

**CITY OF BRIDGEPORT
CHIEF OF POLICE
IN THE DISCIPLINARY MATTER OF**

CITY OF BRIDGEPORT POLICE DEPARTMENT : OIA CASE #: 151-015

VS. :

LIEUTENANT LONNIE BLACKWELL : NOVEMBER 22, 2016

DECISION

I. INTRODUCTION / BACKGROUND

On February 9, 2015, Bridgeport Police Officer Clive Higgins filed Incident Report No. 150209-173 reporting having found an anonymous derogatory letter (which he characterized as racial hate mail) in his department mailbox. Officer Higgins promptly notified Bridgeport Police Lieutenant Lonnie Blackwell. Lt. Blackwell was not Officer Higgins' superior officer in the departmental chain of command, but according to Officer Higgins was approached due to being the current President of the Bridgeport Guardians (an organization representing interests of minority police officers).

According to Incident Report No. 150209-173, Lt. Blackwell advised/ordered Officer Higgins to leave his post and bring the racist hate mail evidence over to him at the department's Training Academy. Upon learning of the incident, Lt. Blackwell's immediate superior officer (Captain Robert Sapiro) reported the incident by email to Deputy Chief ("D/C") Baraja. On D/C Baraja's orders, Captain Sapiro accompanied Officer Higgins and his evidence to the Bridgeport Police Department ("BPD" or "Department") Office of Internal Affairs ("OIA") where Officer Higgins met with OIA Commander Lt. Garcia (since promoted to rank of Captain, but referred herein as

Lieutenant since that was her rank during OIA's investigation of Case #151-015). Thereafter, Officer Higgins filed an Incident Report and submitted a letter (aka report) directly to Police Chief Joseph L. Gaudett, Jr. due to the serious nature of the matter and allegedly upon the advice of Lt. Blackwell.

Officer Higgins' February 9, 2015 letter to Chief Gaudett included statements that: (1) at 0800 hours on that same date he found an anonymous letter "that had contents pertaining to Black Officers in the Bridgeport Police Department 'belonging in the toilet', (2) this "is a clear proof that there are white Officers in this Department that are affiliated with the white supremacy group", (3) he was "scared to death" for his life working under a hostile work environment, (4) this incident "is a sure sign that discrimination exist[s]" in the BPD, and (5) he had "no idea who wrote this letter, it could be the Chief of Police himself. Officer Higgins copied his letter to OIA, Bridgeport Mayor Bill Finch, the Bridgeport Guardians, Guardians attorney, Thomas Bucci, the Bridgeport Board of Police Commissioners ("Board"), the Interdenominational Interfaith Alliance of Greater Bridgeport ("IMA") President Rev. Stallworth, and the NAACP.

On February 9, 2015, Chief Gaudett directed OIA to open an Investigation regarding the anonymous letter submitted by Officer Higgins. In response OIA opened OIA Case #151-015 Internal Investigation - Anonymous Hate Letter (P.O. Clive Higgins, et al.). On or about October 13, 2015, OIA Commander Garcia presented her office's Findings of OIA Case #151-015 to Chief Gaudett, and transmitted lead investigator, Sgt. Edward Rivera's detailed investigatory report. In her transmittal letter Lt. Garcia stated that she concurred with the recommended findings of Sgt. Rivera, and the Bridgeport Police Department Policy & Procedure / Rules & Regulations Violations that OIA's Sustained. Officer Higgins subsequently resigned from the BPD effective July 6, 2015.

II. DISCIPLINARY CHARGES

On or about December 2, 2015, Lt. Lonnie Blackwell was provided with a complete copy of the OIA Case #151-015 Internal Investigation along with all accompanying exhibits; and he was charged with violating the following sections of the Bridgeport Police Department's Policies and Procedures / Rules and Regulations:

1.3.4 KNOWLEDGE OF DEPARTMENTAL RULES AND REGULATIONS

- 1) Members of the Department shall familiarize themselves with these rules and regulations and each member shall conform to and abide by the same.
- 2) These rules are a basis for action and are not meant to be all-inclusive. No member of the Department will be excused from action in accordance with sound judgment merely because a situation is not covered by a rule.

