoting a person, or taking any other adverse job action against a person based on a person's protected conduct;
• denying Town services to a person on such basis, or
• subjecting a person to shunning, hazing, or name-calling, or any other hostile verbal or non-verbal conduct on such basis.

VI: OTHER PROHIBITED ACTIONS

Knowingly falsely denying, falsely accusing or pressuring, goading or encouraging false denials or accusations; as well as covering up, or attempting to cover up conduct prohibited by this Policy will also not be tolerated and will result in discipline of the offending employee up to and including termination.
The Town of Brookline is committed to providing reasonable accommodation for qualified persons with disabilities or with religious observance or practice requirements to ensure to such persons an equal opportunity in employment and to enjoy and participate in the Town's programs, services and activities. In the workplace, the Town will provide a reasonable accommodation that would enable a qualified person with a disability or with religious observance or practice requirements to compete for and perform the essential functions of a job, gain access to the workplace, and enjoy equal access to the benefits and privileges of employment, such as trainings and details.

A reasonable accommodation is one that would not pose an undue financial or administrative burden on the Town by being unduly costly, extensive, substantial or disruptive, or by fundamentally altering the nature or operation of the Town's business. Depending on the facts, examples of reasonable accommodations may include, but are not limited to, a modified work or break schedule, altering how or when job duties are performed, reasonable modifications to Town policies, supplying an auxiliary aid or service to permit effective communication, and providing assistive technology or removal of an architectural barrier.

Employees seeking reasonable accommodation should submit their request (preferably in writing) to Sandra DeBow, Director of Human Resources, 333 Washington Street, Room 211, Brookline, MA 02445, (617) 730-2120, TTY: (617) 730-2327, sdebow@brooklinema.gov.

Non-employees seeking reasonable accommodations may submit their request (preferably in writing) to Dr. Lloyd Gellineau, ADA Coordinator, 11 Pierce St., Brookline, MA 02445, (617) 730-2330, TTY: (617) 730-2327, lgellineau@brooklinema.gov.

All supervisors are expected to know and understand this policy. Supervisors are expected to follow this Policy and to be alert to any possible discrimination, sexual harassment and/or retaliation that may be occurring in the workplace. As detailed below, all supervisors are required to report any such behavior in writing to the Town's Human Resources Office (in addition to making any department-specific report required by the supervisor's department) and to take appropriate steps to prevent the reoccurrence of any such behavior and cooperate with the Human Resources Office in this regard.

Supervisors are required to make a report promptly to the Human Resources Director (within 24 hours, or by the conclusion of the next weekday in the case of week-ends and holidays) in the event that they receive a complaint or report, or observe or otherwise become aware of an alleged or perceived violation of this Policy, even if they believe the complaint or report is
without merit. (They must also make any other report to other personnel as may be required by their supervisors, such as a report within a Department to the chain-of-command.)

Supervisors must maintain the confidentiality of all reports of discrimination, sexual harassment, and retaliation, except as is necessary to report such conduct to Human Resources, to respond to any legal and/or administrative proceedings or investigations arising out of the discrimination report, or as otherwise directed by Human Resources. Supervisors may not investigate claims of alleged discrimination, sexual harassment and/or retaliation unless and as directed to do so by the Human Resources Department.

Supervisors found to have tolerated, condoned or failed to promptly report discrimination, sexual harassment and/or retaliation, as defined by this Policy, will be subject to discipline up to and including termination.

A supervisor shall disclose to the department head if the supervisor becomes involved in a romantic, sexual or dating relationship involving a co-worker who works at the same site or within the same department whether the relationship arose before or after the date of adoption of this policy. No Supervisors shall engage in a romantic, sexual or dating relationship with a person who reports to the supervisor directly or indirectly.

Further, in keeping with the supervisory responsibilities supervisors are required to report any romantic, sexual or dating relationship between co-workers.

IX. FILING A COMPLAINT FOR DISCRIMINATION, SEXUAL HARASSMENT OR RETALIATION

Anyone experiencing or observing discrimination, sexual harassment and/or retaliation is encouraged (supervisors are required) to report such conduct as outlined in this Policy. All reports of discrimination, sexual harassment or retaliation shall be kept in confidence, except as is necessary to investigate the complaint, take any necessary corrective action, address any appeal under this policy, and respond to or conduct any legal and/or administrative proceedings related to the alleged discrimination, sexual harassment or retaliation.

