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***CONFIDENTIAL INVESTIGATIVE REPORT  
REGARDING COMPLAINTS OF  
SEXUAL HARASSMENT  
PREPARED FOR THE CITY OF  
CARMEL-BY-THE-SEA***

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**NOTE: By direction of the City Council, the names of certain witnesses and identifying details have been redacted from this report in the interest of preserving the privacy of such witnesses. Otherwise, the original Report has not been altered.**

Prepared by:

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## **I. INTRODUCTION**

### **A. Retention**

The Investigator was retained by the City of Carmel-by-the-Sea<sup>1</sup> (“City”) on or about late December 2017. The Investigator was asked to conduct an investigation into a complaint that had been made against an elected official. Specifically, ██████ had filed a complaint with the City, on or about November 29, 2017, that Mayor Steve Dallas had subjected her to sexual commentary on several occasions. ██████ serves as the ██████ (“Association”) and is not an employee of the City. ██████ does appear before the City to conduct business on behalf of the Association and interacts with local elected officials at Association or other local business events.

After ██████ complaint became public, other individuals came forward to file complaints about Mayor Dallas’ conduct. Others raised complaints about the investigative process. These other allegations are described below.

### **B. The City of Carmel-by-the-Sea**

The Investigator found that the City is a close-knit community in which year-round residents see each other regularly. It is comprised of approximately 4,000 residents and is geographically one square mile. As a result, it appears to the Investigator that Carmel-by-the-Sea is a “small” town with active civic participation and discussion and was described as a “bubble.” The Investigator found that there had been discussions amongst some of the witnesses and many of the witnesses provided examples of incidents they had heard from others, but had not directly observed. It was claimed that these other individuals were afraid of coming forward. Because of this atmosphere—which fosters rumors—many witnesses had a perception, or at least an opinion, that Mr. Dallas had engaged in inappropriate behavior.

All witnesses were asked to request the individuals from whom they had heard about an inappropriate comment to contact the investigator. To the extent that there was no percipient witness to an event, the Investigator has not conducted further investigation and has not credited it.

### **C. Mayor Dallas Background**

Steve Dallas was raised in Carmel. He has been involved in City politics since approximately 2010. Mr. Dallas served on the Planning Commission before running for City Council in 2014. Mr. Dallas was elected to the City Council in April 2014 and elected Mayor in April 2016.

In April 2017, the City received a telephonic complaint alleging Mr. Dallas engaged in verbal harassment by a woman named ██████. The City retained an outside investigator, but ██████ did not return phone calls and the investigation was closed. As a result, the investigator credited Mr. Dallas’ recollection of the interaction with ██████ namely that it

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<sup>1</sup> The Investigator contracted with G.R. Mozingo A.P.C., who serves as the City Attorney. A finalized contract was signed on January 2, 2018.

appeared [REDACTED] and her male guest were both bothered by his question of who they were and where they lived.

#### **D. [REDACTED] Background**

[REDACTED] moved to the Carmel/Monterey Valley approximately fourteen years ago. In 2013, she was hired as the [REDACTED] Association. In this position, she serves as the “face and voice” of the [REDACTED] and interacts with local elected officials on that basis. The Association hosts an annual [REDACTED] Celebration that is held in the City of Carmel-by-the-Sea.

[REDACTED] first met Mr. Dallas after he was elected to the City Council in 2014. Her interactions with him are limited to local social events, approximately ten per year. They have not had separate social contact. [REDACTED] does have contact with City staff related to Association events, like the [REDACTED] Celebration. [REDACTED] states that all contact with City staff and Mr. Dallas at City Hall has been professional.

#### **E. Timeline of [REDACTED] Complaint, Other Complaints, and Concerns about Investigative Process**

[REDACTED] first brought a complaint to City Administrator Chip Rerig on or about November 29, 2017. [REDACTED] was motivated to come forward after NBC News Anchor Matt Lauer was terminated following sexual assault and verbal sexual harassment allegations. This incident gave her courage to come forward as she concluded she and others did not need to tolerate Mr. Dallas’ behavior. After she met with Mr. Rerig, she was contacted by Human Resources Director Maxine Gullo on December 1, 2017 and they agreed to meet with City Attorney Mazingo, on December 8, 2017. [REDACTED] wanted the complaint handled confidentially, as she did not want to harm Mr. Dallas’ family. However, she decided to inform her Board of Directors that she had lodged a complaint so they would not be surprised. At the December 8, 2017 meeting, Mr. Mazingo advised her that he would speak with Mr. Dallas that afternoon and reveal her allegations. According to [REDACTED], she called Ms. Gullo on December 8, 2017 and asked her for the formal process for others to report incidents.

[REDACTED] was told by Mr. Mazingo on December 12, 2017 that the City was retaining an outside investigator to investigate her complaint and she claims he told her that her complaint would be made public because she told Ms. Gullo that others wanted to come forward and because she had an attorney.<sup>2</sup> [REDACTED] maintains that she did not affirmatively seek out the press to report on her complaint. Rather, she received a call from [REDACTED] before the December 15, 2017 closed session. Since she understood that her complaint would be public based on her conversation with City Attorney Mazingo, she decided to answer the reporter’s questions honestly and publicly. It is the Investigator’s understanding that the first report was published on or about December 22, 2017.<sup>3</sup>

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<sup>2</sup> [REDACTED] did not have an attorney, but her friend and witness [REDACTED] had offered to speak to Mr. Mazingo to corroborate her allegations. She believes Mr. Mazingo believed that [REDACTED] was her attorney.

<sup>3</sup> The Investigator has conducted a review of newspaper accounts and it appears that the first newspaper article appeared on December 22, 2017 in the Carmel Pine Cone.

The topic of the complaint and the investigation was raised in a special closed session City Council meeting on December 15, 2017. Prior to this closed session, Councilman Richards informed Ms. Gullo<sup>4</sup> and City Attorney Mozingo that Mr. Dallas had made a comment [REDACTED] giving Mr. Richards a “blow job.”

After news publication of [REDACTED] complaint, other individuals came forward and alleged that Mr. Dallas had engaged in inappropriate behavior when he was their landlord, or that he has engaged in bullying conduct. The Investigator<sup>5</sup> has spoken to all of these individuals. However, because the allegations had no connection with his role as the Mayor or did not allege conduct of a sexual nature, no findings will be made as to these complaints. Attached as Exhibit “B” is a listing of the allegations that were raised with the Investigator from percipient witnesses in these other areas.

There have been members of the community who have expressed concern that the investigative process does not guarantee confidentiality and that City Attorney Mozingo has any role in the investigation as he supported Mr. Dallas’ election to Mayor. The Investigator has promised all witnesses confidentiality to the extent possible, given that Mr. Dallas has a due process right to respond to the allegations. To the extent that individuals have not come forward due to fear of retaliation by Mr. Dallas, the Investigator has asked those interviewed to reach out to them and allowed a witness to be designated as “Jane Doe.” City Attorney Mozingo has not influenced the Investigator in her findings and analysis.

Councilman Richards [REDACTED] [REDACTED] have also alleged that there was a breach of confidentiality as a friend of Councilman Richards commented to him, on Christmas Day 2017, about [REDACTED] against the Mayor. This alleged breach is the subject of this investigation.

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<sup>4</sup> Mr. Richards could not recall when he spoke with Ms. Gullo. Ms. Gullo informed the Investigator that, to the best of her recollection, she spoke with Mr. Richards on or about December 13, 2017 regarding his [REDACTED] recollection of an inappropriate sexual comment.

<sup>5</sup> The Investigator’s Paralegal conducted many of these interviews. If the interview revealed sexual conduct, the Investigator conducted an interview. Otherwise, an interview summary of those other complaints was made and not further investigated.

## II. LEGAL ISSUES

### A. Relevant City Policy

The City's Harassment Prevention Policy applies to all elected and appointed officers and employees of the City. The policy is focused on preventing harassment in the workplace. The Policy does not address harassment by an elected official or employee towards a member of the public. As described below, this exclusion is consistent with state law.

### B. Legal Standard for Mayor's Conduct Towards Members of the Public

#### 1. California Fair Employment and Housing Act

Under the Fair Employment and Housing Act ("FEHA"), an employer may be liable for non-employees' harassment of its employees if the employer knew or should have been aware of the harassment and failed to take appropriate corrective action. [See, e.g., *Folkerson v. Circus Circus Enterprises, Inc.* (9th Cir. 1997) 107 F3d 754, 756 (casino entertainer sexually harassed by casino patron); *Lockard v. Pizza Hut, Inc.* (10th Cir. 1998) 162 F3d 1062, 1073 (waitress sexually assaulted by restaurant customers); Cal. Gov. C. § 12940(j)(1); *Carter v. California Dept. of Veterans Affairs* (2006) 38 Cal.4th 914, 930, 44 CR3d 223, 235-236.] In reviewing cases involving the acts of non-employees, "the extent of the employer's control and any other legal responsibility which the employer may have with respect to the conduct of those nonemployees shall be considered." (Cal. Gov. C. § 12940(j)(1).) Because an employer does not have control over its employees' behavior when not at work, the employer is not liable for an employee's harassment that takes place outside the workplace and is unrelated to the employer's interests. (*Bradley v. California Dept. of Corrections & Rehab.* (2008) 158 CA4th 1612, 1631, 71 CR3d 222, 237.)

Here, the allegations against Mr. Dallas do not involve allegations that he engaged in sexually harassing behavior against any City employee. Further, the alleged conduct involves members of the community to whom the FEHA protections do not apply. While [REDACTED] does work with City staff to process permits [REDACTED], she has stated that all of those interactions are professional. Therefore, the City does not face liability for Mr. Dallas' purported conduct towards members of the public under the Fair Employment and Housing Act.

#### 2. California Tort Claims Act

Under the California Tort Claims Act, a public entity may held liable for an elected official's conduct if the elected official engaged in intentional tortious conduct that is directly related to his or her official duties. The California state legislature has also directed that a public entity cannot be liable for an elected official's harassing behavior as harassing behavior is not directly related to official duties...California Government Code § 815.3(a) provides as follows:

(a) Notwithstanding any other provision of this part, unless the elected official and the public entity are named as codefendants in the same action, a public entity is not liable to a plaintiff under this part for any act or omission of an elected official employed by or

otherwise representing that public entity, which act or omission constitutes an intentional tort, including, but not limited to, harassment, sexual batter, and intentional infliction of emotional distress. For purposes of this section, harassment in violation of state or federal law constitutes an intentional tort, to the extent permitted by federal law. This section shall not apply to defamation.

(b) If the elected official is held liable for an intentional tort other than defamation in such an action, the trier of fact in reaching the verdict shall determine if the act or omission constituting the intentional tort arose from and was directly related to the elected official's performance of his or her official duties. If the trier of fact determines that the act or omission arose from and was directly related to the elected official's performance of his or her official duties, the public entity shall be liable for the judgment as provided by law. For the purpose of this subdivision, employee managerial functions shall be deemed to arise from, and to directly relate to, the elected official's official duties. However, acts or omissions constituting sexual harassment shall not be deemed to arise from and to directly relate to, the elected official duties.

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(f) It is the intent of the Legislature that elected officials assume full fiscal responsibility for their conduct which constitutes an intentional tort not directly related to their official duties committed for which the public entity they represent may also be liable, while maintaining fair compensation for those persons injured by such conduct...