1.3.5 VIOLATION OF RULES

Officers shall not commit any acts that constitute a violation of the rules, regulations, directives, or other orders of the Department whether or not stated in this manual. Rules regulations, directives, or other orders shall be posted at Area Commands, in bureaus and divisions, as well as other departmental areas that are deemed appropriate.

Any superior officer of the Department, who observes any subordinate violating any rule or regulation and fails to take proper corrective action, shall be in violation of these rules.

1.3.21 UNBECOMING CONDUCT

Officers shall not engage in any manner of misconduct or offensive behavior that brings the Department into disrepute or that reflects discredit upon the officer as a member of the Department, or that impairs the operational efficiency of the Department or the officer.

1.3.16 INSUBORDINATION

Officers shall promptly obey any lawful order of a superior officer. This will include orders relayed from a superior officer through an officer of a lower rank.

1.3.38 UNTRUTHFULNESS

(Previous version, originally submitted as part of the OIA charges)

Upon order of the Chief of Police, the Chiefs designee or superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them. Violation of this section may be grounds for dismissal. The policy shall not be construed to mean that officers must divulge the names of informants.

(Replaced by most recently-adopted version, indicating through Addendum dated November 5, 2015 from OIA)

The integrity of police service is based on truthfulness. Member shall be honest and forthright when questioned by a superior officer. No member shall knowingly or willingly depart from the truth in giving testimony, or in creating a written report, affidavit, or statement about any action or inactions that relate to the member's employment with the Bridgeport Police department.

This requirement to be honest and forthright and not knowingly or willfully departing from the truth applies to all communications: in person, verbal, written, telephonic, electronic or via radio.

Any sworn member of the Bridgeport Police Department may be ordered by the Chief of Police or his or her designee to respond fully and truthfully to questions about any action taken that related to the member's employment or position as it pertains to an internal or administrative investigation.

Violation of this section may include discipline up to and including termination and revocation of Police Officer certification within the State of Connecticut.

1.1.7-APPENDIX B-LAW ENFORCEMENT CODE OF ETHICS

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must constantly strive to live up to the highest standards of professional policing.

The Bridgeport Police Department believes it is important that police officers have clear advice and counsel available to them performing their duties consistent with these standards has therefore adopted the following ethical mandates as guideline to meet these ends.

2.7.8 RACIAL, ETHNIC OR SEXIST SLURS AND/OR GRAFITTI

This section establishes policies prohibiting inappropriate use of racial, ethnic, or sexist slurs and/or graffiti of BPD employees. A complaint and investigation process is also established to enforce the policy.

It is the policy of BPD that no employee, independent contractor or non-employee in the workplace shall communicate any racial, ethnic or sexist slur and/or graffiti that contributes to a hostile work environment for BPD employees.

III. LOULDERMILL HEARING

On or about May 26, 2016, Chief Perez conducted a Loudermill Hearing concerning the charges pending against Lieutenant Lonnie Blackwell, during which hearing the Lieutenant was afforded an opportunity to be heard in response to such charges. Lt. Blackwell and his Union representatives presented both verbal and written information in an attempt to rebut the charges against him.

IV. DECISION ON CHARGES

A. Failure to Properly Handle Higgins Matter

The anonymous hate letter reported to have been discovered in his departmental mailbox by former BPD Police Officer Clive Higgins on February 9, 2015, was in fact by his own admission written by himself; and according to Officer Higgins' own sworn testimony was written with the encouragement of, and upon the support and direction of a superior ranking officer, Lt. Blackwell.

Following his initial unsuccessful attempts to conceal his own role in creating and disseminating the February 9th letter, Officer Higgins ultimately admitted under oath to both state criminal and OIA internal investigators his authorship role. Significant for purposes of this matter is the fact that Officer Higgins provided sworn testimony to the effect that Lt. Blackwell played a principal leadership role in the creation of this racially charged letter. In essence, Officer Higgins alleged that he operated under the influence of, and at the direction of, his

superior officer (Lt. Blackwell) in the hate letter hoax. However, this evidence that Lt. Blackwell knowingly and intentionally plotted, conspired with, and directed, Officer Higgins to draft the racist hate letter is directly rebutted by Lt. Blackwell.