FILING A COMPLAINT WITHIN THE TOWN

If you believe that you have been subjected to discrimination, sexual harassment and/or retaliation, you are encouraged and have the right to file a complaint with the Town. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting:

Sandra DeBow, Director
Human Resources Office
Brookline Town Hall
333 Washington St., 2nd Floor, Brookline
Tel: (617) 730-2120
TTY: (617) 730-2327
Leslea Noble
Assistant Director
Brookline Town Hall
333 Washington St., 2nd Floor, Brookline
tel: (617) 730-2120
TTY: (617) 730-2327
lnoble@brooklinema.gov

Dr. Lloyd Gellineau
Affirmative Action Officer
Stephen Glover Train Memorial Public Health Center
11 Pierce St., Brookline
tel: (617) 730-2330
fax: (617) 730-2388
TTY: (617) 730-2327
lgellineau@brooklinema.gov

These individuals are also available to discuss any concerns you may have, and to provide information to you about this policy and our complaint process. In addition, employees may contact any of the Town of Brookline’s supervisors regarding this policy and the complaint process.

FILING A COMPLAINT WITH FEDERAL AND STATE AGENCIES

In addition to or in place of the above, if you believe you have been subjected to discrimination, sexual harassment and/or retaliation, you may file a formal complaint with either or both of the government agencies set forth below. Using the Town’s internal complaint process does not prohibit you from filing a complaint with these agencies, nor must you file a complaint with the Town in order to file a complaint with these agencies. Each of the agencies below has a deadline of 300 days from the alleged discriminatory act for filing a claim.


2. The Massachusetts Commission Against Discrimination (MCAD):
   a. Boston Office: One Ashburton Place, Rm. 601, Boston, MA 02108, (617) 994-6000. TTY: (617) 994-6196.
   c. Springfield Office: 424 Dwight Street, Rm. 220, Springfield, MA 01103, (413) 739-2145.
The Town recognizes that the question of whether a particular course of conduct constitutes a violation of this Policy requires a factual determination. Therefore all complaints and reports of alleged discrimination, sexual harassment and/or retaliation will be investigated by the Town. Depending on the allegations and circumstances, the Town may need to investigate a complaint even where a complainant asks the Town not to do so.

INVESTIGATORY PROCESS
All Investigations will be conducted by the Human Resources Office or its designee. The Human Resources Office for the Town of Brookline shall record the complaint using the policy's Complaint Intake Form, when possible, and shall promptly investigate all allegations of discrimination, sexual harassment or retaliation in a fair and thorough manner. (Attachment 1)

Each investigation shall begin with an initial, fact-finding phase and will be followed by a full and thorough investigatory phase. There shall be a presumption that each claim filed shall be investigated. In rare instances, where the fact-finding stage reveals that the complainant is not stating an actionable claim under the policy, a complete investigation is not required, but a written report shall be made documenting the matter. Further, attempts should be made to counsel the employee and to work with their department to address their concerns that fall outside this policy.

The Town requests that the following general information be included in a complaint or report:

- the name of the alleged victim(s) and offender(s);
- a detailed description of the alleged offending conduct;
- the date(s) of the alleged offending conduct; and
- the name(s) and any known contact information of any witness(es).

The investigation will include, as appropriate, private interviews with the person filing the complaint, the person alleged to have committed the discrimination, sexual harassment and/or retaliation and relevant witnesses. The employee being interviewed may request to have an individual or representative accompany them to the interview. The individual may be present for support but shall not speak for the interviewee or otherwise participate in the interview.

The Town will protect the confidentiality of allegations and of the investigation and resolution to the extent possible. Such information will only be shared with those who may reasonably be expected to need such information to investigate and respond to the complaint or report and to process any appeal, take any necessary corrective action and respond to or conduct any

There may be certain instances, such as pending litigation, where Town Counsel determines for good cause that it is not necessary to pursue an investigation.
legal and/or administrative proceedings arising out of the discrimination, sexual harassment or retaliation report.