(emphasis added)

Here, the Mayor's purported conduct occurred in the capacity of his role as owner of a property management company, or customer of contracting services, or while in conversations with others in public events or private establishments. As described in more detail below, he was engaged in private conversation or attending events with friends. The Investigator does appreciate that Mr. Dallas is always wearing the "Mayor's hat" when he is socializing around town. However, there is no allegation that any of the alleged conduct occurred in the furtherance of City business.

### III. THE INVESTIGATION PROCESS (METHODOLOGY)

#### A. Scope of Investigation

The scope of this investigation is set forth in the table below. The table shows the area of investigation and the complained of conduct in that area.

1. [REDACTED]

Area of Investigation	Identified Conduct [REDACTED]
1. Whether Steve Dallas engaged in the identified conduct alleged by [REDACTED]?	<p>A. Did Mr. Dallas make statements to [REDACTED] asking “How’s your sex life?” including on the evening of October 19, 2017?</p> <p>B. Did Mr. Dallas make statements to [REDACTED] “Have you been on a booty call?”</p> <p>C. Did Mr. Dallas, on the opening night of the Carmel Film Festival on October 19, 2017, engage in conversation with [REDACTED] where he introduced a friend as a “fluffer”?</p> <p>D. Did Mr. Dallas, on the opening night of the Carmel Film Festival, October 19, 2017, make a comment to [REDACTED], in a leering manner, “You have something on your chest. I would wipe it off, but I can’t do that”?</p> <p>E. Did Mr. Dallas engage in intimidating behavior towards [REDACTED] on November 6, 2017 regarding the City Council’s consideration of a requirement for barricades prior to issuing permits for the [REDACTED] Event?</p>

2. [REDACTED]

Area of Investigation	Identified Conduct by [REDACTED]
2. Whether Mayor Steve Dallas engaged in the identified conduct alleged by [REDACTED]?	<p>A. Did Mr. Dallas, on or about July 4, 2016, make a statement to [REDACTED] [REDACTED] “Would you please talk to your boyfriend [councilman Richards], give him a blow job so you can get him to vote my way?”</p> <p>B. Did Mr. Dallas, on or about May or June 2017 make a statement to Councilman Richards “Those are real,” “Those aren’t fake” in reference to a woman’s breasts at Vesuvio Restaurant?</p> <p>C. Did Mr. Dallas, on or about September 2017 while at Christopher’s Restaurant, approach [REDACTED] and rub her shoulders with his hands and state “Oh, you’re creamy.”</p>

3. Jane Doe

Area of Investigation	Identified Conduct Jane Doe
3. Whether Mayor Steve Dallas engaged in the identified conduct alleged by Jane Doe?	<p>A. Did Mr. Dallas, on or about August or September 2015 come up behind Ms. Doe while dancing and place his left hand inside her pants and state, “I can’t believe you don’t have an ounce of fat on you.”</p>



#### 4. Councilman Richards

Area of Investigation	Identified Conduct by Councilman Richards
4. Whether Mayor Steve Dallas engaged in the identified conduct alleged by Councilman Richards?	<p>A. Did Mr. Dallas, on or before August 2016 make statements to embarrass Mr. Richards when he introduced him to certain women as, “Oh, you know you’re a cheerleader, he only dates cheerleaders.”</p> <p>B. Did Mr. Dallas, on or before August 2016 make a statement to Mr. Richards “We could get those girls to give us a blow job under the dais while we’re making a decision?”</p>

#### 5. [REDACTED]

Area of Investigation	Identified Conduct by [REDACTED]
5. Whether Mayor Steve Dallas engaged in the identified conduct alleged by [REDACTED]?	<p>A. Did Mr. Dallas make comments to women with whom [REDACTED] was speaking, prior to August 2016, and ask them what car they were driving and say, “I guess I’ll see it in the neighborhood soon.”</p> <p>B. Did Mr. Dallas make comments to women with whom [REDACTED] was speaking, prior to August 2016, and state, “You know they call him ‘subway’....he’s got a footlong”?</p> <p>C. Did Mr. Dallas, on or about October 2016, at Athena Restaurant, push and pin [REDACTED] up against the bar?</p> <p>D. Did Mr. Dallas, on or about May 12, 2017, threaten [REDACTED] in the restroom at Vesuvio by stating he has given him enough time to be his friend, now he’s “going to screw you and drive you out of town?”</p>

6. [REDACTED]

Area of Investigation	Identified Conduct by [REDACTED]
6. Whether Mayor Steve Dallas engaged in the identified conduct alleged by [REDACTED]?	<p>A. Did Mr. Dallas, around Christmas time 2013, invite [REDACTED] into his home and ask her “How’s your sex life [with [REDACTED]]” and ask her, “Do you want to see my bedroom?”</p> <p>B. Did Mr. Dallas, in or around Spring 2014, walk to the home [REDACTED] shared with [REDACTED] and state, “You look great in your robe?”</p> <p>C. Did Mr. Dallas, in or around Spring 2014, walk to the home [REDACTED] shared with [REDACTED] and state, “How’s your sex life?”</p>

7. [REDACTED]

Area of Investigation	Identified Conduct by [REDACTED]
7. Whether Mayor Steve Dallas engaged in the identified conduct alleged by [REDACTED]?	<p>A. Did Mr. Dallas in approximately 2014, make a statement to [REDACTED], “Why don’t you get your cute, sweet, hot little ass down to the Pine Inn where Southern Lanterns used to be and reopen your shop?”</p>

#### 8. Breach of Confidentiality

Area of Investigation	Identified Conduct re Breach of Confidentiality
8. Whether there was a breach of the confidentiality admonition by Mr. Dallas ?	<p>A. Did Mr. Dallas tell [REDACTED], prior to Christmas 2017, that [REDACTED] had made a complaint about him alleging that he had told her to give Councilman Richards a blow job?</p>

## B. Standard of Proof for This Investigation

The standard of proof the Investigator used in making the findings of fact was whether, after weighing all the information received, it was more likely than not that the complained of action or conduct occurred, which is the preponderance of the evidence standard of proof.

## C. Witnesses Interviewed

The facts of each witness that were used to make the factual findings and/or credibility analysis in this report are set forth in each witness's interview summary, which follows that witness's credibility analysis. The witness summaries and this assessment are enclosed with the report as Attachment "C". To ascertain the merits of the concerns regarding the allegations outlined above, the following individuals were interviewed:<sup>6</sup>

No.	Name	Date of interview	Position
1.	[REDACTED]	January 10, 2018	Member of Public
2.	Steve Dallas – in-person  Steve Dallas – in-person  Steve Dallas – telephonic	January 11, 2018  January 26, 2018  February 16, 2018	Mayor
3.	Jane Doe	January 26, 2018	Member of Public
4.	[REDACTED] [REDACTED] – telephonic  [REDACTED]	January 26, 2018	[REDACTED] of Mayor Dallas

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<sup>6</sup> The Investigator notes that before each interview was begun each witness was advised of the following: 1. That the Investigator is an attorney, but not their attorney, and that the investigation is subject to the attorney client privilege; 2. That the Investigator's role is to gather evidence and make factual findings regarding the complained of allegations; 3. That the witness's role is to respond fully and truthfully to the Investigator's questions; 4. That the witness should maintain confidentiality of the questions asked and responses provided, but that the Investigator could not compel them to maintain confidentiality as they were not City employees; 5. That the Investigator will maintain confidentiality, but she cannot guarantee absolute confidentiality; 6. That the witness should report any retaliation concerns for participation in this investigation to the Investigator who would report them to an individual who has authority to address such concerns; 7. To Mayor Dallas, that he must not retaliate against any participant in the investigations; and 8. That the Investigator will record the interview. The Investigator then asked each witness whether the witness had any procedural questions.

No.	Name	Date of interview	Position
	██████████ -- ██████████ telephonic	February 7, 2018	██████████ of Mayor Dallas
5.	██████████	January 16, 2018	Member of the Public
6.	██████████	January 26, 2018	Member of the Public
7.	██████████	January 10, 2018	Friend of Mayor Dallas/Member of Public
8.	██████████	January 26, 2018	Friend of Mayor Dallas/Member of Public
9.	██████████	January 10, 2018	Friend of Mayor Dallas/Member of Public
10.	██████████ ██████████ telephonic  ██████████ ██████████ – in person	January 23, 2018  January 26, 2018	Farmers Market Merchant/Member of Public
11.	██████████	January 22, 2018	Member of Public
12.	██████████	February 9, 2018	Member of Public
13.	██████████	January 11, 2018	████████████████████ ██████████/Member of Public
14.	██████████ ██████████ - telephonic  ██████████ ██████████ - second call	January 24, 2018  February 2, 2018	Local Businessman/Member of Public
15.	██████████	January 10, 2018	Member of Public

No.	Name	Date of interview	Position
16.	██████████ telephonic	January 23, 2018	██████████ of Mayor Dallas
17.	Bobby Richards - in-person with IRM  Bobby Richards - telephonic	January 11, 2018  February 7, 2018	City Councilmember
18.	██████ ██████ - telephonic  ██████ ██████ - in-person	January 17, 2018  January 26, 2018	Member of Public
19.	██████████	January 10, 2018	Member of Public
20.	██████████  ██████████	January 10, 2018  January 26, 2018	████████████████████ ████████████████████
21.	██████ ██████ - telephonic	February 7, 2018	Friend of ██████/Member of Public
22.	██████████	January 10, 2018	Friend of Mayor/Member of Public

#### **D. Documents Reviewed**

The documents that the Investigator reviewed and relied on in making her findings are attached as exhibits to this report. A list of those exhibits and the corresponding exhibit numbers is attached as Appendix "A".

#### **IV. ANALYSIS AND FACTUAL FINDINGS**

**Below, the report lists by complainant, the Area of Investigation and then the Identified Conduct associated with each Area of Investigation. After each Identified Conduct, the Investigator provides her analysis of the evidence and her finding regarding that conduct or action.**

##### **A. Whether Steve Dallas engaged in the identified conduct alleged by [REDACTED]**

###### **1. Analysis of Evidence and Findings Concerning Identified Conduct**

- a. Did Mr. Dallas make statements to [REDACTED] asking, "How's your sex life?" including on the evening of October 19, 2017?

[REDACTED] testified that in her limited contacts with Mr. Dallas, he has sexualized conversations. As part of that pattern, Mr. Dallas has asked her "how's your sex life?" and would make a creepy face, like "mmhm, hmm, hmm" and look her up and down regularly at events. She believes he looks ridiculous doing this, but it is not acceptable. She finds his behavior "weird" and believes it is an attempt to intimidate her. [REDACTED] testified that he has made this statement "how's your sex life" at least every other time she saw him at an event. [REDACTED] does not believe Mr. Dallas has been inebriated during these interactions and Mr. Dallas has never physically touched her. [REDACTED] denied that she ever asked Mr. Dallas to introduce her to anyone to date and she finds this idea offensive.

With respect to the events on the opening night of the Film Festival, October 19, 2017, [REDACTED] was at an after-party reception at the Forage in the Forest. Somehow, she ended up in a group next to Mr. Dallas and he turned to her and said "how's your sex life?" and looked at her "creepily." She responded by shaking her head wearily. She believes [REDACTED] heard this comment.

[REDACTED] testified that he saw Mr. Dallas speaking with [REDACTED] at the after-party, but he did not hear the conversation. [REDACTED] has not heard Mr. Dallas make any statement asking [REDACTED] "how's your sex life." However, [REDACTED] had shared with him, before the Film Festival, that she was uncomfortable with Mr. Dallas. It was his personal opinion that Mr. Dallas would speak to [REDACTED] in a condescending, patronizing manner when he saw their interactions at a [REDACTED]. He did not perceive the interactions as sexual in nature. It seemed to [REDACTED] that Mr. Dallas seems to enjoy flaunting his position as mayor.

