

To: City Manager Marcus Jones

Chief Hannan's retirement at the end of August 2017 has generated speculation about the future and direction of the Charlotte Fire Department (CFD), especially for African Americans and other minorities. The current administration wants you and the City Council to believe that the lack of diversity and inclusion is because of a single issue, African American females not being hired on the department. This could not be further from the truth. The issue to be plain and simple is African Americans and other minorities collectively just are not given the same opportunities and access to succeed on the Charlotte Fire Department. There have been several racial and gender discrimination issues the department has acknowledged and investigated that have not been exposed or revealed to the media. The problem is that past and current administrations are not willing to take the necessary actions to address the biases and discrimination, and they continue to manifest themselves in policies and decisions that negatively affect African Americans and minorities.

Members on the department suffered tremendously under the previous Fire Chief, and by all accounts continue to struggle under the current leadership as well. Internally, we fear that the next Fire Chief will be one of the current Charlotte Fire Department's Deputy Chiefs. We hope this will not be the case. It has been over three months since Chief Hannan retired. The African Americans and other minorities on the department were encouraged, but cautious. We took a wait and see approach. What we are seeing is exactly what we have seen under the previous two Fire Chiefs, such things as unethical practices and promotions of young Caucasian males that will set policy and shape the structure of the department for many years to come. We respectfully, hope you will make the decision to look outside the department for the next Fire Chief of the Charlotte Fire Department.

One of the issues we are concerned with is wondering if our hiring practices and standards will reflect a department that embraces diversity and inclusion. However, the verdict is out on promotional practices and standards, and creating a more diverse inclusive department that is void of nepotism and systematic biases. The answer is no. Nothing has changed when it comes to putting in place policies and procedures that will allow for diversity in leadership and management. Currently, the department has a vacant Deputy Chief position. There are three strong minority candidates' with impeccable credentials and above board reputations who could fill the position. All three have 25 plus years of service with certifications and resumes that rival Fire Chiefs of other departments. All three came up through the ranks and have managed battalions, unlike two of the current Deputy Chiefs' on the department. One of them is a Caucasian female, Paula McDaniel that currently holds the rank of Division Chief. The other two are an African American male Battalion Chief, Willie Summers and a Caucasian female Battalion Chief, Cindy Bonham, both of them have been finalists for Fire Chiefs of other departments. The current administration would serve the department and the citizens of Charlotte well by promoting one of these individuals to the rank of Deputy Chief, yet for whatever

reason this has not occurred. African Americans and minorities can only conclude that these individuals have not been elevated because the department still does not truly value diversity.

The department just released the final promotional announcement and requirements for the 2018 Captain and Battalion Chief Process. Deputy Chief Gordon, the same chief that has overseen previous promotional processes that yielded very few African American and minorities being promoted, sent the announcement. The test vendor is McCants, the same test vendor that the department has had repeated issues with in the past. CFD has had testing material issues with McCants on three separate occasions that can be verified. The issues range from not sending enough test books to unsealed tests. So, why does the department continue to rely on a test vendor that continues to have serious reliability issues? To mask the issue of promoting minorities, a preset cutoff score of 66 has been set for both, the 2018 Captain's and Battalion Chief's written exam. Close to 100 Firefighters will test for Captain. There are at most only about 30 Captains that will take the Battalion Chief's test. The cutoff score has consistently been the one factor that disproportionately eliminates African American and minorities. What is also speculative above the promotional announcements is the change in messaging and the timing. Candidates were unofficially told that a cutoff score would not be applied because it was bias, and did have an adverse impact on minorities. Instead the final announcement is emailed in late December prior to Christmas with a preset cutoff score. The test will be administered in early February. This is just another example that nothing has changed, and that the decision is deceitfully calculated with the intent for the department to remain status quo. So, what is Deputy Chief Gordon's reason for agreeing and or establishing a preset cutoff score of 66, other than to ensure Caucasian males benefit? If African Americans and minorities are eliminated from the process because of the cutoff score we assure you that Deputy Chief Gordon will place blame on the minority candidates and not the process that discriminates against them.