The investigatory process shall be completed within 30 days of the date the complaint is reported or made. If an extension is required to investigate the matter fully, e.g., a key witness is unavailable or additional facts are discovered, then the investigator shall request an extension to the Town Administrator and/or Town Counsel or designee and may be granted for good cause. New allegations of discrimination, sexual harassment or retaliation that come to light in the course of an investigation shall also be investigated consistent with this policy. If the extension is approved, the investigator shall notify the complainant and/or supervisor reporter, as appropriate, of the expanded period. A final, confidential investigatory report shall be issued within 10 business days of the completion of the investigation.

At the conclusion of an investigation, in addition to the confidential Investigatory Report, the Human Resources Director shall write a brief summary of the investigatory findings which include a general statement of the claim, a statement whether the policy was violated, and any recommended corrective action. The summary will not have any confidential or identifying information, and shall be provided to the Town’s Diversity Officer, the complainant, the supervisor reporter and, as appropriate, the subject of the complaint of the results of the Town’s investigation and of any resolution, and provide them with the opportunity to ask any questions and communicate any concerns. If it is determined that a violation of this policy has occurred, the Town will act promptly to eliminate the offending conduct and impose appropriate corrective action as set forth below.

Resolution of complaints shall be made by the Human Resources Director and the appropriate department head in coordination with Town Counsel or designee. The Board of Selectmen will be consulted, as necessary, concerning action towards citizens or vendors found to have engaged in discrimination, sexual harassment or retaliation.

**APPEAL PROCESS**

A person who is dissatisfied with a determination by the Human Resources Director may appeal the disposition to the Town of Brookline’s Board of Selectmen by submitting a letter stating the reason(s) for the dissatisfaction and the desired outcome. The appeal must be filed with the Board of Selectmen within 30 days of the release of the summary. An investigation or an appeal to the Board of Selectmen does not prevent a person from exercising any right to pursue a complaint with the federal and/or state agencies set forth herein.

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5 Determinations regarding the question of the disclosure of investigatory reports or summaries shall be consistent with applicable law, including the Massachusetts Public Records Law and exemptions, after consultation with town Counsel.
Within 30 days of receipt of an appeal letter, the Board of Selectmen will schedule the appeal for a hearing. The hearing and the Board of Selectmen's deliberations shall be consistent with the state Open Meeting law. At the appeal hearing, the appellant shall have the right to address the Board with an informal statement. The appellant may also present up to three witnesses, each whom shall have the right to make a statement for no more than 5 minutes. By a majority vote, the Selectmen may permit additional eyewitnesses to make informal presentations or may extend the time for such presentation. The Human Resources department or designee shall also have these rights.

Following the hearing, the Board of Selectmen shall decide the appeal which shall be final within the Town of Brookline's process. In lieu of deciding the appeal, the Board may decide to refer the matter back for further investigation.

For good cause (which may include pending litigation), the Board of Selectmen may vote to decline an appeal, extend the 30-day deadline to schedule a hearing or designate a third party to hear and/or to decide the appeal.

The Town maintains a zero tolerance policy with respect to discrimination, sexual harassment and retaliation. This includes conduct by or against any Town employee in the workplace, and outside of the workplace when such conduct is associated with or could reasonably be expected to impact the workplace. Violations of this Policy will result in significant discipline, up to and including termination.

The Town of Brookline takes allegations of discrimination, sexual harassment and retaliation very seriously and will respond promptly to those complaints. When the Town determines that this Policy has been violated, the Town will act promptly to eliminate the conduct and impose any necessary corrective action. Such corrective action may include, but is not limited to, counseling, verbal or written warning, suspension, demotion, transfer or termination. Any discipline will be taken in accordance with applicable labor contracts (including all grievance provisions) and bylaws, as applicable.

Employees found to have knowingly made false accusations of or given knowingly false statements regarding discrimination, sexual harassment and/or retaliation will be disciplined up to and including termination.

