

From: Warren, Lovely A.
Sent: Monday, December 18, 2017 10:27 PM
To:
Subject: Re: Deputy Mayor Dr. Cedric Alexander
Attachments: Executive Summary - C. Howard and C. Alexander.pdf

Dr. Anderson:

I am in receipt of your email that alleges misconduct by a current employee of the City of Rochester. Rest assured, that prior to accepting employment here at the City of Rochester Dr. Alexander fully disclosed the allegations set forth in your email. Thus, I had time to thoroughly review the documents associated with the allegation and its findings. DeKalb County's human resources department researched and investigated the allegations and found them to be without merit. I have attached the findings for your review.

Lovely A. Warren, Esq.

Lovely A. Warren, Mayor
City of Rochester
30 Church Street
Rochester, NY 14614

From: City of Rochester (Web Page) Information
Sent: Monday, December 18, 2017 2:02 PM
To: Warren, Lovely A.
Cc: Rau, Andreas
Subject: FW: Deputy Mayor Dr. Cedric Alexander
From the website.

From: Karen A. Anderson
Sent: Monday, December 18, 2017 1:57 PM
To: KAREN ANDERSON
Subject: Deputy Mayor Dr. Cedric Alexander
See the attached

Executive Summary

Consuela Howard, Lieutenant and Cedric Alexander, Deputy Chief Operating Officer

February 8, 2016

Preface: Consuela Howard, Police Lieutenant, accused Cedric Alexander, Deputy Chief Operating Officer (Public Safety) of making unwelcome sexual advances. The complaint originated through a third party, former Police Major Karen Anderson, who was the supervisor of Lieutenant Howard. Major Anderson informed Police Chief James Conroy of the allegations during her contentious December 2015 termination. Chief Conroy forwarded the allegations to Human Resources (HR) for investigation and resolution.

The complaint is comprised of two (2) allegations, *unwelcome advances* and *subsequent intimidation/retaliation for rejecting same*. The remedy requested as stated by Lieutenant Howard, *"I just wanted Dr. A [Alexander] to leave me alone... He had made this entire year hostile... ...I am very tired of him and tired of his attacks. This has become very stressful and enough is enough."*

Issue 1: Lieutenant Howard accused Dr. Alexander of making unwelcome advances. The investigation interpreted the time-period of the alleged advances to be between mid-June 2013 and Christmas 2013, but not later than Valentine's Day 2014.

Discussion: The following excerpts were extracted from the statement of Lieutenant Howard and reflect conversations in which Dr. Alexander allegedly made advances. Lieutenant Howard stated:

- *"...he [Dr. Alexander] asked me if I liked him. He then told me that I like him a lot... Chief Alexander stated that we had a strong connection and that there was nothing wrong with two consenting adults caring about one another. At that time, I could see that Chief Alexander was talking about more than a friendship... I advised him that I loved President Obama but I wasn't trying to sleep with in [him]."*
- *"He asked me if I would ever get in a relationship with a guy like him. I tried to be discreet and said yes if he was younger. ...I had to come out and tell him directly, "I do not sleep with old men. ...Chief Alexander smiled and replied, 'So you think I'm too old for you? I get it.'"*
- *"...Chief Alexander advised he was taking a few days off and was driving down to see his mother in his home town of Pensacola, Fl. ...Chief Alexander suggested that I consider going with him, he stated we could hang out at the beach. I told him how much I loved the water but I thought it would be inappropriate for me to be going with him and walking around him in a bikini on the beach. He then stated that no one needed to know"*

and I could stay at his mother's house and sleep in my own room since no one was there besides us..."

- *"...He then asked me if I ever been to Miami, Fl. or Dallas, TX. I stated I visited Miami and Dallas years ago but haven't been there in a while. Chief Alexander advised I needed to go with him one day when he goes to Miami and Dallas so he could show me a great time."*
- *"...I recall Chief Alexander inviting me to go to the movies with him and his daughter, however, he wanted to go later in the evening and by the time he attempted to go I was too tired to go."*

Note: It is noteworthy to mention Lieutenant Howard indicated the alleged advances ended with a mutually amenable understanding. She stated, *"We had no more uncomfortable conversations about dating an older man. ...I stated he needed to find someone his own age and was pretty sure there were women who were interested in him. We seemed to have a good understanding of each other by now and it appeared we were starting to develop a strong friendship."*

Determination: Dr. Alexander categorically denied making the above advances. Though colleagues with whom Lieutenant Howard spoke to about this matter were interviewed, none actually overheard the alleged conversations. No electronic information was discovered to suggest or support the allegation. This does not mean the conduct did not occur. It means in the absence of sufficient proof, the conduct cannot reasonably be substantiated, reducing the allegation to *"she said he said."*

Issue 2: Lieutenant Howard accused Dr. Alexander of intimidation and retaliation for rejecting his advances. The investigation interpreted the time-period of the alleged intimidation and retaliation to be between-April 25, 2014 (Award Ceremony) and December 11, 2015 (date reported).