Mr. Dallas denies asking ██████████ “how’s her sex life.” Rather, he has stated to her “How’s your love life?” Mr. Dallas testified that he asked ██████████ this question because he is proud of his record of introducing people to each other and he likes setting up people to date each other. Mr. Dallas testified that ██████████ had asked him to find her a date or a boyfriend. So at times, he has also asked her, “Are you still single?” “Are you seeing somebody?” Mr. Dallas stated that this did not come up often as he did not see her often.

██████████, Mr. Dallas’ good friend, testified that she was at the Concourse event in August 2017 and heard Mr. Dallas ask a woman “How’s your love life?” It was her impression that Mr. Dallas knew the woman very well and the woman responded by smiling at him.

The Investigator finds that Mr. Dallas did make a statement to ██████████ about “how’s your love life,” that ██████████ has interpreted as “how’s your sex life” given Mr. Dallas’ continued reference to this question and by inquiring about whether she is single. Mr. Dallas justifies his comments by explaining that ██████████ asked him to introduce her to someone and he takes pride in his ability to introduce people. ██████████ denies making this request, and the Investigator credits ██████████ denial as she did not know the Mayor well and it makes sense she would not ask him to introduce someone to her. There are no witnesses who overheard Mr. Dallas state “how’s your sex life,” and therefore the Investigator credits Mr. Dallas’ version given the preponderance of the evidence standard.

The Investigator also finds that Mr. Dallas’ comments to ██████████ “how’s your love life” are not appropriate to be made to an acquaintance that has business with the City and that the comment does send a sexual message. Mr. Dallas’ conduct shows he does not draw boundaries or differentiate how he communicates with those who are not personal friends.

#### **PARTIALLY SUSTAINED**

- b. Did Mr. Dallas make statements to ██████████ “Have you been on a booty call?”

██████████ testified that as part of the pattern of sexually charged conversations, Mr. Dallas has asked her “so you coming on a booty call? She believes he makes these comments because at some point Mr. Dallas learned that she had had a brief relationship with ██████████ and the reference was to whether she was going to see ██████████. She specifically recalled that Mr. Dallas first made this statement to her at a ██████████ event approximately three years (May 2015) ago, before he was the Mayor. She remembers being in a circle with him and that Mr. Richards was also part of the circle. Mr. Dallas then started talking about her going on a booty call in Carmel and Mr. Richards turned to him and said “you need to stop talking that way.” ██████████ recalls that Mr. Dallas stopped his commentary that evening. She cannot recall the last time he made reference to a “booty call,” but it was probably “a couple of years ago, probably.”

██████████ testified that she does not think Mr. Dallas is a bad person. However, she thinks he is so wounded from childhood, and from never having anything in his life that he “reigns his power over everybody and he just does not get it.”

Mr. Richards testified that he had never heard Mr. Dallas use the phrase “booty call” and that he had no recollection of seeing [REDACTED] and Mr. Dallas interact. Mr. Richards had no recollection of making any statement to Mr. Dallas, “you need to stop talking that way.”

Mr. Dallas denied making any comment about [REDACTED] making a “booty call.” Mr. Dallas knew she had dated [REDACTED] as [REDACTED] was proud he had dated her and told Mr. Dallas that he ([REDACTED]) had helped her get the job with the Vintners Association. Mr. Dallas does recall her asking him not to bring up that she had dated [REDACTED]. Mr. Dallas recalls that this conversation was approximately two years ago. Mr. Dallas stated that he never needed to bring the topic up again as he does not have much interaction with [REDACTED]

The Investigator finds that Mr. Dallas did not make the “booty call” statement as alleged. The Investigator credits [REDACTED] testimony that she has had issues with how Mr. Dallas conducts himself for quite some time. She has shared with her friend [REDACTED] that she finds Mr. Dallas creepy and told [REDACTED] that he has sexualized their conversations. However, there is no corroboration for the allegation that Mr. Dallas used the phrase “booty call” to [REDACTED]. Mr. Richards does not recall the incident and [REDACTED] had difficulty recalling when the last time was that Mr. Dallas used the phrase. Instead, when asked how often or when Mr. Dallas made this statement, [REDACTED] would respond with a generalized response as to when he had sexualized conversations. Therefore, the Investigator finds, by a preponderance of the evidence that the comments did not occur.

#### **NOT SUSTAINED**

- c. Did Mr. Dallas, on the opening night of the Carmel Film Festival on October 19, 2017, engage in conversation with [REDACTED] where he introduced a friend as a “fluffer”?

[REDACTED] testified that at the end of the showing of the movie premier at the Film Festival, she went into the lobby and saw groups of people socializing. She recalls that she saw Mr. Dallas and somehow she ended up next to him. After he made the comment regarding her shirt, described below, she noticed that Mr. Dallas was with a friend. So Mr. Dallas introduced her to his friend and in making conversation, she asked his friend what he does for a living. Mr. Dallas then responded, “Oh he’s a fluffer...Or like he’s Harvey Weinstein’s fluffer, or something like that.” Mr. Dallas then turned to her friend [REDACTED] and said to [REDACTED], “[REDACTED], tell [REDACTED] what a fluffer is.” [REDACTED] was speaking with another group and then told her what a fluffer was. Once [REDACTED] told her the meaning, she realized how inappropriate the comment was and she was upset.

[REDACTED] testified that after the movie was shown, he was talking with two friends and he saw that [REDACTED] was about six feet away speaking with [REDACTED], a tall blonde gentleman, and Mr. Dallas. When his conversation was over, Mr. Dallas motioned him over and said “Hey, [REDACTED], tell [REDACTED] what a fluffer is.” [REDACTED] looked at him critically and asked him “What’s a fluffer?” [REDACTED] then put his arm around [REDACTED] shoulder and said, “Well, let me explain...” and walked her away and everybody else laughed. He then explained what a “fluffer” was and he realized that it was not funny. He told her “Hey, that wasn’t cool.



I'm sorry." ██████ responded "No, no. We're good. We're cool," and she said, "He is just a sleaze ball."

Mr. Dallas testified that he did make a joke about his friend being a "fluffer." Mr. Dallas stated that before the movie was shown, he was speaking with a couple of his buddies and he saw ██████ and one of her friends and they asked, "what does he do for a living" pointing to ██████. Mr. Dallas then said "he's a fluffer." ██████ then said she did not know what that was and he told her "well, you know, I'm not going to say what it is. You can look it up yourself, or you know. I can't tell you that."

Mr. Dallas testified that he made the comment as a joke towards ██████. He has a great friendship with him and they were just making fun.

██████ testified that he went to the Film Festival as Mr. Dallas' guest. During the evening, Mr. Dallas introduced him to many people. On previous occasions, Mr. Dallas would introduce him in many different ways, such as "██████ used to race Formula One cars," which is not true. That evening, he was given a lanyard that said "producer." So, when he was asked the first time if he was a producer, Mr. Dallas interrupted and said, "Do you want to know what he did before he was a producer?" ██████ is used to just rolling with Mr. Dallas' humor so he stayed quiet and Mr. Dallas said "██████ used to be a fluffer." When Mr. Dallas made the statement the first time, ██████ did not know what it meant, but at least half of the people in the group knew, and they laughed... So, for the rest of the evening, when Mr. Dallas would introduce him, he would say, "Hi this is ██████. He's a fluffer." ██████ did not take offense to it and did not care. He jokes back with Mr. Dallas. ██████ further stated that Mr. Dallas has made sexual jokes and comments towards him, but it has all been in fun and he has not seen Mr. Dallas make anyone uncomfortable or make sexual comments to them. He has seen Mr. Dallas flirt with people whom he has known for a long time.

The Investigator finds that Mr. Dallas, during the opening night of the Film Festival, introduced his friend ██████ as a "fluffer" to ██████ and others. Mr. Dallas intended the comment to be a joke and ██████ took it as a joke. ██████ was offended by the comment as, based on her prior interactions with Mr. Dallas, she had found him to make sexualized comments and this was yet another example of his taking a conversation down a sexual path.

The Investigator finds that Mr. Dallas does not appreciate that his jokes with his personal friends, that have sexual connotations, can offend others and reflect an ease with making sexual comments and jokes. Therefore, the Investigator also sustains that Mr. Dallas made comments to ██████ that could have been perceived as sexualized in nature, innuendos — even if they were not intended in that manner — given his comfort level in introducing his friend as a "fluffer" at the Film Festival opening.

## **SUSTAINED**

- d. Did Mr. Dallas, on the opening night of the Carmel Film Festival, October 19, 2017, make a comment to [REDACTED] in a leering manner, “You have something on your chest. I would wipe it off, but I can’t do that.”?

[REDACTED] testified that after the movie was shown, she went out into the lobby area and saw Mr. Dallas and she cannot recall if she went over to say hello to him or how they came to be talking with each other. He then looked down at her breast area and said “You have something on your chest” and he moved his head. He then said “I would wipe it off, but I can’t do that” or “something snide like that.” She responded by thanking him and wiping off what she had on her blouse. [REDACTED] found the manner in which he made the statement to be inappropriate as he said “mmhm, hmm,” and gave a “head bobble.” She felt he was leering at her chest.

Mr. Dallas testified that he recalled seeing [REDACTED] and noticing that she had something on her dress or on the lapel of her jacket. He therefore told her “you have, you have something on your dress [or lapel] And you know, I’m not going to take it off. But you need to. I want to let you know that it’s sitting there. I can’t take it off, but you need to take it off because you look silly walking in.” Mr. Dallas stated that he was about three feet away from her and made the comment in a casual manner. Mr. Dallas denies leering or staring down at [REDACTED] breast area.

The Investigator finds that Mr. Dallas did make a statement to [REDACTED], to the effect, that she had something on her clothing and that he could not remove it. The Investigator credits Mr. Dallas’ denial that he was leering at [REDACTED] and his explanation that he was trying to be helpful. [REDACTED] description that Mr. Dallas said “mmh, mmhm” and gave a head bobble was not witnessed by others and appears to be an exaggeration. The Investigator appreciates that [REDACTED] was sensitive to Mr. Dallas’ statements and conduct based on her dislike of how he carried himself and her experience that he sexualized comments. [REDACTED] opinion appears to have colored her interpretation of the incident.

## **SUSTAINED THAT THE COMMENT WAS MADE. NOT SUSTAINED AS TO LEERING**

- e. Did Mr. Dallas engage in intimidating behavior towards [REDACTED] on November 6, 2017 regarding the City Council’s consideration of a requirement for barricades prior to issuing permits for the [REDACTED] event?

[REDACTED] testified that there was one other incident that caused her to bring her complaint to the City Manager. [REDACTED] stated that on or about November 5, 2017, she was attending a [REDACTED], sponsored by her organization. Mr. Dallas entered and started yelling at her at the entryway that she was going to have to put up barricades for the [REDACTED] event. [REDACTED] stated that Mr. Dallas is a big man and he stood over her when he made this statement. Mr. Dallas stated that the City Council was going to vote on that

requirement. She responded that she cannot afford to pay for the barricades and how would it work anyway. She then ignored Mr. Dallas and went into the restaurant to sit at a table with friends. Mr. Dallas then followed her to the table and kept repeating that she was going to have to set up barricades. She felt he was rude and he got close and towered over her. She finally said, “if you want to talk to me, you need to be nicer.” Mr. Dallas then just fizzled out. She feels this conduct is bullying.