Officer Higgins had already confessed his own guilt at the point in the investigative process wherein he implicated Lt. Blackwell directly in the planning and implementation of the alleged joint plot to file a false complaint concerning the alleged racist hate letter. This material fact does tend to buttress the credibility of Officer Higgins as regards his assertions of Lt. Blackwell's complicity in the plot. Nevertheless, the issue of what role Lt. Blackwell actually played concerning the hate letter (planning, creation, dissemination, and filing an official complaint concerning) is not clear. There is a direct contradiction between the testimony of Officer Higgins, the accuser, and Lt. Blackwell, the accused. This is a classic case of "he said, he said". As fact finder, I find myself unable to definitively determine the issue of their respective credibility. Lt. Blackwell is alleged to have lied about and concealed his extensive and direct role in the creation of the anonymous hate letter. A finding on this charge would be based upon the totality of the evidence in the case, direct and circumstantial. However, a finding that Lt. Blackwell departed from the truth on these matters would be directly and substantially dependent upon the unreliable sworn testimony of Officer Higgins.

Absent reliable corroborating testimony or other material supporting evidence, I am unwilling to fully credit the testimony of Officer Higgins given his prior history of untruthfulness. I do not find that the evidence in this case rises to a level sufficient to substantiate the allegations that Lt. Blackwell actively and materially conspired with or directly participated with Officer Higgins in producing and disseminating the racist hate letter.

Nevertheless, the handling of the February 9, 2015 Higgins Report of an anonymous hate letter is illustrative of a pattern of improper and inadequate supervision by Captain Sapiro of Lt. Blackwell at the Training Academy; as well as direct evidence of Lt. Blackwell acting outside the scope of his employment and performing unauthorized actions while on official duty. As a supervisor in the BPD, Lt. Blackwell failed to handle the Higgins matter appropriately and in accordance with his duties and responsibilities. The autonomy and lack of accountability under which Lt. Blackwell operated was directly evidenced by the February 9, 2015 Higgins incident. Officer Higgins was not assigned to the Training Academy; and he was not a subordinate of Lt. Blackwell. Any action the Bridgeport Guardians Society (with Lt. Blackwell as its President) chose to take in response to this incident, should have taken place only on off-duty time. There was no basis or authorization for Lt. Blackwell to order Officer Higgins to leave his post at the Congress Street Police Headquarters and to report to him at the Training Academy upon discovery of the anonymous hate letter. Lt. Blackwell was not Officer Higgins' commanding officer, and Officer Higgins was not in Lt. Blackwell's chain of command.

There is no evidence that Lt. Blackwell sought or received permission or authorization from Captain Sapiro to order Officer Higgins to the Training Academy on the morning of February 9th, nor is there evidence that Captain Sapiro knew what consultations Lt. Blackwell was having with Officer Higgins at the Training Academy prior to the time that D/C Baraja properly intervened and ordered Officer Higgins to report directly to OIA. In fact, during this crucial time period, Lt. Blackwell even left his work site at the Training Academy (on personal or Guardians' business) without permission from, or any notice to, Captain Sapiro (who personally transported Officer Higgins to OIA). Lt. Blackwell's unauthorized actions in assisting Officer Higgins with his reports on the anonymous racial hate mail interfered with the orderly

filing of Office Higgins' Complaint and may have compromised the preservation of evidence and the timely and professional investigation of the incident by OIA.

The proper action for Lt. Blackwell to have taken when contacted by Officer Higgins regarding this incidence of alleged racism was to direct Officer Higgins to immediately report the incident in accordance with the mandates of the *Department's Threats, Intimidation and Harassment Policy* (BPD Policy 2.7.7) and *Racial, Ethnic or Sexist Slurs and/or Graffiti Policy* (BPD Policy 2.7.8) to the Chief of Police, the OIA Commander, the Director of Labor Relations and/or his own Immediate Supervisor (BPD Policy 2.7.8.3.1.). Instead, Lt. Blackwell took ownership of the event and advised and consulted with Officer Higgins at the Training Academy prior to the filing of any official incident report. Clearly, the actions of Lt. Blackwell in regards to the February 9th Higgins matter did not constitute work properly within the scope of his duties, responsibilities or jurisdiction as a Lieutenant assigned to the Training Academy.