Discussion: Lieutenant Howard cited the below incidents as situations used by Dr. Alexander as opportunities to focus on her with the alleged behaviors:

- **Award Ceremony** - Lieutenant Howard became overtly upset with Dr. Alexander for failing to honor other police officers involved in the McNair Elementary School/gunman incident. He recognized just one police officer, Detective Pitts. Lieutenant Howard responded with a controlled audible, *"Oh HELL No."* This incident appears to have been the beginning of the end of their cordial relationship.
- **Chief Horner's Retirement Function** - Lieutenant Howard allegedly failed to acknowledge Dr. Alexander and Assistant Chief Michael Yarbrough as she walked passed them.

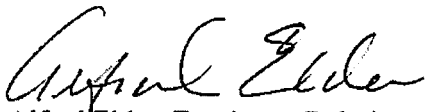
- **New Birth Church Occasion** – Ms. Kelly Gunby is a citizen who participated in a community outreach program sponsored by the Police Department and New Birth Church. Ms. Gunby stated, *“Yes, she was rude. ...Lieutenant Howard walked into the building and I spoke to her and she looked at me and did not respond, she looked me up and down and I spoke again, thinking maybe she did not hear me... I simply felt like her attitude was not good especially if we were bridging the gap between community, church and law enforcement.”*
- On at least two occasions, Dr. Alexander’s tone and tenor openly displayed his displeasure with Lieutenant Howard. One incident occurred in the presence of Rayna Longshore, Administrative Coordinator, while Dr. Alexander and Lieutenant Howard discussed the N.O.B.L.E Conference. The second occurred in the presence of Scott Gassner, Major, just prior to Officer Toatley’s funeral. Respective comments are outlined below:
 - **N.O.B.L.E Conference conversation** – Lieutenant Howard stated, *“...At this time, I could tell him [he] [Dr. Alexander] was upset with me or directing some type of anger towards me. ...I wasn't sure if he was upset that I did not come to him first to get approval to go to the conference or not... I asked him if he wanted me to go when he replied, 'If I didn't want you to go I would have nipped it in the bud already...”*
 - **Just prior to Officer Toatley’s Funeral** - Major Gassner stated, *“Dr. Alexander stated he was tired of Lt. Howard disrespecting executive staff. ...Dr. Alexander instructed me to contact Major Anderson and tell her to keep Lt. Howard away from him during the funeral.”*

Determination: The investigation sought to determine if the counseling sessions to which Lieutenant Howard was subjected were warranted or a pretext for retaliation/intimidation. The Police Department’s top three senior officials (Alexander, Conroy and Yarbrough) cited personal observations of incidents they found to be disrespectful.

- As referenced above, Dr. Alexander and Chief Yarbrough indicate Lieutenant Howard failed to acknowledge their presence at Chief Horner’s retirement function.
- Chief Conroy stated, *“...I only recall one incident in which she was disrespectful and ignored me. This was at the N.O.B.L.E Conference in Indianapolis. I was with Chief Yarbrough and Chief Harris in the Hotel Lobby. Lieutenant Howard saw us and instead of saying anything, she hid behind some flowers. I approached her and said “Hello, Lt. Howard” and left.”*

- Major Harris stated, *"I was making the rounds to inquire how each staff member was holding up. When I got to Lieutenant Howard, I forced her to acknowledge my presence by standing in front of her. I asked her how she was holding up. She mumbled something, kind of gaffing me off, and went back to talking to someone else. Connie has been this way for years and this behavior is not out of the ordinary."*
- Ms. Gunby (citizen) stated, *"Yes, she was rude. ...Lieutenant Howard walked into the building and I spoke to her and she looked at me and did not respond, she looked me up and down and I spoke again, thinking maybe she did not hear me... I simply felt like her attitude was not good especially if we were bridging the gap between community, church and law enforcement."*

In giving Lieutenant Howard the benefit of the doubt in failing to acknowledge Dr. Alexander and Chief Yarbrough, one cannot ignore the observations of the department head, another senior officer, a citizen and others included in the investigative report but not mentioned in this summary. Lieutenant Howard's behavior garnered the attention of command staff and resulted in counseling and other related conversations. Contrary to the allegation Dr. Alexander retaliated and intimidated Lieutenant Howard through unwarranted corrective measures, the origin of corrective actions may be traced to her behavior. Consequently, allegations of intimidation/retaliation are determined to be without merit.



Alfred Elder, Employee Relations Manager