



Orange Township Fire Department

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

CC: Captain John Hodges
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
and Townsley Insubordination and Policy Infractions Investigation

Appearances:

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

For the Employee: Captain John Hodges
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:

[REDACTED] Harassment and Hazing Complaint Investigation:

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.

Townsley Insubordination and Policy Infractions Investigation:

The employer conducted an investigation as a result of information conveyed to Fire Chief Matt Noble on Tuesday, September 24, 2019 by Captain AJ Miller regarding insubordination and policy infractions of Firefighter/Paramedic Katie Townsley while on 1-Unit at Station 362. Specifically, this investigation was conducted to determine whether on Monday, September 23, 2019, Firefighter/Paramedic Townsley violated department policies warranting discipline as a result of those actions.

The investigation included obtaining statements from identified witnesses, and administrative investigative interviews of identified witnesses and FF Townsley. The administrative investigative interviews that Notice and Order to Appear notices were sent for were recorded.

Attachments:

Investigation dated November 20, 2019

Townsley Investigation dated November 21, 2019

Captain John Hodges Prepared Statement (Exhibit Hodges Statement 1-2)

Presentation of Charges:

Chief Matt Noble presented the completed investigation reports with findings and exhibits of which Captain John Hodges was provided on Wednesday, November 20, 2019 and Thursday, November 21, 2019. Chief Noble presented the following charges against Captain John Hodges that resulted from the investigations:

1. **Inappropriate Behavior** – Section 2. Item B of the Inappropriate Behavior Policy – Threats or acts of physical violence by 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 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 Captain John Hodges for not stopping the abusive behavior, hazing, harassment and threats and acts of physical violence towards Firefighter/Paramedic [REDACTED].
4. **Inappropriate Behavior** – Section 4 of the Inappropriate Behavior Policy – Neglect of Duty by Captain John Hodges for not addressing with Firefighter/Paramedic Katie Townsley her failure to follow department policies and insubordination.

5. **Conduct Unbecoming** – Section 7 of the Standards of Conduct Policy – Abusive behavior, hazing and harassment 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.
6. **Conduct Unbecoming** – Section 16 of the Standards of Conduct Policy - During Captain John Hodges Administrative Investigative Interview, failed to provide a complete and truthful account of the facts.
7. **Conduct Unbecoming** – Section 17 of the Standards of Conduct Policy - Abusive behavior, hazing and harassment 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.
8. **Falsification of Official Report** – Section 3 of the Administrative Activities Policy – Knowingly falsified the I-71 Semi Truck fire Incident Report by assigning Firefighter/Paramedic Katie Townsley to Tanker 362 instead of Medic 362, which was the vehicle she responded emergency to the scene in.
9. **Failing to Meet Essential Job Functions** – Essential Job Functions of the Fire Captain Position Description – Failed to be the “boss” by providing a solid leadership presence, following department policies, allowing personnel to engage in harassment, hazing and assault, engaging in assault, failed to provide the fire chief with information regarding these significant issues and failing to keep Firefighter/Paramedic [REDACTED] safe.
10. **Failing to Meet Essential Job Functions** – Essential Job Functions of the Fire Captain Position Description – Failed to be the “boss” by providing a solid leadership presence, to enforce policies and collective bargaining agreement, to address personnel issues by not addressing with Firefighter/Paramedic Katie Townsley her failure to follow department policies and insubordination.

Chief Noble then provided Captain John Hodges an opportunity to respond to the investigation report and charges against him.

Presentation and Response for the Employee:

Captain John Hodges presented and read a written prepared statement. In addition to reading the statement, Captain Hodges apologized for letting me and everyone else down. He indicated he has been living in misery, is disgusted with himself, regrets some of his poor decisions and hopes he can have forgiveness.

Captain John Hodges had no other information or evidence to present.