By all accounts this promotional process will produce the same results as tests in years past. In the 2017 Battalion Chief Promotional Process only one African American male and one Caucasian female pass with a cutoff score of 66, and both of them were eliminated in the next phase of testing. The Captain Promotional Process had a cut off score of 65. No minorities passed of the 95 candidates. Collectively 123 candidates tested for promotion and not a single African American or minority was promoted. The primary reason is a cutoff score that eliminated the majority of them. Had the cutoff score been removed entirely from both processes, like it was in the 2015 Battalion Chief's process, then the department would have had a much diverse pool in which to evaluate candidates on their merit, experience and body of work. If a candidate is not qualified or ready to promote to the next rank then let the entire promotional process reveal this along with the career resume of the candidate. To allow a single score of a multi-phase promotional process to discriminately eliminate all or most African Americans and minorities is systematic discrimination.

So what makes the department put this standard in place, except for no other reason than to ensure Caucasian males will have a path forward (specifically Captain Brent Gordon, Deputy Chief Gordon's brother)? Can the current administration explain why this makes sense? Why is the Charlotte Fire Department allowed to keep relying on the exact same promotional standards that statistics clearly shows disproportionately discriminates against African Americans and minorities, and only benefit Caucasian males? More importantly, why are the same Deputy Chiefs who caused the past problems put in charge of correcting the problems, when they are the problem? This is nothing more than corruption policing corruption, that will produce nothing but corruption. The process will surely be questioned and challenged regardless of the results. The hiring standards should be reflective of the community and based on the quality of the applicant, and not motivated by leadership that favors a certain demographic. The promotional process should be based on a candidate's body of work, merit and experience, and not based on a single cutoff score that does not take into account the overall quality of the candidate. Neither of these are occurring, and it is reflective in the department's policies and decisions.

There are currently 7 African Americans and minorities in mid-level or upper-level management on the department. Six of the seven can retire today. If this was to occur, only young Caucasian males will be in position to fill those leadership roles. Imagine how this makes African Americans and minorities on the department feel to know that at any given moment virtually the entire department's mid-level and upper-level management could be Caucasian males. The reality of this occurring is a very real possibility. In fact, as previously stated, this is what occurred in 2016 when a large number of Battalion Chiefs and Captains suddenly retired. The tests to fill those retirements were administered in 2017. Fire Chief Hannan had a number of experienced, well-qualified African Americans and minorities test for promotion out of 123 candidates, but applied a cutoff score that eliminated all of them but two. The two minorities that advanced were eliminated in the next phase of testing, leaving only Caucasian males to fill all Battalion Chiefs and Captains vacancies.

Since 2016 only one African American or minority has been promoted to the rank of Captain or higher on the entire department compared to roughly 20 plus Caucasian males. The year prior in 2015, there were three Battalion Chief vacancies. Fire Chief Hannan promoted a much younger, less experienced Caucasian male (Captain Justin Fields) to Battalion Chief over more qualified, experienced African Americans and minorities that were on the list. The administration then and now argues that there are not enough qualified African Americans and minorities on the department. That was not true then and it is not true now.

No one will dispute that there is not enough diversity on the Charlotte Fire Department (another area that past and current administrations failed), but the African Americans and minorities that are on the department are highly capable, educated and experienced beyond many of their Caucasian male Firefighters that have been promoted over them. It is this type of overt discrimination and implicit

bias that make African Americans and minorities skeptical to join the Charlotte Fire Department, thus making recruiting difficult. Couple this with the fact that both the 2017 Battalion Chief's and Captain's list had all Caucasian males, so even the future development and growth of the department will be influenced by the same like-minded culture. There are no African Americans or minorities overseeing, leading or have influence over the direction of the department.

Deputy Chief Key is only the Interim Fire Chief. Sadly to say, he has directly and indirectly been responsible for African Americans and other minorities being in such a devalued and underrepresented position. He knew about the promotional test being tampered with, he knew about the racial and gender discrimination that has been going on for years in the department (that has been kept under wraps) and did nothing until his hand was forced. He has directly campaigned against well-qualified African Americans on the department to prevent their promotions in fear of speaking out against the previous Fire Chief. A clear example of this is when African American Battalion Chief, Willie Summers, whom by the standards and criteria set by the department should have been promoted to Deputy Chief but was denied because Deputy Chief Key's direct involvement to side with Fire Chief Hannan. Battalion Chief Summers clearly has the leadership, qualifications, resume and experience to be promoted, but Deputy Chief Key recommended that he not be promoted to Deputy Chief. Retired Fire Chief Hannan has stated this on several occasions to many on the department.