Mr. Dallas testified that he recalls the City Council had a safety workshop and they discussed placement of safety barricades for public events in order to avoid the potential for a massacre with a vehicle.<sup>7</sup> He believes it was around the time there had been a horrific event in New York City. Mr. Dallas recalls telling ██████████ that the Council was considering barricades for safety reasons and that she may want to plan for that and he recalls that ██████████ was highly upset that she had to pay for safety barrier and told him “well we’ll just maybe move our, our event out of town.” Mr. Dallas denies yelling or being rude to ██████████ or following her.

The Investigator finds that Mr. Dallas had a conversation with ██████████ regarding the possibility of safety barricades at the ██████████ event. The Investigator finds that ██████████ was unhappy with this potential requirement and cost and that Mr. Dallas’ strong voice and manner bothered her. The Investigator personally observed that Mr. Dallas’ voice has a strong timbre and carries across a room. Mr. Dallas is a very confident individual and this confidence and voice can be perceived as loud, and possibly yelling. The Investigator does not credit ██████████ conclusion that Mr. Dallas’ conduct was bullying or threatening given how she was upset about an increase to the costs of her event and Mr. Dallas’ normal loud demeanor.

## **NOT SUSTAINED**

### **B. Whether Steve Dallas engaged in the identified conduct alleged by ██████████**

#### **1. Analysis of Evidence and Findings Concerning Identified Conduct**

- a. Did Mr. Dallas, on or about July 4, 2016, make a statement to ██████████ “would you please talk to your boyfriend [Councilman Richards], give him a blow job so you can get him to vote my way?”

██████████ testified that she recalls that around the Fourth of July of 2016 at the park, Mr. Dallas and Mr. Richards were speaking and arguing regarding Concours d’Elegance. Mr. Dallas was trying to convince Mr. Richards to take his position and she observed that Mr. Richards was upset and basically walked away from Mr. Dallas. Mr. Dallas approached her and told her “would you please talk to your boyfriend and give him a blow job so that you can get him to vote my way.” She was surprised by the statement and laughed it off. She did not know how to deal with it and there were many people around and she thought it was “weird.” She knew at that point that Mr. Dallas was “a little bit inappropriate,” so the comment was not out of character.

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<sup>7</sup> The Investigator confirmed that there had been a terrorist incident on October 31, 2017, in which eight people were killed when a moving truck drove down a bike-only path in New York City.

After the event, as she and Mr. Richards were walking home, she told Mr. Richards what Mr. Dallas had said to her. Mr. Richards responded with “God, you know, I can’t believe that.” There was no further discussion and they did not report it. ██████ further explained that Mr. Dallas’ comment caught her off guard and she did not want to make a big deal out of it and she did not want to make Bobby look bad. So, they “schlepped it off” as that is “just Steve.” ██████ also testified that the comment made her feel trashy, and was insulted. She is upset with Mr. Richards for raising the comment to the City.

Mr. Richards testified that he did not personally hear the “blow job” comment at the Fourth of July event or at any other time. Mr. Richards has no recollection that ██████ told him about the comment at the time it occurred. Mr. Richards testified that the first time he recalls hearing about this incident is when ██████ told him, in December 2017, after he had spoken with ██████. He recalls she stated “like the time that he told me to, you know, give you a blow job so you would change your vote?” He thereafter reported this to Ms. Gullo and the City Attorney.

Mr. Dallas testified that he did not use the word “blow job” to ██████. Rather, he remembers that he had a discussion with ██████ on Memorial Day 2017 and he wanted Mr. Richards’ support for the budget, especially as there was a discussion about how much money to provide to the Chamber of Commerce. He recalls that after Mr. Richards gave his speech, they were mixing around and he said to ██████ “make sure, we got to keep Bobby happy now.” Mr. Dallas denies a conversation with ██████ on Fourth of July 2016 and does not recall a disagreement about Concourse d’Elegance with Mr. Richards.

The Investigator finds ██████ credible in that she recalls that Mr. Dallas made a comment to her that bothered her. However, the Investigator finds that the comment was not made as she has described given Mr. Richards’ complete lack of recollection of such a salacious comment. The Investigator would expect that Mr. Richards’ would have remembered that ██████ told him about this comment. Further, her reaction at the time was to simply “schlep it off,” but during the interview she described how it made her feel trashy. If this was the case, the Investigator is left to wonder why she did not repeat the comment to Mr. Richards at any other point in time in their relationship, especially when Mr. Richards decided to cut off his personal contact with the Mayor in August 2016. ██████ and Mr. Richards had concluded, as of August 2016, that they did not like how Mr. Dallas comported himself. Based on this opinion, the Investigator finds that Mr. Richards and ██████ cannot accurately perceive Mr. Dallas’ conduct as they are inclined to read negative intentions into his conduct and to embellish on his conduct. Therefore, a comment about “keeping Bobby happy” would have been construed to have sexual connotations.

The Investigator also notes that Mr. Dallas’ explanation for the Memorial Day comment does not make sense. While he described Mr. Richards as an emotional individual who did not seem to be happy serving on the Council, making a statement to ██████ ██████ — to “keep Bobby happy” could reasonably be interpreted to send a sexual message. It appears, again, that Mr. Dallas does not have awareness about how his comments may be interpreted.

## **PARTIALLY SUSTAINED**

- b. Did Mr. Dallas on or about May or June 2017 make a statement to Councilman Richards “Those are real,” “Those aren’t fake” in reference to a woman’s breasts at Vesuvio Restaurant?

██████████ alleged that the only other time she has observed Mr. Dallas make an inappropriate sexual comment — aside from the “blow job” comment described above — was in approximately May or June 2017 (six or seven months before her interview date) when she and Mr. Richards were sitting at a table at Vesuvio and saw Mr. Dallas walk in. Mr. Dallas came up to their table and said “you know those are, those are real. Those aren’t fake.” Mr. Dallas was referencing a woman who was also at Vesuvio and upset because she had not been allowed to have dinner at Casanova with her dog. Mr. Dallas came over to their table, with the woman, and explained why she was upset. After she left, Mr. Dallas made the statement about her breasts. ██████████ stated that she and Mr. Richards “schlepped” it off as “that’s him.”

Mr. Richards could not recall any other incidents where Mr. Richards made a sexually inappropriate statement, aside from those he testified about. He stated that he bumped into someone at the post office recently and she thanked him for apologizing for Mr. Dallas. He could not remember what the incident was.

Mr. Dallas denied the allegation and stated it was a ridiculous allegation. Mr. Dallas recalled the incident and stated that as Mayor he was going to say something to the restaurateur to ensure they comply with allowing a patron to have dinner with a certified ADA dog.

The Investigator does not sustain this allegation as she finds Mr. Dallas’ denial more credible than the allegation. As described above, ██████████ and Mr. Richards do not like Mr. Dallas and therefore have a motive to place him in a negative light. Moreover, ██████████ never raised this comment to Mr. Richards, and Mr. Richards could not recall it.

## **NOT SUSTAINED**

- c. Did Mr. Dallas, on or about September 2017, while at Christopher’s Restaurant, approach ██████████ and rub her shoulders with his hands and state, “Oh, you’re creamy”?

██████████ testified that she, Mr. Richards, and his two sisters were out to dinner at Christopher’s Restaurant in June 2017. She had her back to the center of the restaurant and was wearing a sleeveless tank top. She had seen that Mr. Dallas had walked into the restaurant and he came up behind her and put his hands up and down her arms, rubbing her arms. He then said “Oh you’re creamy.” She felt this was gross as when people use the word cream it has a sexual tone to it. His contact bothered her and bothered Mr. Richards. However, they were in shock so they did not do anything. She wishes she had stood up to him. She spoke with Mr. Richards about it afterwards and she believes Mr. Richards did not say anything at the time because it was weird conduct.

Mr. Richards testified that [REDACTED], he and his sisters were at dinner in September 2017.<sup>8</sup> He recalls this time frame because his sister had just lost her husband and his other sister was visiting from Kentucky. He recalls that Mr. Dallas “and his buddies” came into the restaurant being jovial. He went up to [REDACTED] and rubbed her shoulders and said, “You’re so creamy. Did you put lotion on?” According to Mr. Richards, Mr. Dallas then took his hand and wiped his face. Mr. Richards found this awkward and did not know what he was supposed to do. So he let it roll, but he felt emasculated. Mr. Richards recalls that [REDACTED] said “get out of here, stop it” to Mr. Dallas.

Mr. Dallas testified that he recalled a situation where he had seen Mr. Richards, [REDACTED] and his sisters at dinner. Mr. Dallas recalled that when he first walked into the restaurant, he first saw his friend [REDACTED]. He decided to joke with [REDACTED] and went up to her and said “May I take your order for dessert?” And she responded, “Oh my God, how did you know I was here?” He then realized that Mr. Richards was in the restaurant [REDACTED]. He also recalled there was a local attorney at a nearby table. He recalls that Mr. Richards or [REDACTED] said hi to him and he went over to their table. Mr. Dallas admits that he did put his fingertips on top of [REDACTED] shoulders. However, he states that he did not rub her shoulder with his hands. He admits he stated to her “boy, your skin is really soft.” He does not recall any reaction from her or the others at the table.

The Investigator finds that Mr. Dallas did place his fingertips on [REDACTED] shoulder and stated “boy your skin is really soft.” The Investigator finds that Mr. Dallas did not make a statement about her skin being “creamy.” By this point in their relationship, both [REDACTED] and Mr. Richards had concluded that they did not like how Mr. Dallas comported himself. Based on this opinion, the Investigator finds that Mr. Richards and [REDACTED] cannot accurately perceive Mr. Dallas’ conduct as they are inclined to read negative intentions into his conduct and to embellish their recollection on his conduct. This is particularly true of Mr. Richards who expressed strong feelings of disrespect for Mr. Dallas. Mr. Richards’ version of events also embellished on [REDACTED] recollection by adding the comment about her wearing lotion and Mr. Dallas’ wiping his face and recalling that Ms. Meyer had actually told Mr. Dallas to “get out of here” and “stop it.” The Investigator appreciates that memory is not exact, but it appears as if Mr. Richards and [REDACTED] have spoken about the event and even then recounted different versions. In light of this and Mr. Dallas’ recollection, the Investigator credits Mr. Dallas’ recollection of events.

It must be noted that Mr. Dallas’ conduct once again reflects a lack of self-awareness about how his conduct is perceived by others. While he has known [REDACTED] for some time, he did not describe their relationship as close friends (and this interaction occurred after Mr. Richards had asked they not be Facebook friends). Moreover, touching her bare shoulders (even with his fingertips) and commenting that she has soft skin would reasonably cause [REDACTED] to be uncomfortable.

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<sup>8</sup> Mr. Richards’ timing of this event differs from that of [REDACTED].



## **PARTIALLY SUSTAINED**

### **C. Whether Steve Dallas engage in the identified conduct alleged by Jane Doe**

#### **1. Analysis of Evidence and Findings Concerning Identified Conduct**

- a. Did Mr. Dallas, on or about August or September 2015, come up to Ms. Doe while dancing and place his left hand insider her pants and state, “I can’t believe you don’t have an ounce of fat on you”?