Any citizen or any vendor of the Town found to have engaged in discrimination, sexual harassment or retaliation against Town employees will be dealt with by the appropriate department head, or by the Board of Selectmen.
From: Mark Morgan <mmorgan@brooklinema.gov>
Sent: Tuesday, July 19, 2022 2:52 PM
To: Ann Hess Braga <abraga@brooklinema.gov>, Leslea Noble <lnoble@brooklinema.gov>
Subject: CONFIDENTIAL HR Report
Importance: High

On June 8, 2022 at approximately 1500hrs there was a meeting of the Police Command Staff with Chief Ashley Gonzalez in the Major Case room of the Brookline Police Department located at 350 Washington St. Brookline, MA. Attending this meeting were myself (Supt. Mark Morgan), stated "what is keeping me up at night", when Chief Gonzalez interjected "your husband". At that time I assumed that Chief Gonzalez had personal knowledge of some family issue that Chief Gonzalez had informed him about that had her worried.

I received a phone call from that evening at approximately 1815hrs, unsure of exact time, informed me (paraphrasing) that she was quite upset at the comment Chief Gonzalez had made and that is was demeaning and unprofessional and devalued her as a in front of the other all male Exemption(c)-Privacy.

At this time I apologized to her and told her that the comment went over my head, based on what I previously detailed, but now I am fully aware that the comment was made without any baseline or previous knowledge of any worrisome issues with her husband and only made to elicit a response from the group. informed me that she had observed that I did not laugh along with Deputy Supt. Mealy but that the others present did. Exemption (c) - Privacy

At this time I stated that I needed to report this to Town HR, stated that she did not feel that she had a good relationship with Town HR Director Ann Hess Braga and did not want me to report the incident. I then offered to report it to Leslea Noble, Director Ann Hess Braga and did not want me to report the incident. asked me not to do that at this time, she did not want to go forward with a complaint. I asked her if she wanted me to speak to Chief Gonzalez about his behavior and she asked me not to.

Today July 19, 2022 informed me that she was going forward with a formal complaint and had contacted legal representation. I told that I need to report this incident to the Town HR department as a supervisor.

Area of Concern from Policy: Sexual harassment may include, but is not limited to:

- Sexual or obscene gestures, noises, whistling, remarks, suggestions, innuendo or jokes;

In keeping with the confidentiality section of the Town’s Policy I will not be making Chief Gonzalez aware of this report.
I've recently become aware of a series of incidents during which Chief Gonzalez made inappropriate comments to Exemption(c)-Privacy Pursuant to the Town's policy against discrimination, sexual harassment and retaliation/requirements for supervisors I am forwarding information that was reported to me Exemption(c)-Privacy herself- I did not observe first hand any of the interactions described.

1. Chief Gonzalez was sworn in during a ceremony at Town Hall on 6/1/22 and reported to work for his first full day on Thursday 6/2/22. While getting to know each other, Exemption(c)-Privacy stated that she was telling Chief Gonzalez how she had Exemption(c)-Privacy with her husband, and that they had Exemption(c)-Privacy Chief Gonzalez's response was Exemption(c)-Privacy Come on... No Way... you're a MILF... totally.” They were alone in her office at the time this comment was made.

(From 'urban dictionary'): MILF is an acronym used to describe “1. Mom I'd Like to Fuck, or Mature I'd Like to Fuck. A MILF is any woman with children who has men that want to have sexual intercourse with her. The term is also sometimes used to describe women above a certain aged (30 or 40+) who are not mothers themselves, but are deemed to be sexually attractive, and also have men that would like to partake in sexual intercourse with them.”

2. According to Exemption(c)-Privacy on Chief Gonzalez's second full day, Friday 6/3/22, Chief Gonzalez showed Exemption(c)-Privacy a video of his daughter (who is 12-14 years old) doing gymnastics/circus acrobatics. He was alone with Exemption(c)-Privacy in her office at the time, standing above her as she was sitting at her desk. While the video was playing Exemption(c)-Privacy complimenting his daughter on her performance, Chief Gonzalez said Exemption(c)-Privacy “I bet your husband wishes you could bend like that!”

3. Exemption(c)-Privacy reported to me that one afternoon in July (date unknown) while she was trying to explain the pay classification scale for Exemption(c)-Privacy she informed Chief Gonzalez that she Exemption(c)-Privacy She said that he commented to her, “Well you’re definitely a 10.” She stated that didn’t acknowledge the comment, and that she just kept working. Chief Gonzalez then told Exemption(c)-Privacy that while he was going through the hiring process, he was asking around to find out what Exemption(c)-Privacy would look like, and that Exemption(c)-Privacy “even better than what he'd been told.” Again, she was alone with Chief Gonzalez in her office when it happened.

