



Orange Township Fire Department

TO: Orange Township Board of Trustees
Township Administrator Lee Bodnar
HR/Communications Manager Amanda Sheterom

CC: Lieutenant David Martin
IAFF Local 3816 President Keith Myers
Fiscal Officer Wesley Mayer

FROM: Fire Chief Matt Noble

DATE: December 5, 2019

RE: Hearing Officer Report regarding [REDACTED] Harassment and Hazing Complaint Investigation
- Martin

Appearances:

For the Employer: Fire Chief Matt Noble
HR/Communications Manager Amanda Sheterom
Township Legal Counsel Brian Zets

For the Employee: Lieutenant David Martin
IAFF Local 3816 President Keith Myers
IAFF Local 3816 Vice-President Andrew Sapp
IAFF Local 3816 Legal Counsel Henry Arnett
IAFF Local 3816 Legal Co-Counsel Colleen Arnett

Background:

The employer conducted an investigation as a result of information conveyed to Fire Chief Matt Noble on Thursday, September 12, 2019 by Captain AJ Miller and later by Lieutenant Ken Brooks regarding Part-Time Firefighter/Paramedic [REDACTED] and his treatment by Full-Time Firefighters on 1-Unit at Station 361. Specifically, the investigation was conducted to determine whether FF [REDACTED] was hazed and harassed by other firefighters within the department on 1-Unit warranting discipline as a result of those actions.

The investigation consisted of various interviews of FF [REDACTED], interviews with individuals coming forward to provide information and administrative investigative interviews of identified witnesses and personnel accused of engaging in alleged hazing and harassment. The administrative investigative interviews that Notice and Order to Appear notices were sent for were recorded.

Attachments:

Investigation dated November 20, 2019

Lieutenant David Martin Prepared Statement (Exhibit Martin Statement)

Presentation of Charges:

Chief Matt Noble presented the completed investigation report with findings and exhibits of which Lieutenant David Martin was provided on Wednesday, November 20, 2019. Chief Noble presented the following charges against Lieutenant David Martin that resulted from the investigation:

1. **Inappropriate Behavior** – Section 2. Item B of the Inappropriate Behavior Policy – Threats and acts of physical violence for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin.
2. **Inappropriate Behavior** – Section 2. Item D of the Inappropriate Behavior Policy - Abusive behavior, hazing and harassment by telling Firefighter/Paramedic [REDACTED] he was “fucking embarrassing”, he was a “cousin-fucker”, for telling him to “shut the fuck up”, for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin and creating such an environment that Firefighter/Paramedic [REDACTED] would flinch and cover himself expecting to be hit in the groin when someone walked by.
3. **Inappropriate Behavior** – Section 4 of the Inappropriate Behavior Policy – Neglect of Duty by Lieutenant David Martin for not stopping the abusive behavior, hazing, harassment and threats and acts of physical violence towards Firefighter/Paramedic [REDACTED]
4. **Conduct Unbecoming** – Section 7 of the Standards of Conduct Policy - Abusive behavior, hazing and harassment by telling Firefighter/Paramedic [REDACTED] he was “fucking embarrassing”, he was a “cousin-fucker”, for telling him to “shut the fuck up”, for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin and creating such an environment that Firefighter/Paramedic [REDACTED] would flinch and cover himself expecting to be hit in the groin when someone walked by.
5. **Conduct Unbecoming** – Section 16 of the Standards of Conduct Policy - During Lieutenant David Martin’s Administrative Investigative Interview, failed to provide a complete and truthful account of the facts.
6. **Conduct Unbecoming** – Section 17 of the Standards of Conduct Policy - Abusive behavior, hazing and harassment by telling Firefighter/Paramedic [REDACTED] he was “fucking embarrassing”, he was a “cousin-fucker”, for telling him to “shut the fuck up”, for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin and creating such an environment that Firefighter/Paramedic [REDACTED] would flinch and cover himself expecting to be hit in the groin when someone walked by.

Chief Noble then provided Lieutenant David Martin an opportunity to respond to the investigation report and charges against him.

Presentation and Response for the Employee:

Lieutenant David Martin presented and read a written prepared statement.

Lieutenant David Martin had no other information or evidence to present.

Findings:

1. **Inappropriate Behavior** – Section 2. Item B of the Inappropriate Behavior Policy – Threats and acts of physical violence for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin.
➤ **I find that Lieutenant David Martin has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
2. **Inappropriate Behavior** – Section 2. Item D of the Inappropriate Behavior Policy - Abusive behavior, hazing and harassment by telling Firefighter/Paramedic [REDACTED] he was “fucking embarrassing”, he was a “cousin-fucker”, for telling him to “shut the fuck up”, for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin and creating such an environment that Firefighter/Paramedic [REDACTED] would flinch and cover himself expecting to be hit in the groin when someone walked by.
➤ **I find that Lieutenant David Martin has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
3. **Inappropriate Behavior** – Section 4 of the Inappropriate Behavior Policy – Neglect of Duty by Lieutenant David Martin for not stopping the abusive behavior, hazing, harassment and threats and acts of physical violence towards Firefighter/Paramedic [REDACTED]
➤ **I find that Lieutenant David Martin has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
4. **Conduct Unbecoming** – Section 7 of the Standards of Conduct Policy - Abusive behavior, hazing and harassment by telling Firefighter/Paramedic [REDACTED] he was “fucking embarrassing”, he was a “cousin-fucker”, for telling him to “shut the fuck up”, for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin and creating such an environment that Firefighter/Paramedic [REDACTED] would flinch and cover himself expecting to be hit in the groin when someone walked by.
➤ **I find that Lieutenant David Martin has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
5. **Conduct Unbecoming** – Section 16 of the Standards of Conduct Policy - During Lieutenant David Martin’s Administrative Investigative Interview, failed to provide a complete and truthful account of the facts.
➤ **I find that Lieutenant David Martin has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
6. **Conduct Unbecoming** – Section 17 of the Standards of Conduct Policy - Abusive behavior, hazing and harassment by telling Firefighter/Paramedic [REDACTED] he was “fucking

embarrassing", he was a "cousin-fucker", for telling him to "shut the fuck up", for touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin and creating such an environment that Firefighter/Paramedic [REDACTED] would flinch and cover himself expecting to be hit in the groin when someone walked by.

- **I find that Lieutenant David Martin has violated this policy for reasons presented in the [REDACTED] Investigation Report.**

Recommendation:

First responders are held to a higher standard of conduct. Hazing, harassment, assault, bullying, name calling and intimidation are unacceptable. We should be very attuned to this given the #MeToo Movement, bullying case studies, hazing and harassment related Post Traumatic Stress (PTS), suicide related to hazing and harassment, and not to mention local incidents recently in the news as exemplified with Ohio University Fraternity hazing incidents and the City of Columbus – Division of Fire sexual harassment incidents.

Officers have a responsibility to ensure their subordinates are safe and free of hazing and harassment. Lieutenant Martin failed his responsibility as he ignored the continued verbal hazing, harassment and repeated physical contact, none of which was the fault of the victim, Firefighter/Paramedic [REDACTED]. Even more troubling, Lt. Martin engaged in the hazing, harassment, bullying, name calling, intimidation, touching, and hitting.

As a result of the evidence presented in the [REDACTED] Investigation Report dated November 20, 2019, I recommend that Lieutenant David Martin be discharged from his employment with the Orange Township Fire Department.

Respectfully Submitted,



Matthew G. Noble
Fire Chief

EXHIBIT MARTIN STATEMENT

Hello my name is david Martin I began my career with the Orange twp fire department on nov 3, 1999 as a firefighter\paramedic. While as a firefighter I was instrumental in placing the townships very first medic unit into service I was then assigned the hose and appliances for the department and took part specking out E361 and Xe363. I was promoted to lieutenant in 2007 when I took on additional responsibilities as the part time firefighter coordinator. For the last several years I have been working with Captain Hodges to assist him as Ems coordinator. I have grown up in the firehouse all my life I have been around firefighters and their families. I have just received a 30 yr award from the Brookside volunteer fire department were I started and were my father was fire chief and the reason I became a firefighter. I am currently the fire chief of Sunset Heights volunteer fire dept where I have been a member for over 20 years. I have given myself to my community as a volunteer because of my caring nature and wanting to help people in their time of need this has been the same service I provide to the residents of orange twp. In all my years of service with oftd I have provided the very best service to the community, I have only had a couple of write ups, but no major disciplinary actions against me.

The career firehouse is a unique environment to live in, we all spend one third of the year together so in that time you become comfortable with one another and know each other very well and we know one another's family, as we support each other through good times and the bad times. [REDACTED] started out with our crew several years ago and it took a little while for him to warm up to us but after a while he started to fit in with the shift, telling us stories telling us about his history, his nicknames and was joking around. We as a shift would talk to him about not giving up hope and that he would eventually become full time firefighter with this department. There were multiple occasions that we would pay for his meals or not except money from him for meals due to his personal issues. We also made sure he took left overs for his lunch at his full time job. [REDACTED] would even come in on his day off with his dog just to stop in and say hi. [REDACTED] has only come to me about one complaint that he had with Captain Hodges and I acted on the information with captain Hodges. He never came to me about any issues with myself or anyone else on the shift.

I would like to take this time now to apologize for my actions or inactions i have the responsibility as a lieutenant to lead by example and not become comfortable or complacent with the crew. I would like to apologize to Chief Noble, the Trustees, Firefighters, Family and friends. Most of all I would like to apologize to [REDACTED] to his face for any and all wrongdoing that I have caused. I did not intend for anything like this to happen or for anyone to get hurt. I take responsibility for all my actions I should have never allowed this to happen. I believe that there should be disciplinary actions taken towards myself but I do not believe termination is required there are many different forms of discipline that would be appropriate, discipline is meant to be corrective action towards an employee to Change outcome. I hope that you will consider my years of dedication that I have had to this department. The fact that I haven't had any issues that reflect poorly on myself.

Thank you
LT David Martin