Jane Doe did not want to reveal her identification. Ms. Doe testified that in approximately August or September 2015, she was at a late night establishment with two friends. She and two of her friends were standing off to the right side of the bar in an open area that was not the dance floor. They were dancing, just standing in place. She saw that Mr. Dallas was behind her (and they had previously been chatting) when all of a sudden, she felt his left hand slide down underneath her pants. She felt his hand underneath her clothing, and immediately just jerked around to force his hand to pop out. When she jerked around, he said, “I can’t believe you don’t have an ounce of fat on you.” She glared at him and does not know if she said anything but believes she said, “Seriously?” She does not believe she said anything to her girlfriends and she knows she could have filed a police report, but she is not vindictive. She has come forward now because Mr. Dallas is in a position of an elected official.

Mr. Dallas was asked generalized questions about whether he had engaged in the conduct described above as Ms. Doe did not want her identity revealed. Mr. Dallas was dumbfounded by the allegation and adamantly denied placing his hand in a woman’s pants while at a late-night establishment. He stated, “That is completely fabricated. I have no clue. And I would never do a certain thing like that. That’s completely preposterous.”

The Investigator credits Mr. Dallas response in light of the fact that he cannot adequately respond to Ms. Doe’s allegation as she did not want to be identified. The Investigator appreciates that Ms. Doe is fearful of being identified, but without knowing who she is, the Investigator cannot make a full determination of credibility, as there can be no assessment of potential bias, or other potential inconsistencies. In addition, Ms. Doe stated that she does not know if her friends would remember the incident or if they would be interested in meeting with the Investigator.

## **NOT SUSTAINED**

### **D. Whether Steve Dallas engaged in the identified conduct alleged by Councilman Bobby Richards**

#### **1. Analysis of Evidence and Findings Concerning Identified Conduct**

- a. Did Mr. Dallas, on or before August 2016, make statements to embarrass Mr. Richards when he introduced him to certain women as, “Oh you know you’re a cheerleader, he only dates cheerleaders?”

Mr. Richards testified that he cut-off his personal relationship with Mr. Dallas on August 11, 2016 because he was not comfortable with how Mr. Dallas comported himself. Mr. Richards showed the Investigator a text message he sent to Mr. Dallas that he preferred not to be Facebook friends based on the old saying, “birds of a feather flock together.” So he did not want to hang around with Mr. Dallas at nighttime. Mr. Dallas responded “I agree. But people think you’re really mad at me. Can you friend me, I think it would be good to be friends to see what we both post, but not post on each other’s Facebook or even likes. How does that sound?”

Mr. Richards testified that Mr. Dallas would introduce him to a group of people and say, “hey ladies, you know, Bobby, he’s, you know, he likes pretty girls.” Or, “you know, you’re a cheerleader? He only dates cheerleaders, you know. And hey Bobby, come over here. These girls are cheerleaders.” Mr. Richards testified that this commentary made him uncomfortable as he is quiet and this put him out of his comfort zone.

Mr. Dallas agreed that he and Mr. Richards are not as close as they used to be. He attributes this distance to the fact that Mr. Richards now has a girlfriend and he no longer wanted to go out with him at night. Mr. Dallas likes to know what is going on in the City and does not believe in staying behind sheltered doors. He believes you need to find out what is going on in the City late at night. Mr. Dallas also believes that Mr. Richards is uncomfortable serving on the Council and had considered resigning because he did not feel he was part of the team. Mr. Dallas encouraged him to hang in there and told him they needed to build camaraderie on the Council.

Mr. Dallas admits that he made statements introducing Mr. Richards to the effect that he only dates cheerleaders. Mr. Dallas explains that this was a running joke as he understood that Mr. Richards had a record of only dating cheerleaders.

The Investigator finds that Mr. Dallas did make the statements as alleged based on Mr. Dallas’ own admission. The Investigator credits Mr. Dallas’ explanation that he made the comment as a joke. The comment, on its face, is not a sexualized comment. However, the comment does reflect Mr. Dallas’ lack of insight and self-awareness as to how his comment could be perceived by others and that they may not find the comments funny.

## **SUSTAINED**

- b. Did Mr. Dallas, on or before August 2016, make a statement to Mr. Richards, “We could get those girls to give us a blow job under the dais while we’re making a decision”?

Mr. Richards testified that on an unknown date while he was still friends with Mr. Dallas, Mr. Dallas made a statement during a council meeting, “like, hey, we could get those girls to, to give us a blow job under the dais...While we’re making a decision.” According to Mr. Richards, he responded that this was disgusting.

Mr. Dallas adamantly denied this allegation.

The Investigator does not sustain Mr. Richards’ allegation as Mr. Richards had never made this allegation prior to the interview with the Investigator. Mr. Richards has shown that he is a



sensitive person, so much so that [REDACTED] felt comfortable reaching out to him to inform him of her complaint before it was made public. Further, Mr. Richards has testified that he cut off his personal relationship with Mr. Dallas in August 2016 because he did not want to be associated with Mr. Dallas' course conduct. Therefore, it makes no sense that Mr. Richards would not have raised this allegation to Ms. Gullo, or Mr. Mozingo prior to his interview with the Investigator. The Investigator finds this lack of credibility troubling as it shows that Mr. Richards is willing to exaggerate (or fabricate) his observations in order to place Mr. Dallas in a poor light. This motivation is also reflected in Mr. Richards' statements to the Investigator about all the other allegations he has heard. Mr. Richards has not presented as a measured individual who is able to properly evaluate and perceive events. Rather, it appears that his personal dislike of Mr. Dallas' conduct has colored his interpretation of the meaning of Mr. Dallas' behavior.

## **NOT SUSTAINED**

### **E. Whether Steve Dallas engaged in the identified conduct alleged by [REDACTED]**

#### **1. Analysis of Evidence and Findings Concerning Identified Conduct**

- a. Did Mr. Dallas make comments to women with whom [REDACTED] was speaking, prior to August 2016, and ask them what car they were driving and say, "I guess I'll see it in the neighborhood soon."

[REDACTED] testified that he stopped having a relationship with Mr. Dallas in approximately August 2016. As a result, all of his allegations occurred prior to that time period. [REDACTED] from Mr. Dallas.

[REDACTED] alleges that if he was speaking to a woman, Mr. Dallas would ask her what kind of car she was driving and then comment, "Well, I haven't seen that car yet. I guess I'll see it in the neighborhood soon." [REDACTED] found this commentary inappropriate and was one of the reasons he cut off his relationship with Mr. Dallas.

Mr. Dallas testified that he did make these statements and that this was when he and [REDACTED] were friends and before he was [REDACTED]. Mr. Dallas explained that [REDACTED] would go out with local girls, and he could see they could get hurt and then it would reflect back on him. So he wanted to tell them up front as to what they were in for because he did not want them to get hurt.

Based on Mr. Dallas' admission, the Investigator finds that Mr. Dallas did make these statements at some point prior to August 2016. The Investigator further finds that this conduct was not inappropriate, given the context of the comments. [REDACTED] appeared to take offense because it placed him in a bad light, but the comments did not convey a negative sexualized comment about women.

## **SUSTAINED**

- b. Did Mr. Dallas make comments to women with whom [REDACTED] was speaking, prior to August 2016, and state “you know they call him ‘subway’ ....he’s got a footlong”?

[REDACTED] alleges that prior to August 2016, Mr. Dallas made statements to women with whom [REDACTED] was speaking, and it could have been any woman from the age of twenty to seventy, “well you know, they call him subway, right? And you know, of course, they would kind of hesitate and you know question what the heck he meant. And then he would say, yea, he’s got a foot long.” [REDACTED] stated he took offense to this as this is not how Mr. Dallas should behave in a small town like Carmel. [REDACTED] also stated that Mr. Dallas has shifted his behavior since he was elected Mayor.

Mr. Dallas denied making the comment alleged. Rather, Mr. Dallas alleges that [REDACTED] would make the comment about himself as “subway” because he is [REDACTED] and he is single.

The Investigator finds that the preponderance of the evidence does not sustain this allegation. The Investigator finds that [REDACTED] is biased against Mr. Dallas due to his belief that Mr. Dallas has made negative statements about him to women with whom he has interacted or dated. [REDACTED] depth of feeling appears to cloud his perception of events and also reflects that he is willing to embellish events and speak in hyperbole about Mr. Dallas. He has described to [REDACTED] that Mr. Dallas is “dangerous” and alleges that Mr. Dallas is an “adulterer.” Therefore, the Investigator has not credited [REDACTED] allegations unless they are corroborated by others.

## **NOT SUSTAINED**

- c. Did Mr. Dallas, on or about October 2016, at Athena Restaurant, push and pin [REDACTED] up against the bar?

[REDACTED] alleges that in October 2016, while he was socializing with friends at the Athena restaurant, Mr. Dallas approached him and said he needed to talk to him. While [REDACTED] did not want to speak with him, he eventually agreed to do so. As they stepped aside, [REDACTED] politely explained to Mr. Dallas that he had a right to choose who he wanted to be friends with and that he did not want anything to do with him. [REDACTED] recalls that Mr. Dallas then made some kind of threat, but could not remember the threat. So, at that point he decided to end the conversation and turned his back on him and walked away. When he was about 15 feet from where his friends were standing, near the high end of the bar, Mr. Dallas charged at him and pushed him up against the bar, with his stomach. Mr. Dallas did not grab him, but just pushed him and pinned him up against the bar. [REDACTED] could not get loose and his friends did not react. Instead, the bartender reacted and came around and pulled Mr. Dallas away from him and told him that his behavior was unacceptable and had to leave or go sit down. Mr. Dallas then went and sat at a table and just stared at him. He did not recall Mr. Dallas was at the restaurant with any friends.

In a subsequent interview, ██████ stated he has now filed a police report about this matter so that there is a record of the incident.

#### **NO FINDING YET**

- d. Did Mr. Dallas, on or about May 12, 2017, threaten ██████ in the restroom at Vesuvio by stating he has given him enough time to be his friend, now he's, "Going to screw you and drive you out of town?"

██████ alleges that on May 12, 2017, he was out with friends at Vesuvio and he had gone upstairs to the rooftop. At some point, he had to go to the men's room and so he walked downstairs and saw that the Mayor was at the bar area. He continued into the restroom and opted to use the stall with a toilet. Within thirty seconds, he heard someone come in and the Mayor then rambled for a few minutes and then threatened him with different things and said he had given him enough chances to be his friend and that he was "going to, you know, screw me over. He was going to drive me out of town."

Mr. Dallas testified that he recalled this interaction. He did go into the restroom after ██████ and used the urinal. He told him "why don't you just knock your shit off? This is ridiculous. Stop being a child, and stop playing these stupid games." Mr. Dallas explained that he made these statements because he believes ██████ tries to come off as put-together, but he is really a "Rico Suave" and he was tired of ██████ making statements about him around town.

The Investigator finds that the preponderance of the evidence does not sustain this allegation. The Investigator finds that Mr. Dallas did engage ██████ in the restroom in an agitated manner, and credits his explanation that it was in reaction to his frustration with ██████ speaking ill of him. The Investigator does not sustain the allegations that Mr. Dallas made threats. The Investigator finds that ██████ is biased against Mr. Dallas due to his belief that Mr. Dallas has made negative statements about him to women with whom he has interacted or dated. ██████ depth of feeling appears to cloud his perception of events and also reflects that he is willing to embellish events and speak in hyperbole about Mr. Dallas. He has described to ██████ that Mr. Dallas is "dangerous" and alleges that Mr. Dallas is an "adulterer." Therefore, the Investigator has not credited ██████ allegations unless they are corroborated by others. Here, the Investigator credits Mr. Dallas' version of events.