Aside from the obvious HR concerns, I have concerns that Chief Gonzalez's behavior has violated Massachusetts criminal law, specifically Criminal Harassment and/or Annoying and Accosting Sexually.

Please advise on next steps.

Exemption(c)-Privacy
Exemption(c)-Privacy
Brookline Police Department
Ann:

Below is a summary of something that occurred in Exemption(C)-Privacy. I do not have the exact date, but it was fairly recent. It occurred at the end of the work day, probably around 5 PM.

In the office was Chief Gonzalez, and myself. We were discussing the Town of Brookline and Town Meeting. The subject of past warrant articles was being discussed and I mentioned that years ago someone looked into a warrant article to prohibit parents from spanking their children. At some point during this conversation Chief Gonzalez made a statement about spanking. I do not remember exactly what the statement was, only that the Chief made a comment referencing her husband and the spanking law Exemption(C)-Privacy. The comment may have been something like her husband is glad they didn't pass such a law or that he wouldn't want such a law to be passed, but my memory of the statement is very vague. The spanking comment made was in reference to spanking in a sexual manner between and her husband, as opposed to any reference to the spanking of children. The comment was obviously an attempt at humor by Chief Gonzalez.

At the time the comment was made I did not think much of it. Chief Gonzalez left the office very soon thereafter. When it was and I commented that she thought the comment was not appropriate and unnecessary, I felt bad for not recognizing this sooner and told her I would speak to Chief Gonzalez about it. She was adamant that she did not want anything said at this time. It was my understanding that was contemplating how she wanted to proceed and preferred to take time to think through her options. I was also aware that had spoken with Exemption(C)-Privacy and was making a decision on the best way to proceed.

I wish my memory of the exchange was better, but the above is the best of my recollection.

I will be off tomorrow but back in the office on Friday. If you need anything more or if there is anything else I can do please let me know.

Paul

Detective Lieutenant Paul Campbell
Brookline Police Department
(617) 879-5696
Good morning,

I would like to follow up regarding the email that [Exemption(c)-Privacy] and Lieutenant Campbell sent over on Wednesday, July 27th 2022. Everything that they both reported was true and accurate, but not all of it. It has started from literally his first day in the office and has continued consistently ever since in different ways. Chief Gonzalez’s behavior is something I have never experienced since I have been in this position for [Exemption(c)-Privacy]. This has been my favorite place I have ever worked and love and look forward to coming into work every day. This is not so much the case anymore, I’m uncomfortable, anxious (which I have never dealt with before), nervous and embarrassed. It has been effecting my sleep, my demeanor as well as my relationship at home with my husband. [Exemption(c)-Privacy] kept asking “what was wrong” but I just kept saying “nothing” over and over then finally told him some of what was being said and done.

This is blatant sexual harassment, this needs to be addressed. I work directly with this man, this isn’t someone that I see once in a while, [Exemption(c)-Privacy]. I haven’t sent in a formal complaint to the MCAD or the EEOC yet but I feel that would be the next logical step.

Please advise as to what I need or should do next.

Thank you.
Ashley

I got that from your fans only page

Darn you are 😖

Is that from a worksheet posted?

I've never killed anyone in Texas.

I have 3 😞
So I stopped by the 4pm training and yelled ALL RISE. People started jumping to their feet.

True story

That's awesome. Back of the bus are very happy you're here.

Give the list of the 1%. I'll win them over.

You bitch.
Yes. People can't even wear their
N correctly.

I'll see you in the locker room
tomorrow.

Good day.

Tue, Jun 7, 8:37 PM

jgpr.net

Wed, Jun 8, 10:59 AM

Hi, have you been informed re:

RCC.
Start getting paid for your content!