Findings:

1. **Inappropriate Behavior** – Section 2. Item B of the Inappropriate Behavior Policy – Threats or acts of physical violence by touching, hitting, and/or tapping Firefighter/Paramedic [REDACTED] in the groin.
➤ **I find that Captain John Hodges 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 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 Captain John Hodges 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 Captain John Hodges for not stopping the abusive behavior, hazing, harassment and threats and acts of physical violence towards Firefighter/Paramedic [REDACTED].
➤ **I find that Captain John Hodges has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
4. **Inappropriate Behavior** – Section 4 of the Inappropriate Behavior Policy – Neglect of Duty by Captain John Hodges for not addressing with Firefighter/Paramedic Katie Townsley her failure to follow department policies and insubordination.
➤ **I find that Captain John Hodges has violated this policy for reasons presented in the Townsley Investigation Report.**
5. **Conduct Unbecoming** – Section 7 of the Standards of Conduct Policy – Abusive behavior, hazing and harassment 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 Captain John Hodges has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
6. **Conduct Unbecoming** – Section 16 of the Standards of Conduct Policy - During Captain John Hodges Administrative Investigative Interview, failed to provide a complete and truthful account of the facts.
➤ **I find that Captain John Hodges has violated this policy for reasons presented in the [REDACTED] Investigation Report and Townsley Investigation Report.**
7. **Conduct Unbecoming** – Section 17 of the Standards of Conduct Policy - Abusive behavior, hazing and harassment 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 Captain John Hodges has violated this policy for reasons presented in the [REDACTED] Investigation Report.**

8. **Falsification of Official Report** – Section 3 of the Administrative Activities Policy – Knowingly falsified the I-71 Semi Truck fire Incident Report by assigning Firefighter/Paramedic Katie Townsley to Tanker 362 instead of Medic 362, which was the vehicle she responded emergency to the scene in.
- **I find that while Captain John Hodges could have done better with documenting personnel on scene and apparatus assigned to, assigning FF Townsley to Tanker 362 instead of Medic 362 was not malicious in nature. As a result, I recommend this charge be removed.**
9. **Failing to Meet Essential Job Functions** – Essential Job Functions of the Fire Captain Position Description – Failed to be the “boss” by providing a solid leadership presence, following department policies, allowing personnel to engage in harassment, hazing and assault, engaging in assault, failed to provide the fire chief with information regarding these significant issues and failing to keep Firefighter/Paramedic [REDACTED] safe.
- **I find that Captain John Hodges has violated this policy for reasons presented in the [REDACTED] Investigation Report.**
10. **Failing to Meet Essential Job Functions** – Essential Job Functions of the Fire Captain Position Description – Failed to be the “boss” by providing a solid leadership presence, to enforce policies and collective bargaining agreement, to address personnel issues by not addressing with Firefighter/Paramedic Katie Townsley her failure to follow department policies and insubordination.
- **I find that Captain John Hodges has violated this policy for reasons presented in the Townsley Investigation Report.**

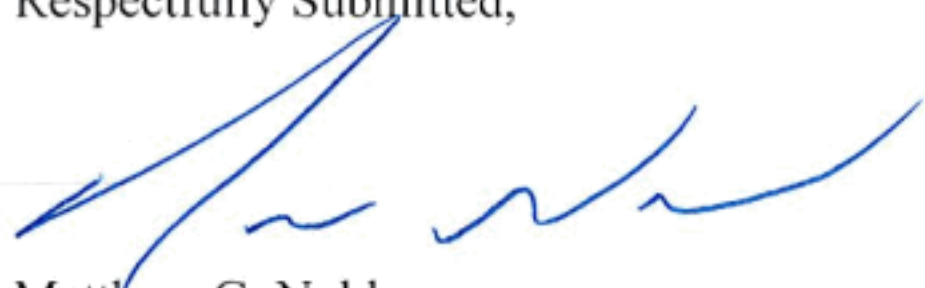
Recommendation:

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.

There is no reconsideration to replace “physical violence, harassment, abusive behavior, hazing” required. The actions against Firefighter/Paramedic [REDACTED] went beyond firehouse banter, joking and horseplay. Not only was there continued verbal hazing and harassment, but also repeated physical contact. This is not firehouse banter or joking, nor is it the fault of the victim, Firefighter/Paramedic [REDACTED]. Officers have a responsibility to ensure their subordinates follow departmental policies, held accountable and are safe and free of hazing and harassment. Captain Hodges failed his responsibility as he ignored and condoned what was occurring both with Firefighter/Paramedic [REDACTED] and Firefighter/Paramedic Katie Townsley. Even more troubling, he engaged in the hazing, harassment, touching, and hitting.

As a result of the evidence presented in the [REDACTED] Report dated November 20, 2019 and the Townsley Investigation Report dated November 21, 2019, I recommend that Captain John Hodges be discharged from his employment with the Orange Township Fire Department.