#### **NOT SUSTAINED**

#### **F. Whether Steve Dallas engaged in the identified conduct alleged by ██████**

##### **1. Analysis of Evidence and Findings Concerning Identified Conduct**

- a. Did Mr. Dallas, around Christmas time 2013, invite ██████ into his home and ask her, "How's your sex life [with ██████]?" and ask her, "Do you want to see my bedroom?"

██████████ testified that around Christmas time 2013, Mr. Dallas was outside in his front yard and she went over to deliver cookies. He invited her to come into his home and she declined the invitation. Mr. Dallas then insisted “I want you to see the house.” She then asked him if his family was home and he said no, but that he wanted to show her some of the architecture. So, she walked in and stood in the kitchen a few minutes and was ready to leave when he walked her to the living room. She told him she needed to get back home because ██████████ was waiting for her and Mr. Dallas then asked her “How do you and ██████████ get along?” She told him fine and then he asked her “Well, how is your sex life?” She responded by telling him “fine. Everything’s fine with us.” Mr. Dallas then, purportedly, responded “Well, I was just wondering; want to see my bedroom?” She then told him that she did not want to see his bedroom and that she had to leave.

Mr. Dallas testified that he never had any discussion with ██████████ asking her about her sex life and that he never invited her to see his bedroom. Further, Mr. Dallas had no recollection of ██████████ ever being inside his home. He believes she may have come over to his home to pick up her dog ██████████ to play with his daughter.

The Investigator concludes that ██████████ allegations are not sustained. ██████████ had never raised these allegations previously, despite the fact that her boyfriend has had a contentious relationship with Mr. Dallas since 2014. The Investigator also does not credit her allegations given the passage of time and her bias against Mr. Dallas. Given ██████████ litigation against Mr. Dallas, it does not make sense that this allegation was not raised previously. Moreover, the description of this event appears nonsensical.

#### **NOT SUSTAINED**

- b. Did Mr. Dallas, in or around spring 2014, walk to the home ██████████ shared with ██████████ and state, “You look great in your bathrobe”?

██████████ also alleged that ██████████ walked across the street to the house one morning in the Spring of 2014 and knocked on the door at about 730am. She speculates that Mr. Dallas knew ██████████ was not home as his car was not in the driveway. ██████████ claims that Mr. Dallas asked her “Hey, how are you?” and “Well, is ██████████ here?” She told him “No, you can see his truck’s gone.” He then said, “Oh, I wanted to see if we can, if I could take ██████████ [the dog].” She told him “No, she’s fine right now. Wait ‘til ██████████ gets home.” Mr. Dallas then said “Well, is everything okay here?” and, you know, “How’s everything going?” And I said, “Everything’s fine.” And he said, “Oh, you look great in your robe,” or some, you know, some remark that was kind of like that. She told him, “Okay, well thank you for coming by and offering to take the dog, but, you know, we don’t need her taken right now.”

Mr. Dallas denied making any comment to ██████████ about her looking great in a robe. Mr. Dallas admits that he may have gone to their home to ask about the dog playing with his daughter, but never made any comment regarding ██████████ appearance.

The Investigator concludes that ██████████ allegations are not sustained. ██████████ had never raised these allegations previously, despite the fact that her boyfriend has had a contentious relationship with Mr. Dallas since 2014. The Investigator also does not credit her allegations

given the passage of time and her bias against Mr. Dallas. Given [REDACTED] litigation against Mr. Dallas, it does not make sense that this allegation was not raised previously. Moreover, the description of this event appears nonsensical.

**NOT SUSTAINED**

- c. Did Mr. Dallas, in or around spring 2014, walk to the home [REDACTED] shared with [REDACTED] and state, “How’s your sex life”?

[REDACTED] testified that Mr. Dallas, about a week after the incident described above in Spring 2014, did the same exact thing by coming over to the house when [REDACTED] was gone. According to [REDACTED], Mr. Dallas knocked on the door at about 7:30 a.m. and she was cordial because at the time [REDACTED] was [REDACTED] for him, but she felt really intimidated to even say anything to him and her concern that he would come over when [REDACTED] was not home. Mr. Dallas again asked if he could take the dog and she told him that [REDACTED] did not need to go out. Then, Mr. Dallas said “Well, how’s your sex life.” She responded “It’s none of your business” and “Come back when [REDACTED] here and if [REDACTED] wants you to take the dog, it’s actually [REDACTED] dog, and you know he’ll allow it. [REDACTED] explained that she is a nice person and that is why she responded in that manner.

Mr. Dallas denied this allegation.

The Investigator concludes that [REDACTED] allegations are not sustained. [REDACTED] had never raised these allegations previously, despite the fact that her boyfriend has had a contentious relationship with Mr. Dallas since 2014. The Investigator also does not credit her allegations given the passage of time and her bias against Mr. Dallas. Given [REDACTED] litigation against Mr. Dallas, it does not make sense that this allegation was not raised previously. Moreover, the description of this event appears nonsensical.

## **NOT SUSTAINED**

### **G. Whether Steve Dallas engaged in the identified conduct as alleged by [REDACTED]**

#### **1. Analysis of Evidence and Findings Concerning Identified Conduct**

- a. Did Mr. Dallas, in approximately 2014, make a statement to [REDACTED], “Why don’t you get your cute, sweet, hot little ass down to the Pine Inn where Southern Lanterns used to be and reopen your shop?”

[REDACTED] alleges that in the summer of 2014, she was discussing with Mr. Dallas the Council’s decision that only those merchants who had a brick and mortar business could participate in the Farmer’s Market. She told him it was not a fair requirement as she did not have a shop any more. According to [REDACTED], Mr. Dallas responded “why don’t you get your cute, sweet, hot little ass down to the Pine Inn where Southern Latitudes used to be [REDACTED] and reopen your shop and then you can come back to the market.” [REDACTED] stated that she responded by telling him that she is “used to guys saying shit like that to her. Really. Well, let me tell you something Steve. It’s because of people like you that I shut down my shop in downtown Carmel.” She then told Mr. Dallas that she was going to pick up the farmer’s market and move it out to Carmel Valley. According to [REDACTED], Mr. Dallas looked at her, with a nasty look on his face, and said “go ahead and try.” She construed this comment as a threat and responded “Let me tell you something about me. I don’t try, I do. And that’s my backyard, not yours. And you got nothing to say on what happens in Carmel Valley, pal.” [REDACTED] stated that she did not consider the comment to be a sexual overture or sexual commentary or that it sent a sexual message. Rather, she feels Mr. Dallas is kind of flirty and that he is creepy and slimy based on the way he looks at people, like you feel you are getting undressed in front of him and that it was an effort to bully her.

[REDACTED] stated during her interview that she wanted to keep her complaint confidential and remain anonymous given her fear of retribution. Therefore, the interview with Mr. Dallas about this incident was generalized. Mr. Dallas recalled the City’s decision regarding the Farmer’s Market. He denied making any statement to anyone about their “cute, sweet, hot, little ass.” Mr. Dallas called the allegation absurd.

The Investigator finds that it is more likely than not that there was an exchange between [REDACTED] and Mr. Dallas regarding the change in requirement to participate in the City’s Farmer’s Market. [REDACTED] still feels very strongly about the decision. However, the Investigator credits Mr. Dallas’ denial of having made the statement given the passage of time of the alleged event and because [REDACTED] description of events was more focused on her anger over the decision and her perception that Mr. Dallas was challenging her ability to move the Farmer’s Market to Carmel Valley. [REDACTED] clearly did not like Mr. Dallas’ demeanor and subjectively perceived it as “creepy.” Her personal dislike of him as a person (and belief he is a bully) appears to have colored her recollection of events. Moreover, [REDACTED] herself admits that the interaction was not sexual in nature.

## NOT SUSTAINED

### H. Whether there was a breach of the confidentiality admonition by Mayor Dallas or others

#### 1. Analysis of Evidence and Findings Concerning Identified Conduct

- a. Did Mr. Dallas tell ██████████, prior to December 25, 2017, that ██████████ had made a complaint about him alleging that he had told her to give Councilman Richards a blow job?

██████████ alleged that there was a breach of confidentiality with respect to her allegation that Mr. Dallas had asked her to give Mr. Richards a “blow job” so he could vote his way. According to ██████████, Mr. Richards told her, on Christmas day 2017, that ██████████ had said to him “what’s this that Steve said to ██████████ about a ‘blow job’?” Mr. Richards told her that Mr. Richards asked ██████████ what he meant and that “██████████ knew of the whole story.”

Mr. Richards testified that when he heard from ██████████ that she was making a complaint, he went home and told ██████████ that Mr. Dallas may be in trouble based on how he speaks with women. ██████████ then responded to him “oh, like the time he told me to, you know, give you a blow job so you would change your vote?” Mr. Richards did not recall ██████████ sharing this comment previously and had not personally heard Mr. Richards make such a statement. He thereafter went to Ms. Gullo to share ██████████ allegation. [Ms. Gullo recalls this conversation occurred on December 13, 2017]. Mr. Richards was assured that this information would remain confidential.

Then, on Christmas Day 2017, he went on a walk with ██████████, whom he described as a “big supporter” of Mr. Dallas. According to Mr. Richards, ██████████ stated “so Steve thinks you’re out to get him.” When Mr. Richards told ██████████ that he was not out to get Mr. Dallas, ██████████ then stated “well he [Mr. Dallas] said you [Mr. Richards] ██████████ are out to get him.” Mr. Richards also recalls ██████████ roughly saying something like ██████████ has complained about him.” Mr. Richards stated that he responded to ██████████ that it was not true and immediately changed the subject. Mr. Richards stated he knew not to talk about any specifics as it was a closed session item and because he did not want to give the allegation any “legs.” Mr. Richards stated that ██████████ did not go into any specifics or make reference to the alleged “blow job” comment.

██████████ testified that he knows Mr. Richards “pretty well” and has donated to his campaign. ██████████ claims that he did not know about any of the allegations until he read about them in the newspaper. He has heard rumors, but did not want to tell the Investigator from whom he had heard that Mr. Richards was involved. He recalls speaking with Mr. Richards and commenting that this issue was going to be a “brew ha-ha.” ██████████ testified that he was going on a walk with Mr. Richards and he told him words to the effect “this is a weird situation that is going on ██████████ and the Mayor, and that he did not understand it. According to ██████████ Mr. Richards then said he did not want to talk about it and that ended the conversation. ██████████ testified that Mr. Dallas has not discussed any of the allegations with him.



Mr. Dallas testified that he has taken the confidentiality admonition seriously. He has only spoken with his wife about the investigation. Mr. Dallas denied speaking with [REDACTED] about any of the specific allegations and stated he had not spoken with [REDACTED] since October 2017 when they went on a drive.

Based on these various accounts, the Investigator concludes that Mr. Dallas did not breach the confidentiality admonition. The Investigator credits Mr. Dallas' testimony that he has not spoken with [REDACTED] since October 2017. Therefore, [REDACTED] could not have learned about [REDACTED] allegations from Mr. Dallas. [REDACTED] did not want to inform the Investigator as to whom he heard the rumor that [REDACTED] had made an allegation, but given that Carmel-by-the-Sea is a small community, the Investigator credits his testimony that he heard it as a rumor. The Investigator also notes that [REDACTED] understanding of what [REDACTED] knew about the allegation was exaggerated due to Mr. Richards. Mr. Richards told the Investigator that [REDACTED] simply made the statement about [REDACTED] and Mr. Richards being against the Mayor. However, Mr. Richards purportedly told [REDACTED] that [REDACTED] made a specific reference to a "blow job."