Sign Up

What is OnlyFans?

https://start.onlyfans.com/
OnlyFans is an internet content subscription service based in London, United Kingdom.[1][2] The service is used primarily by sex workers who produce pornography,[3] but it also hosts the work of other content creators, such as physical fitness experts and musicians. Content creators can earn money from users who subscribe to their content—the "fans".[4] It allows content creators to receive funding directly from their fans on a monthly basis as well as one-time tips and the pay-per-view (PPV) feature.[5] The website was reported to have two million content creators and 130 million users as of August 2021.[6]

The website has been criticised for insufficiently preventing child sexual abuse material from circulating on the platform, though statistical evidence on the severity of the problem is mixed. A campaign to investigate OnlyFans began in the United States Congress in August 2021. It was reported on 19 August 2021 that from October 2021 onward, OnlyFans would no longer allow sexually explicit material[7] due to pressure from banks that OnlyFans used for user payments. However, this decision was reversed six days later due to backlash from users and creators alike.[6][8][9]

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https://en.wikipedia.org/wiki/OnlyFans
G. PROHIBITED CONDUCT

The following acts by a member of the Department are prohibited or restricted:

1. **Criminal Conduct** - Commission of any felony or misdemeanor.

2. **Conduct Unbecoming an Officer** - Any specific type of conduct which reflects discredit upon the member as a police officer, or upon his/her fellow officers, or upon the police department he/she serves.

3. **Neglect of Duty** - Being absent from assigned duty without leave or failing to take suitable and appropriate police action when any crime, public disorder or other incident requires police attention.

4. **Insubordination** - Failure or deliberate refusal to obey a lawful order issued by a superior, ranking or commanding officer.

5. **Unnecessary Force** - The use of more physical force than that which is necessary to accomplish a proper police purpose.

6. **Discourtesy** - Discourtesy, rudeness, or insolence to any member of the public. An officer shall be courteous and tactful in the performance of his/her duties and shall control his/her temper, exercising the utmost patience and discretion, even in the face of extreme provocation.

7. **Intoxication** - Intoxication or under the influence when reporting for duty or while on duty, through the use of liquor, controlled substances, drugs or any other means.

8. **Drinking on Duty** - The consumption of alcohol while on duty or while in uniform unless authorized by proper police authorities.

9. **Improper Associations** - A member or employee shall not maintain or establish associations or dealings with criminals, racketeers, gamblers, or persons engaged in unlawful activities, except in the discharge of official duty and with the knowledge of the member's Commanding Officer or the Chief of Police.

No member of the Department shall henceforth acquire any proprietary interest, either direct or indirectly, in any business which has an alcoholic license issued by the Town of Brookline, nor shall any member henceforth become employed by such a business in any manner except as a police officer to perform police duties on the premises.
S. If, during an investigation, the IAO learns of any allegation (including a Class C-type allegation) beyond the scope of the complaint under investigation, he/she shall execute a new Citizen Complaint Form and initiate the procedures herein described.

T. Unless the Chief certifies that good cause requires an extension of no more than 30 days, the IAO shall submit to the Chief a report containing his/her findings and conclusions within 30 days of commencing an investigation of a complaint. Any extensions beyond the foregoing shall be submitted for approval by a majority of the Board of Selectmen. The findings and conclusions shall include:

1. All pertinent reports and documents, including any witness statements that were submitted in writing or reduced to writing.

2. A detailed account of all pertinent factual assertions of everyone interviewed noting times and persons present at interviews, highlighting areas of agreement and disagreement, etc.

3. Proposed factual conclusions, including the relative credibility of any conflicting factual allegations, and objective reason(s) for such conclusions, with regard to each original allegation and any others that have become apparent during the investigation. The lack, existence, quantity, or quality of corroborating evidence shall be pertinent to the weight of any evidence, but shall not be determinative.

4. On each such allegation, a proposed finding based upon a preponderance of the evidence shall be made using the following categories and definitions:
   a. "Unfounded" - investigation revealed that the alleged conduct did not occur.
   b. "Exonerated" - alleged action occurred but was reasonable and proper.
   c. "Not Sustained" - allegation cannot be either proven or disproved.
   d. "Sustained" - investigation indicates sufficient evidence to support the allegation.
   e. "Mediated" - both parties agree to a proposed and described disposition (Classes A and B only).
   f. "Filed" - no action necessary or possible at this time.