Deputy Chief Key has never openly endorsed African Americans or minorities on the department. He is the Deputy Chief that oversaw CFD Recruiting efforts when the number of African American (roughly 18%) and minorities declined drastically to the current number for African Americans (roughly 10%) and even worse for other minorities. The African Americans knew Deputy Chief Key had these implicit biases but still viewed him as a line of access to hopefully be a voice of change. That did not happen then, and it is not happening now.

Presently, Deputy Chief Gordon is virtually running the department. He is overseeing Recruiting, Planning, the Fire Academy, retirement system, policies and procedures and the promotional processes. Every move he has made is strategically, and systematically moving the department in the same direction as his predecessor, Fire Chief Hannan. Deputy Chief Gordon has been in charge of coordinating all the promotional processes during the time when there have been serious irregularities in the testing standards and validity of the entire promotional process. He has defended the outcomes of these promotional processes despite acknowledging issues that have resulted in African Americans and minorities being eliminated at alarming rates. This is supported by an email sent earlier this year by Deputy Chief Gordon attempting to explain and justify unsealed tests sent by the test vendor, McCants. Unfortunately, no action was taken and both lists promoted all Caucasian males. Currently, if you take into account the 2017 promotions alone, the 3 Battalion Chiefs promoted so far off the list all have close ties and have worked directly for Deputy Chief Gordon at some point or another. All are Caucasian males.

Deputy Chief Gordon went so far as to create a Planning Chief's position to ensure one of them, Captain Ken Hogue, was promoted.

There are a couple of things that indicate this move was prejudice. First, the department is having issues with diversity and inclusion, so why is a Battalion Chief's position created for Planning and not Recruiting? The reason is because only African American and minority Firefighters have been heavily involved and concerned about recruiting. Deputy Chief Gordon is only as of late showing interest in diversity because he is positioning himself to be Fire Chief. Secondly, creating a Planning position allows him to continue to have direct control over recruiting and simultaneously put a Battalion Chief over planning that he can influence while grooming that individual for the next level promotion. A clear indicator that this decision was questionable is how it was communicated throughout the department and then suddenly changed. The Planning position was originally supposed to be for a Captain, but was reclassified for a Battalion Chief to justify promoting Captain Hogue. Initially, the administration was trying to encourage an African American Battalion Chief to retire in order for Captain Hogue to fill his position. When this did not occur because the African American Battalion Chief pulled down from retiring the Planning position was reclassified. This is well known throughout the department and can be verified with a simple investigation of emails, internal procedure, record keeping and Firefighter interviews (if they are willing to talk).

Deputy Chief Gordon continues to advocate and justify promoting young Caucasian males to positions of authority to affect policy and the structure of the department foundationally. Ironically, in 2016 one of Deputy Chief Gordon's best friends, Captain Scott Hunter, took the Battalion Chief's test for the first time and was promoted, but African Americans and minorities are consistently told they need to go through the process multiple times to gain experience. Deputy Chief Gordon on more than one occasion has said he does not think anyone should be promoted to Battalion Chief the first time in the process. His explanation is Captains need to gain experience as an Acting Battalion Chief first because the decisions they make can have life or death consequences. Paradoxically, Deputy Chief Gordon himself has never managed a battalion as a Battalion Chief, but he requires this of African Americans and minorities on the department. His brother, Captain Brent Gordon, is testing for Battalion Chief for the first time in 2018. This is the reason the preset cutoff score of 66 is applied for the 2018 Battalion Chief's Process. If African Americans are eliminated due to the cutoff score Deputy Chief Gordon can easily justify promoting his brother due to attrition in a process he oversees. Let's see if Deputy Chief Gordon applies the same standards to his brother that are placed on African American and minorities to promote, or will a culture of nepotism continue.

What message are you sending to African Americans and minorities when authority is used in this unethical fashion to elevate another Caucasian male? The optics is a Caucasian male in power deceitfully uses his influence to promote another Caucasian male. It is underhanded practices exactly like this that Fire Chief Hannan engaged in that has created such a divisive, racially charged environment in the