Respectfully submitted,



Dated: March 1, 2018

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Irma Rodríguez Moisa



## APPENDIX “A”

EXHIBITS	
A	City Harassment Policy
B	██████████ Notes
C	Maxine Gullo Notes
D	Stephanie Atigh Investigative Report (May 3, 2017)
E	██████████ ██████████
F	██████████ ██████████

# EXHIBIT A

CITY OF CARMEL-BY-THE-SEA

CITY POLICY NO. 2012-02

HARASSMENT PREVENTION POLICY

City of Carmel-by-the-Sea

City Policy No. 2012-02

Harassment Prevention Policy

**I. PURPOSE**

The purpose of this policy is establish a strong commitment to prohibit and prevent harassment and retaliation in employment; for investigating promptly and thoroughly and resolving internal complaints; so that individuals who are found to have violated this policy will be subject to disciplinary action that is commensurate with the severity of the offense.

**II. POLICY**

The policy of the City of Carmel-by-the-Sea is that harassment in any form in the workplace is unacceptable and will not be tolerated. The City of Carmel-by-the-Sea prohibits any form of harassment and will not tolerate such actions by any employee, regardless of employment status. Employees, and elected officials, their appointees and volunteers, are to be free from harassment on the basis of race, religion, color, national origin, ancestry, handicap, physical or mental disability, medical condition, marital status, registered domestic partner status, sexual orientation, sex, pregnancy, childbirth or related medical conditions, age (40 or older), or for asserting family care leave rights, or for any other basis protected by law. Any and all such harassment is unlawful. Conduct need not rise to the level of a violation of law in order to violate this policy. Instead a single act can violate this policy and provide grounds for discipline or other appropriate sanctions.

All employees who initiate or participate in the investigation of a complaint are protected from retaliation from the City. Any retaliation against a person filing a complaint, or any person participating in the complaint process, is prohibited.

Individuals found to be retaliating in violation of this policy will be subject to the appropriate disciplinary action, up to and including termination.

Employees committing harassment as defined in this policy are deemed by the City to be acting outside the scope of their employment.

It is the policy of the City of Carmel-by-the-Sea that if the alleged harasser is the complainant's supervisor, the complainant must be removed from direct supervision of that employee and that supervisor must not participate in performance reviews of the employee pending the outcome of the investigation. This action will not be considered a punitive measure, but will be considered a protective measure for all involved.

This policy does not in any way alter or affect the right of any person to make a charge of discrimination with any state or federal agency with jurisdiction over such claims, file a grievance under a collective bargaining agreement, or consult a private attorney.

### **III. APPLICATION OF POLICY**

This policy applies to all elected officials and their appointees, officers, and employees of the City of Carmel-by-the-Sea, including, but not limited to, full-time and part-time employees, permanent and temporary employees, employees covered or otherwise exempted from personnel rules or regulations, and persons working under contract for the City. For the purpose of this policy, an employee is defined as each of the above.

### **IV. TYPES OF HARASSMENT PROHIBITED**

The City's policy prohibits harassment on the basis of race, color, national origin, sexual orientation, religion, physical or mental disability, age, military veteran status, or any other characteristic protected by applicable law. The City will not tolerate an employee engaging in any of the following behaviors:

1) Verbal Behaviors - For example: suggestive, insulting or derogatory comments; comments about appearance, dress or physical features; epithets; innuendos; terms of endearment; sounds; jokes; teasing or slurs related to any of the above protected categories, and/or sexual propositions or threats.

2) Physical Behaviors - For example: grabbing, leering, mimicking, taunting, assault, impeding or blocking movement, or any unwanted physical contact or interference with normal work or movement, including touching, pinching, brushing with the body, impeding or blocking movement, contact or assault when directed at an individual related to any of the above protected categories.

3) Visual Behaviors - For example: derogatory posters, pictures, photographs, emails, suggestive objects, notices, bulletins, cartoons, letters, drawings or gestures; also such actions as leering, whistling or obscene gestures related to any of the above protected categories.

4) Unwanted Sexual Behaviors - any unwanted sexual advances; threats or demands to submit to sexual requests, or visual, verbal or physical conduct of a sexual nature.

In order to ensure that the behaviors prohibited by the City's policy do not rise to the level of behavior which is illegal, the City has a zero-tolerance policy toward even a single instance of any such behavior which by itself or when repeated would constitute harassment. An employee engaging in such behavior will be subject to appropriate disciplinary action, up to and including termination of employment, regardless of whether the employee engages in the prohibited behavior only once or multiple times.

The victim of harassment need not be just the employee who is the target of harassment. Other employees who observe or learn about the harassment can also be the victims of that harassment and can report the harassing behavior. Anyone who is affected by the harassing behavior can complain of harassment.

## **V. RETALIATION PROHIBITED**

All employees are assured that they may make reports of harassment and participate in any subsequent investigation without fear of retaliation by the City, department management, their immediate supervisor, or any other elected officials or their appointees, officers, employees, and volunteers. Retaliation will be considered a serious act of misconduct. Anyone found to have committed any act(s) of retaliation will be subject to the applicable disciplinary process, up to and including termination.

## **VI. COMPLAINT PROCEDURE**

The City of Carmel-by-the-Sea has established a convenient and confidential and reliable mechanism for reporting incidents of harassment and/or retaliation. Employees are encouraged and have an obligation to promptly report what they believe to be harassing or retaliatory behavior.

### **1) Employee's Responsibility When Subjected to Harassment**

Any employee who believes he or she has been subjected to harassment prohibited by this policy should immediately tell the harasser to stop his/her unwanted behavior. The purpose of immediately communicating to a harasser that the behavior is unwelcome is to stop the harassment before it becomes more serious. Failure to notify the harasser that behavior is unwelcome does not prevent the employee from otherwise reporting the harassment, and the employee is encouraged to report the harassment regardless of whether or not they communicate to the harasser that the behavior is unwelcome.

Any employee who believes he or she has been subjected to harassment prohibited by this policy is required to immediately report that behavior to any one of the following individuals: his or her supervisor, the City's Human Resources Manager (HR Manager), the City Administrator, the City Attorney, or any member of the City Council. An employee is not required to complain first to his or her supervisor if that supervisor is the individual engaging in the unwanted behavior. ALL EMPLOYEES ARE ASSURED THAT THEY MAY MAKE SUCH REPORTS WITHOUT FEAR OF RETALIATION BY THE CITY, DEPARTMENT MANAGEMENT, THEIR IMMEDIATE SUPERVISOR OR ANY OTHER EMPLOYEE.

### **2) Supervisor Responsibilities**

Supervisors are responsible for enforcing the City's Harassment Prevention Policy and must ensure that all employees are aware of the City's policy through open discussions of the policy at staff meetings and by posting the policy in a conspicuous location accessible to all staff

members. Supervisors should be cognizant of employees' behavior; and if aware of any prohibited behavior must not permit any employee under his/her authority to be subject to, or to engage in, any conduct prohibited by the City's policy. Supervisors who receive complaints or who observe conduct prohibited by this policy must immediately inform the offending employee to cease the conduct and further advise the HR Manager of the incident. The City will take disciplinary action, up to and including termination, against any supervisor who fails in his or her responsibility to take immediate action in response to an employee's complaint of harassment, or to stop harassing conduct committed in his or her presence, or to stop harassing conduct about which the supervisor has knowledge.

~~Supervisors have a mandatory obligation to document in writing any harassing behavior that they observe or are made aware of, and to promptly provide that report to the HR Manager.~~ A supervisor must report to the HR Manager within two business days of receiving notice of the harassing behavior. Upon receiving a report, the HR Manager must discuss the nature of the complaint with the complainant as soon as reasonably possible and in no event later than three (3) business days from receipt of the report. The HR Manager will meet with the complainant to verify the nature of the complaint and to inform the complainant as to how the complaint is being handled, including providing the complainant with a copy of this Harassment Prevention Policy. The HR Manager will meet with the individual who is alleged to have committed acts of harassment within five (5) business days and inform that individual how the investigation will be handled and that individual shall be given a copy of this Harassment Policy.

### **3) Investigating Officer's Responsibilities**

All complaints of harassment will be investigated immediately and will commence no later than ten (10) days from the date an incident is reported. The Investigating Officer will either be the HR Manager or, in the event the HR Manager is implicated in any way in the allegations of harassment, a person designated by the City Administrator to investigate and respond to the complaint of harassment. In the event the City Administrator, the City Attorney, or any person employed directly by the City Council is implicated in any way in the allegation of harassment the City Council may designate a person to investigate and respond to the complaint of harassment. The HR Manager also has at his or her discretion the right to designate an independent third party to be the Investigating Officer. The Investigating Officer will discuss the nature of the complaint with the complainant as soon as reasonably possible; but in no event later than three (3) business days from the date of the Investigating Officer's appointment.

~~Only those who have an immediate right to know, including the Investigating Officer,~~ the alleged target of harassment and/or retaliation, witnesses to the harassing behavior, and the alleged harasser will or may find out the identity of the complainant. All individuals contacted in the course of the investigation will be advised that all retaliation or reprisal will constitute a separate actionable offense for which penalties may be implemented under this policy. All investigations will be handled with discretion, sensitivity and due concern for the dignity of those involved. All persons contacted or interviewed during the investigation will be instructed not to discuss the subject matter of the investigation in order to protect the privacy of all those participating in the investigation.

The investigation will be as extensive as required, based upon the nature of the allegations. All persons named as potential witnesses by the complainant will be contacted during the course of the investigation, and those witnesses who have information relevant to the issues of the complaint will be interviewed. That individual will be informed of the allegations being made against him or her and be given the opportunity to respond to the allegations. Any accused person has the option to be represented during investigation by a support person of his or her choice.

The complainant may expect a timely resolution of the complaint. The complainant will be kept apprised of the status of the complaint on a regular basis by the Investigating Officer.

#### **4) Administrative Leave**

Department management may place an employee on administrative leave with pay to provide time to investigate and evaluate the circumstances regarding a complaint of harassment. The department must consult with HR Manager prior to any administrative leave action and obtain express approval from the City Administrator. In the event any employee is placed on administrative leave in response to a complaint, the investigation should be conducted immediately and a decision rendered within twenty-one (21) business days. If an extension is necessary, the department must consult with HR Manager and the employee must be notified of the extension.

### **VII. MISCELLANEOUS GUIDELINES**

#### **1) Duty of Cooperation**

An effective harassment policy requires support of all of the City of Carmel-by-the-Sea's personnel. Anyone who engages in harassment and/or retaliation or who fails to cooperate with any City of Carmel-by-the-Sea sponsored investigation may be disciplined by suspension or termination from employment. Any City of Carmel-by-the-Sea official who refuses to implement remedial measures, who obstructs remedial efforts, or who retaliates against complainants, witnesses or the alleged harasser may be disciplined by suspension or termination from employment.

#### **2) State and Federal Compliance Agencies**

Nothing in this policy will be interpreted so as to deny the right of any employee who believes he or she has been harassed to file a complaint with the state and or federal compliance agency and/or bring suit in state or federal court. However, time limits for filing complaints with compliance agencies vary and employees should check directly with those agencies for specific information.