Lt. Blackwell was neither trained, nor empowered, to consult with Officer Higgins regarding the February 9th incident. Officer Higgins was not in Lt. Blackwell's chain of command and Lt. Blackwell was operating outside the scope of his employment when on February 9th he directed Officer Higgins to leave his post at Police Headquarters and report to him at the Training Academy. Reportedly, later on February 9th, Lt. Blackwell transported Officer Higgins back to the Training Academy to write (upon the advice of Lt. Blackwell) a letter to Chief Gaudett regarding the anonymous hate letter incident and Officer Higgins' firearms concerns. See Incident Report #150209-173 dated February 9, 2015 and filed by Officer Higgins and February 9th Letter from Officer Higgins to Chief Gaudett. Lt. Blackwell was acting unilaterally and without authorization in interfering in the reporting of Higgins' hate letter complaint. In short, Lt. Blackwell had no legitimate business (either as a Lieutenant assigned to

the Training Academy, nor as President of the Bridgeport Guardians) directing the actions of Officer Higgins, nor advising or consulting with Officer Higgins on February 9th regarding the hate mail incident, while on duty.

B. Training Academy Discrimination Email Chain of March 12, 2014

On March 12, 2014 at 8:43 AM Lt. Blackwell sent an email on the subject of "Training Academy Discrimination" to Police Union Local 1159 President Charles Paris. Lt. Blackwell copied the following parties on his email: Chief Joseph Gaudett; Assistant Chief ("A/C") James Nardozzi; Mayor Bill Finch; Mayor's Deputy Chief of Staff Ruben Felipe; Labor Relations Director Lawrence Osborne; Labor Relations Officer Thomas Austin; Deputy City Attorney Arthur Laske; and Captain Robert Sapiro. In this email, Lt. Blackwell alleged that:

"... It appears that there is a new initiative presently in place to target me, which is totally unfair, and quite frankly, **discrimination and harassment** is against the law. I will not accept being treated differently as a result of my race and/or guardian affiliations. This situation must be addressed immediately and I plan on requesting assistance from the community as well. Every officer, regardless of rank, should be able to come to work in a pleasant environment. I will be contacting my attorney as well."

On March 12, 2014 at 10:05 AM Captain Sapiro responded to Lt. Blackwell and Union President Paris and copied all the other parties to Lt. Blackwell's original email. In his March 12, 2014 responsive email, Captain Sapiro states:

"I have never seen the scrutiny placed on one officer or supervisor as I have seen placed on Lt. Blackwell. The lieutenant feels discrimination is part of this situation. Based on his assertion that he is being discriminated against, this is a serious matter that needs to be addressed immediately. . . I understand Lt. Blackwell's contention that he feels he has been targeted. I do not agree with the actions aimed at Lt. Blackwell and I am not in a position to help him. However, for the record, I do not want anything to do with what has become a concerted effort to harass and intimidate him. Please consider this my response in accordance with reporting prohibited conduct BPD policy 2.7.7.3.1."

Lt. Blackwell's and Captain Sapiro's March 12, 2014 emails taken together were improper, unprofessional and a violation of department rules, regulations, policies and procedures in the following respects:

Lt. Blackwell had inappropriate and self-serving input into the content and presentation of Captain Sapiro's responsive email, which was labeled and portrayed as being authored by the Captain himself. Thus, the Captain's official email report on matters of substantial import to the BPD was improperly influenced and/or altered by a subordinate officer, which resulted in a subjective, conclusory, judgmental and premature portrayal of the Department's most senior management as racist, without the benefit of proper independent investigation. The Captain's email (with unattributed input from Lt. Blackwell) characterized, editorialized without benefit of independent investigation and published the Captain's conclusions that the Lieutenant's complaints were in fact meritorious. This collusion had the effect of substantiating Lt. Blackwell's allegations, lending premature and unwarranted credence and validity to the Lieutenant's complaints, and fostering the perception that these were more than mere allegations. The Captain's subjective report (prepared with Lt. Blackwell's input, without attribution) presented as persuasive evidence submitted by a senior departmental officer that Lt. Blackwell in fact had valid and credible complaints of having been subjected to racial harassment and a hostile work environment, by senior departmental leadership.