Respectfully Submitted,



Matthew G. Noble
Fire Chief

December 4, 2019

Dear Orange Township,

I am here today to answer to the charges dated November 20, 2019. I'd like to begin by apologizing to the Township, the Trustees, the Fire Chief, the Administrators, all the employees and coworkers. I'd like to also apologize to my family and friends as this has taken a toll on them as well. Lastly and most importantly I want to apologize to [REDACTED]

Concerning my charges from the [REDACTED] investigation, I ask that the department reconsider the description of the charges to more accurately reflect my role in the events. I was not involved in any incident that could be considered violent, and I did not condone anything more than joking and horseplay. I'd like the township to reconsider the description of my charges to replace the "physical violence, harassment, abusive behavior, hazing" with "joking and horseplay" which is more accurate.

What I once saw as common firehouse joking now appears to be a bigger concern. Whether directly or indirectly involved, I knew the joking was occurring but it was presented as just that, joking. It was displayed in the spirit of good fun as it was presented with willing participation from all, smiles, laughter and giggles. This is why I did not perceive the behaviors as detrimental. This is why the 80 plus years of experience on my crew did not recognize the behavior as detrimental.

Considering my charges from the Townsley investigation, it is now clear to me that there are different expectations of me in this department. I was using reasonable judgment when considering these SOG's and Townsley's circumstances. I was using my discretion and took her word and Lt. Sapp's word that she had met the objectives. I now know my performance did not match with the Chief's expectations. My role in the Townsley situation does not surmount to the charges presented there in but I accept responsibility for my role in this situation and will learn from it.

I have always been truthful. When I met with Chief Noble and Amanda about the trash can I did not recognize the other behaviors as a concern and so there was nothing to mention. Concerning the Administrative Interview, there are different accounts of events. I am asking for your understanding that I dismissed the actions as joking and horseplay and took no mental note of the occurrences as this was everyday firehouse banter. I did my best to recall the incidents and gave you my best recollection of the events that I could remember. Lastly, the fire incident report was an unintentional error on my behalf. There was no intent in a cover up as Townsley was on the report, just on the wrong truck. If this truly was a cover up, one would think Townsley would have been omitted entirely but that's not the case.

When considering my outcome, I would like for the township to consider my excellent work ethic, record and commitment to the township over my 15 years of service. I have committed myself to this job. I have been told I am one of the hardest workers here at the department and have the heaviest work load of anyone. I always show up early and start working immediately once I arrive. I often stay

up late to complete the numerous tasks asked of me. I also stay over after my shift to complete extra work. I often take phone calls and answer emails off duty with no expectation of compensation because I am dedicated to my work whole heartedly. I often give up days off to attend meetings and facilitate classes.

In 2017, I wrote our Assistance to Firefighters Grant that awarded OTFD \$185,000 for new SCBAs. The majority of the grant was completed on my own personal time. I also acquired a BWC grant for \$40,000 to assist the department in purchasing a power cot and power stair chair. In 2017 I also was able to acquire a community foundation grant from Mount Carmel for a new cardiac monitor valued at approximately \$30,000.

I have been an advocate for progression through our pursuit of a county wide protocol, spending countless hours on development which is still a work in progress.

I believe in public service and serving the community. During my tenure I established our ASHI CPR and First Aid program for the public. I am one of only 5 active CPR instructors who give up Saturdays to teach CPR to the public; I am one of only two car seat technicians in the department.

I believe in community involvement and I am also active in my own community. I recently completed a volunteer service project with my home town fire department. Thru this project we were able to have the K thru 6 students complete and return a safety bulletin on home safety. By assigning this as homework we could ensure there was active participation by the parents as well. I later placed numerous follow up calls to assist those who had questions. I have also supported my child's youth sports and volunteered at my child's school installing playground equipment.

In closing, I regret the poor decisions I made and I am truly sorry but I don't feel my role in these charges warrants the loss of my career. The department has had many employees thrive after they have been given a second chance. I would ask to have the same opportunity given to me that was given to those other employees. I ask that the township consider a lesser form of discipline that aligns with my actions.

Sincerely,

A handwritten signature in black ink, appearing to read 'John E. Hodges', written in a cursive style.

John E. Hodges