Charlotte Fire Department. Fire Chief Hannan eliminated a Deputy Chief's position and reclassified it as a Division Chief rank in order to promote Battalion Chief Damien Owens to Division Chief, despite the fact he was not as qualified. How is what Deputy Chief Gordon doing any different than what Fire Chief Hannan was doing? One final point related to Deputy Chief Gordon and nepotism on the department, coincidentally the December transfer assigned one of his son to Fire Station 13 (Haz Mat Station-Special Assignment) over more experienced qualified Firefighters. The position went unfilled for no apparent reason and the transfer was delayed because of Deputy Chief Gordon asserting his influence to get his son a special assignment. The transfer was so blatant and unethical that prior to it being released Deputy Chief Gordon attempted to explain that he would have nothing to do with the outcome. Fire Station 13 now has Deputy Chief Gordon's brother assigned as a Captain on one shift, and each one of his son (one of them with less than 5 years on) assigned on the other two shifts. The many examples are evidence that nothing has changed. Why would African Americans or minorities have confidence that things are changing; when for over three months we clearly see the exact same unfair practices that was applied by the previous leadership that favor Caucasian males only. Deputy Chief Gordon clearly engages in nepotism. What has been outlined above can clearly be proven and simply cannot be explained as coincidence. There is no difference from what he is doing compared to the last administration.

It cannot be just a coincidence that one of his best friends, Battalion Chief Scott Hunter was promoted the first time around, both of his son are on special assignment at Fire Station 13, along with his brother whom everyone expect will be promoted to Battalion Chief (first time in the process), a process that Deputy Chief Gordon oversees with a cutoff score that makes no sense. Not to mention his influence in making sure Captain Hogue was promoted to Battalion Chief. The examples given above cannot be explained in any other fashion except that it nepotism in its purest form, not coincidence.

Deputy Chief Granger has been involved with multiple grievances. Just like Deputy Chief Gordon, he also rose through the ranks without any experience managing a battalion as a Battalion Chief. As a Deputy Chief that sat on the hiring panel for years, he singled-handedly blocked hiring highly skilled, educated, well qualified African American and minorities. His reasoning for this was they were over qualified and would leave the fire service for a better job when the opportunity presented itself. He is the same Deputy Chief that made the statement in front of multiple news outlets on television, "If you have a department that is 90 percent white, then your promotions will be 90 percent white". When the department intentionally limits the number of minorities it will hire, and continue to institute cutoff scores that without question disproportionately disqualifies African Americans and minorities, then the statement by Deputy Chief Granger is 100 percent true and accurate. It is leadership like this the reason African Americans and other minorities do not advance in the department despite outperforming their Caucasian male

counterparts. It is leadership like this that the number of African American and minority Firefighters on the department has drastically declined in recent years.

Mr. Jones, the administration will have you to believe that positive change is taking place and morale is getting better since Fire Chief Hannan's retirement. Internally we know that the future outlook for African Americans and minorities is looking very grim despite our contributions and commitment to the department and City of Charlotte. We hoped that a change in leadership would move the department forward, but that simply has not occurred. When we as African Americans and minorities consider the very real possibility of only having one African American or minority in mid-level and upper-level management by the end of 2018, we have no choice but to feel resentment and hostility towards a career that most of us have dedicated our lives to. When Fire Chief Hannan announced his retirement we had hoped at that time that you would have halted all promotions and hiring until comprehensive and fair processes could be put in place. When you and the City Council did not intervene in this manner it only emboldened the leadership to make decisions that have further made it harder for African American and minorities to progress. Decisions such as creating Battalion Chiefs positions and changing department structure to promote Caucasian males, and continuing to implement cutoff scores in promotional testing that without question is unfair to minorities. If nothing else, please consider the negative impact on morale and the divisive environment at the fire stations this issue is having.

We are asking you again to intervene and stop all promotions and hiring until both processes can be vetted and scrutinized to make the process fair, equitable and consistent for all Firefighters. The Charlotte Fire Department will continue to be a department marred in nepotism and discrimination, while systematically instituting policies designed to allow for Caucasian males to continue having a leg up. African Americans and minorities on CFD cannot afford another year of substandard hiring of minorities and promotions that will only benefit Caucasian males. What will it take for you as the City Manager and the City Council to finally act on our behalf concerning these serious matters? We are weighing our options including but not limited to civil action. This is not our desire, but what other options are we left with?

Our plea is that the next Fire Chief of the Charlotte Fire Department is an external candidate. In light of everything shared in this letter, we further urge you and the City Council members at the very least to stop all hiring and promotional processes until the next Fire Chief is hired. The next Fire Chief can then put hiring standard in place that are truly reflective of the Charlotte community along with promotional standards that are fair, diverse and inclusive for all Firefighters. The lack of action from this point forth by you and the City Council cannot undo any actions by the current administration and handicaps the next Fire Chief and many aspects.

Respectfully,
African Americans and Minority Fire Department Employees