Eventually, Captain Sapiro felt so uncomfortable with his subordinate's unwarranted and inappropriate input into, and editing of, his own work product that the Captain ultimately put a stop to it. However, Captain Sapiro, in his official capacity and with the assistance (without attribution) of Lt. Blackwell, had substantively endorsed the merits of Lt. Blackwell's email complaint pre-investigation. The impact of Captain Sapiro "weighing in" with subjective

commentary and conclusions (influenced or edited by the Complainant, Lt. Blackwell) disparaged the most senior leadership of the department (Chief Gaudett and A/C Nardozzi) in the eyes of their own superiors (Mayor Finch and his Administration) and undermined its reputation for good order and racial harmony. The content of Captain Sapiro's March 12, 2011 email supporting Lt. Blackwell's Complaint invited disrepute to the Department because it contained information conveyed by Captain Sapiro and attributed to him that in fact was at least in part "ghostwritten" by Lt. Blackwell. Captain Sapiro conceded that he had been manipulated by Lt. Blackwell who was attempting to defend his position and build up his case by bolstering the Captain's letters up a little more than what they really were. The end result of this collusion between the Captain and the Lieutenant was the creation of the impression that another independent individual (his Captain) took issue with how the Lieutenant was treated and allegedly discriminated against by the Department. The impropriety of this collusion was compounded by the fact that litigation filed by Lt. Blackwell against the City alleging racial discrimination was pending in federal district court. In effect, Lt. Blackwell (with the cooperation and complicity of Captain Sapiro) was creating self-serving documents to support his claims and advance his personal interest in the pending federal litigations.

Moreover, Lt. Blackwell failed to report his complaint in the manner required. Lt. Blackwell addressed his email directly to Police Union Local 1159 President Charles Paris, rather than as dictated by the Department's Policy and Procedure Manual. In particular, both the Department's *Threats, Intimidation and Harassment Policy* and its *Racial, Ethnic or Sexist Slurs and/or Graffiti Policy* mandate that complaints and incidents be reported in a specific manner to designated parties. See BPD policy 2.7.7.4.2 (up through the chain of command); BPD policy 2.7.7.4.3 (directly to D/C Baraja; BPD policy 2.7.8.4.2 (up through the chain of command); BPD

policy 2.7.7.4.3 (directly to D/C Baraja. Note also BPD policy 2.7.5 *Allegations of Corruption and Serious Misconduct Against Members of BPD*, at 2.7.5.3 *Additional Reporting Responsibilities*.

In sum, the actions taken by Lt. Blackwell in having input into and editing this (and other reports) filed by Captain Sapiro, were not in accordance with those required from a senior commanding officer in the performance of his duties, to the detriment of the Department's operations and reputation.

C. Lt. Bailey Allegations Concerning Lt. Blackwell versus A/C Nardozzi

Indirect corroborating evidence of Lt. Blackwell's conspiring to allege racial mistreatment in the department is provided by the sworn testimony of former Lt. Bailey. Bailey testified under oath that Lt. Blackwell urged him to provide statements to the effect that he (Lt. Bailey) believed A/C Nardozzi was a racist, despite Bailey's repeated responses that to do so would not be honest and truthful. Allegations of racism are extremely serious charges; and false ones must not be solicited for self-interest, pecuniary or otherwise. A/C Nardozzi (as alleged by Lt. Bailey) was perceived by Lt. Blackwell as his chief nemesis for having followed management's orders to reduce costs which resulted in the Lieutenant losing his take home motor vehicle and sustaining a material reduction in his historically generous overtime.

D. Miscellaneous Violations

In addition, with regard to other incidents that came to light as a result of OIA's investigation of Case #151-015, it is found that:

- Lt. Blackwell (thereby creating and fostering racial animosity and turmoil within the BPD) encouraged Officer Higgins to report the production of a T-shirt by members of the BPD as further evidence of racial animus within the organization, when he in fact had no reasonable

basis to believe the production was racially motivated; and when in fact the intended and well known purpose of the T-shirt was to generate distribution and sales as a visible means of public and financial support for Officer Higgins' criminal situation.

- Lt. Blackwell devoted a portion of his official workday to personal and/or Guardian (rather than official police) business. Captain Sapiro testified in his Statement that Lt. Blackwell had Guardians laptops on the work site, that he engaged in phone calls regarding Guardians business, and that he worked with other department members to file their complaints of racist treatment. None of this was within the Lieutenant's job assignments, constituted unauthorized activities to occur on City time and evidenced a lack of professional accountability. The OIA Case #151-015 investigation disclosed what appears to be Lt. Blackwell's lack of devotion of his workday to official business. None of this was within Lt. Blackwell's official job description or assignments; and such unauthorized activities were not permitted on Department premises and/or work time.
- Lt. Blackwell on February 9, 2015, without having sought or received permission or authorization from Captain Sapiro abruptly left his work site at the Training Academy after having solicited Officer Higgins to come to the scene. He allegedly was engaged in personal or Guardians business, such as distributing a copy of the anonymous hate mail letter to Guardians legal counsel and/or the media.
- Officer Higgins alleges Lt. Blackwell encouraged and coached him to be less than honest, forthright and truthful with investigators from both the CT State Police and OIA in discussions regarding their respective roles in this incident; and encouraged the filing of an anonymous complaint with the CT State Police Tips Hotline concerning alleged threatening comments by Lt. Mercado during police line-up, rather than filing formal written complaints in accordance with

departmental procedures (e.g. BPD Policy 2.7.5 *Allegations of Corruption and Serious Misconduct Against Members of BPD*).

- Lt. Blackwell as a senior officer failed to take appropriate action, including failing to report May 2015 threats of serious physical violence by Officer Higgins against another police officer (Officer Johanna Angelo), in violation of BPD Policy 2.7.5 *Allegations of Corruption and Serious Misconduct Against Members of BP*.
- During the OIA Investigation of the Higgins Complaint, Lt. Blackwell was not fully forthright and forthcoming to the investigators; rather he provided certain evasive, deceptive and misleading responses to questions posed to him including with regards to phone and in person contacts with Officer Higgins over the weekend prior to the alleged racist letter being discovered.
- Lieutenant Blackwell speculated in his statements to OIA to the effect that a Bridgeport officer (apparently Lt. Ron Mercado) may have authored the February 9th letter. Further, Lt. Blackwell reportedly submitted names to OIA of the other two BPD officers charged in the Beardsley Park excessive force incident as potential suspects, without basis and upon speculation.

V. CONCLUSIONS AND ORDERS

The findings herein sustaining the disciplinary charges against Lt. Blackwell are based upon the entire investigative file in OIA Case #151-015 and any and all testimony and other evidence contained therein. In sum, the actions taken by Lt. Blackwell were not in accordance with those required from a senior commanding officer in the performance of his duties, to the detriment of the Department's operations and reputation.

Lt. Blackwell claims to have been found innocent or cleared by the CT State Police in their investigation that resulted in the arrest of Officer Higgins for having falsely reported an incident in the 2nd degree. However, it should be duly noted that: (1) a decision by criminal prosecutors in the State's Attorney's Office not to charge a party with a crime is not a finding of innocence, and (2) the beyond a reasonable doubt burden of proof standard imposed upon the prosecution in the criminal justice system is a far greater standard than the Just Cause standard applicable in the civil labor arena and established by Article 11, *Disciplinary Action* the collective bargaining agreement in effect between the City and Bridgeport Police Local #1159 and Council #4 AFSCME, AFL-CIO. Consequently, the fact that Lt. Blackwell was neither convicted, nor even charged with, a criminal violation in the Higgins hate letter incident is not evidence that he has not violated the provisions of the Bridgeport Police Department Policy & Procedure / Rules & Regulations for which he was charged. To the contrary, the evidence viewed in its totality is conclusive and overwhelming that Lt. Blackwell violated provisions of the Bridgeport Police Department Policy & Procedure / Rules & Regulations as charged.

A. Findings of Violations of the BPP's Policies and Procedures / Rules and Regulations

In general and for the reasons stated herein, Lt. Blackwell failed to fulfill his official duties and responsibilities as a commander in the BPD. The findings sustaining the disciplinary charges against Lt. Blackwell are based upon the entire investigative file in OIA Case #151-015 and any and all testimony and other evidence contained therein.

Taken as a whole, Lt. Blackwell's behavior relative to the Higgins matter and the various other actions and failures to act uncovered by the OIA Case #151-015 Internal Investigation, was a discredit to the Department and directly and seriously damaged the reputation of, and

undermined the good order and operations of the Department. Lt. Blackwell's job performance was not up to departmental standards for a supervisory officer, as evidenced by: (a) the Higgins matter, (b) the Training Academy discrimination email chain of March 12, 2014, (c) solicitation of allegations of racial discrimination from Lt. Bailey against A/C Nardozzi, (d) failure to report May 2015 threats of physical violence by Officer Higgins against a fellow officer (Officer Johanna Angelo), (e) encouragement of Officer Higgins to improperly (i.e. anonymously) report corruption and/or serious misconduct by a fellow officer (Lt. Mercado), (f) lack of proper devotion to duty as evidenced by performance of personal and/or Guardians' business on Department premises during the workday, and various other matters discussed herein. The Lieutenant's actions and failures to act had the capacity to materially undermine the good order and operations of the Department.

As a result, Lt. Blackwell is found to have violated each of the following sections of the Bridgeport Police Department's Policies and Procedures / Rules and Regulations:

1.3.4 Knowledge of Department Rules and Regulations

1.3.5 Violation of Rules

1.3.21 Unbecoming Conduct

1.3.16 Insubordination

1.3.38 Untruthfulness

1.17 - Appendix B-Law Enforcement Code of Ethics

2.7.8 Racial, Ethnic or Sexist Slurs and/or Graffiti

B. Discipline Imposed and Ordered

In determining discipline appropriate for the sustained charges, cognizance was taken of, and due consideration given to, Lt. Blackwell's personnel record during his approximately 15

years of service with the BPD (which is notably absent any instances of serious discipline having been imposed).

Further, it should be noted that in imposing discipline upon Lieutenant Blackwell, the record of discipline imposed in my capacity as Chief of Police upon other officers was considered fully; as was prior discipline imposed by predecessor Chiefs and by the Bridgeport Board of Police Commissioners, in particularly as reported in the BPD Parity Report. There are prior instances where officers by their acts or omissions in furtherance of their own personal agendas and/or financial interests brought the Department into serious disrepute. A non-exhaustive list of examples includes officers who were terminated from their employment with the Department by the disciplinary authority - Dominic Tartaglia (2014), Anne Ortiz (2013), Donna Stewart-Eagle (2012), Christine Burns (2010, but later reduced on appeal to 4 month suspension and demotion), James O'Neill (2009) and Murphy Pierce (2008).

However, to my knowledge, there is no precedent of a supervisory officer willfully and intentionally engaging in a course of conduct which included: misusing supervisory authority to facilitate what proved to be a false report concerning an alleged anonymous racist hate letter; colluding with a superior officer (Captain Sapiro) to influence the subjective content of self-serving emails; reporting allegations of racial discrimination outside the proper chain of command; encouraging another individual (e.g. former Lt. Bailey) to file false allegations of racist behavior against the most senior members of the Department; and dereliction of duty by performing unauthorized personal and/or Guardians' business on official time. These actions had the potential to negatively impact and compromise the racial atmosphere within the department, foster a culture of racial animus and undermine the senior leadership of the Department up to and including the ranks of Assistant Chief and Chief of Police. Lt. Blackwell's behavior seriously

damaged the reputation of, and undermined the good order, operations, and efficiency of the Department.

Based upon the foregoing and having been found in violation of Bridgeport Police Department's Policies and Procedures / Rules and Regulations 1.3.4; 1.3.5; 1.3.21; 1.3.16; 1.3.38; 1.17 and 2.7.8, and being cognizant of, and with due consideration of Lt. Blackwell's personnel record during his approximately 15 years of service with the BPD (which is notably absent any instances of serious discipline having been imposed), the following penalties are hereby imposed for these violations, effective immediately:

1. Lt. Blackwell is reduced in rank and demoted to the rank of Sergeant, without any accumulated time in rank or any rank seniority.
2. Lt. Blackwell is ordered to undergo any and all supervisory and/or other professional training as determined necessary and appropriate by the Chief of Police.
3. Lt. Blackwell is to be assigned at the discretion of the Chief to a Sergeant's position for which he is deemed to be fit and suitable pursuant to the Chief's authority under the current Agreement Between the City of Bridgeport and Bridgeport Police Local #1159 and Council #4 AFSCME, AFL-CIO, Article 15 Management Rights.

Disciplinary Authority

A.J. Perez, Chief of Police

Dated: November 22, 2016