The state and federal compliance agencies may be contacted at the following addresses:



(State) Department of Fair Employment and Housing  
111 North Market Street, #810  
San Jose, CA 95113-1102  
(408) 227-1264

(Federal) Equal Employment Opportunity Commission  
901 Market Street, Suite 500  
San Francisco, CA 94103  
(415) 744-6500 or  
1-800-669-3362

#### **VIII. EFFECTIVE DATE**

Passed and adopted by resolutions of the City Council on February 7<sup>th</sup>, 2012.

# EXHIBIT B

Notes  
(provided to investigator  
1/11/18)

#### Complaint:

1. Mayor has denied my civil rights, consistently treating me with a lack of basic respect pervasively over several years, using sexualizing language and behavior as well as bullying.
2. This is discrimination is based on my sex.
3. My employer receives a grant from the city and thus acts as a contractor to the city. I believe that this could qualify this incidence under Title VI, making this incidence equivalent to my being a city employee.

#### WHAT HAPPENED

- I have known the Mayor professionally since 2014 when he became a City Council Member.
- My job as the [REDACTED] requires that interaction with the City of Carmel-by-the-Sea staff and City Council. My job also requires that I attend a lot of events. I see the Mayor regularly at these events. Our relationship is only professional. I have never spent time socially with him - nor would I.
- He regularly makes sexual comments when I see him at these events, consistently crossing the line between professional and unprofessional conduct. He also gives me a creepy leering look, making a strange facial expression and raising his body over me. This behavior has occurred since I've known him. And although I have told him to "stop", say "that's enough", or roll my eyes, he does not. Sometimes I do not say anything because it happens so often.
- Specific recent examples of this behavior occurred on the opening night of the Carmel Film Festival on October 19, 2017 at the Sunset Center.
  - At approximately 9:30pm, groups of people were milling around in the lobby after the opening film, as is oft after a Sunset Center show. I saw the Mayor and in a creepy, and sly voice while he was looking at my chest he said, "You have something on your chest." Referring to lint I had on my blouse. "I would get it off, but I can't do that." Normal appropriate behavior would be politely informing a person that they have something on their blouse.
  - He went on to introduce me to his friend. I asked the friend what he did professionally and before the friend could answer, Mayor Dallas said, "He's a fluffer." (Referring to a role in a porn movie.) At that point, I didn't know what that was and said "What?". He then turned to someone we mutually know who was outside of our conversation, and said, "[REDACTED] what a fluffer is." This person was [REDACTED]
  - On the same evening, the Opening Night Reception was at Forge in the Forest. Again, we were in social circles when he turned to me and asked me "How's your sex life?"

This evening's display of inappropriateness is representative of a pattern of inappropriate behavior over the last few years.

He also has bullied me in a non-sexual way at least three times and there are witnesses to all of these incidences. Recently (November 6, 2017) I was at an event Folktales winery and he approached me and started telling me in a very loud, aggressive manner that the City Council was going to make me set up large cement blocks at my event and if I didn't want to do it, I would have to leave Carmel-by-the-Sea.

He continued later in the evening until I finally said, "Stop, you have to be nice to me if you're going to talk with me."

## REPORTING

**November 29 or 30, 2017:** Called Chip Rerig, City Manager and left message. He called back later. (It was the day his wife had surgery.) I shared the above information. He said he was very sorry and that we needed to report this.

**November 30, 2017:** Maxine Gullo, HR Director contacted me via email to arrange a call for 10 am on December 1, 2017.

**December 1, 2017:** Call with Maxine Gullo. I shared the same information as I had shared with Chip. She said she would contact the city attorney and we would need to meet with him.

**December 1, 2017:** City Attorney, Glen Mozingo called. He was out of town and unavailable to talk for long. He shared that he was the father of two daughters as well as being married. He assured me that the Mayor would never treat me or anyone else this way again.

**December 8, 2017:**

**MORNING:** Met with City Attorney Glen Mozingo and HR Director Maxine Gullo at a meeting room (I believe it was Chapman) at Sunset Center.

- Once again told story. Including name of witness.
- Also shared other stories I had been hearing second hand.
- Told them that I had informed [REDACTED] before coming forward, as I have a responsibility to do. Glen seemed very attentive to this and wanted to know their reaction. (Appalled at the mayor's behavior and extremely supportive of me and my reporting.)
- He also asked what I thought to be a peculiar question, perhaps aimed at my having more compassion for the mayor. He asked if I knew why the mayor might act this way.
- He told me that they would do three things:
  - 1) Talk with mayor that afternoon and reveal my identity to Dallas
  - 2) Arrange for mayor to have executive coach that are used for CEO's in similar situations
  - 3) Provide sexual harassment training to City Council
- Further he said he would send me a letter acknowledging our meeting but it wouldn't include the detail. (I have not received this letter to date.)

**AFTERNOON:**

I called Maxine and left message asking her for the formal process for others to report (because others had asked me). She later text me and said she would get back to me over the weekend or early the next week. (This never happened.)

My witness called the City Attorney to verify my report. [REDACTED]  
[REDACTED]

#### **December 12,2017**

The City Attorney told me they needed to make it a public complaint. (I was not asked if I was OK with that.) And that they were hiring an independent investigator. He also said that Dallas did not deny what I had reported, he just "nuanced it". (Which I had predicted because I think Dallas thinks he behaves appropriately.)

When I asked him why, he said it was because of my request for others coming forward and because "my attorney" had called. And they wanted to keep it transparent (not his word). I clarified that I don't have an attorney. [REDACTED]

# EXHIBIT C



Known each other professionally just seen each in profession events. Several years ago, she dated someone in Carmel for a couple of months and he found out, then he started giving her a difficult time soon after he became a council member. Doing "booty calls" in Carmel, prying into her life, talking about sex. Very uncomfortable, and at one point Bobby Richards told him to stop [REDACTED]

Ongoing invasive, talking about sex life, sex w/ people in Carmel. Almost every other time that she sees him and is reference sexually. More recently, Carmel film festival open night and she was there w/ group and ran into him outside, and he was w/ his posse [REDACTED] and said something sexual to her and she didn't know. [REDACTED] explain to [REDACTED] what a "sluffy, fluffy" sexual connotation. She learned that it meant somebody that keeps a man erect. Same evening on her blouse, she had something on her blouse. You've got something on your chest but I can't touch it or I'll get in trouble.

heard him say and what fluffy is.

Then, she went to the after party and he asked about her sex life, "how is your sex life"

She walks away or tells him to stop or that's enough.

She has never had a sit down nor does she desire to have a sit down with him

She's not as strong, [REDACTED] Normally, she would scream if he wasn't the Mayor. He has positional authority and he's taking advantage of it.

Then, he'll come up to her (slightly drunk) weird eyebrow raise, look down her blouse, creepy look.

He tries so hard to be cool and I'm the man around town and all the woman love me but it comes off creepy. Feeling afraid of not saying anything b/c she's fearful.

No lawsuit, no media.

Her experience warrants, and the number of stories that she heard is a lot.

She never gets drunk. It would not be appropriate for her in her position.

### Timeline:

## Matt Lauer gets fired.

She was feeling nauseous b/c she was going to have to deal with Steve that night b/c she was going to have to see him.

—

January 10, 2010

Meeting time: 2:00pm – 2:45pm

Meeting Location: Maxine's Office

I met with [REDACTED] in my office and she had some questions that she needed answered. She wanted to know how [REDACTED] knew about the information that Bobby had shared with me. She said that [REDACTED] approached Bobby and told him that Steve had told him the story about what [REDACTED] said and he was able to repeat the whole story. (she did not provide any details of the story as she knew I was aware by asking if I knew and I said, yes.)

Also, she asked about the process and I explained how the city attorney has retained an independent investigator.

She asked point blank if I knew how Steve Dallas knew about the story and wanted to know how he knew and then in turn, how [REDACTED] knew. I let her know that I would be sharing her statement with our third party investigator (Irma) as I could not answer this question.

She said that she feels very violated by this and the confidence in the anonymity and confidentiality has been broken. She wants to know exactly who told Steve then in turn, Steve told [REDACTED]. She knows that it was shared during closed session so not sure if it was one of the council members, Chip or Glen and is no longer trusting of this process. She fears that she still works in this community and that Steve Dallas or others will trash her b/c of what she has come forward with and now feels violated by it.

She said she would like an apology from the City for violating her trust and confidentiality in the process. She asked how I could guarantee that the third party investigator could be trusted and would her findings be out there since somehow this [REDACTED] found out something that Bobby shared in confidence with me (Maxine Gullo, HR) and City Attorney. She says that other people are afraid and fearful of coming forward since information is being shared around and that it not being held in "confidence" since her story was out there.

She applauds [REDACTED] for coming forward and believes other women would come forward but again, are concerned about their anonymity and confidential nature of this process. I let her know that as a HR professional, it's my job to keep the integrity of the process but she didn't feel much comfort.

She asked if there was someone else that wanted come forward, who do they contact. I explained the first step is to talk with me directly. If he/she did not feel comfortable with me, they could speak our City Attorney, if they did not feel comfortable with our City Attorney, they could reach out to the City Administrator.

She indicated that she was still not comfortable talking with Irma and keeping what she said confidential. I let her know that I would still be sharing her statement with Irma.

She said she knew of other people and again, reiterated that I would be flexible to meet any individuals before or after work and even weekends and even off-site. She wasn't sure if she wanted to share an experience that someone had told her and again, told her to give them my information. [REDACTED]

[REDACTED] and his friend were at Barmel and the Mayor called two prostitutes for them. The two ladies appeared and then he left the bar. [REDACTED] and his friend were uncomfortable and couldn't believe he had called them.



I stated that she could provide my information to [REDACTED] She said she understood this was a lot that she was giving me and wasn't try to come down on me but wanted to make sure I knew she felt her confidentiality had been violated.

I told her that I heard her and that this information that she provided I would be passing along to Irma. She asked why we were spending money on an outside investigator and I explained it's a best practice for a neutral investigator to do the investigation that is an objective party. She asked if third party investigators are used in all investigations and I said based on my experience as an HR practitioner working in other organizations, depending on the claim and or allegation the HR manager would assess and identify whether it could be done in-house or use an outside investigator.

She thanked me for meeting with her and I let her know that she was still scheduled for tomorrow @ 10:00am with Irma. She still was unsure if she would show up as she wanted an apology first. I let her know that I would contact her this evening with any follow-up.

# EXHIBIT D

## INVESTIGATIVE REPORT

AGENCY: City of Carmel-by-the-Sea

### Synopsis

The City of Carmel-by-the-Sea ("City") received a telephone message in which a woman alleged that she had been verbally harassed by Mayor Steve Dallas at a local restaurant. She claimed that the Mayor had used his position and title to harass residents, and she requested "a formal response."

This investigation was initiated at the direction of the City Attorney.

### Witnesses Interviewed

#### Complainant: [REDACTED]

The woman who left the phone message identified herself only as [REDACTED] and did not provide her surname. The caller stated that she lives on [REDACTED] in Carmel, but no house number was given. The caller said that the incident happened "tonight"<sup>1</sup> at Barmel.<sup>2</sup> The caller provided a telephone number, and she asked for a formal response to her complaint. A verbatim transcription of her message is attached to this report as Attachment A.

Despite repeated attempts to reach [REDACTED] by telephone<sup>3</sup>, this investigator was not able to make contact or interview the complainant because she never called back.

#### Steve Dallas

Interviewed in person on April 25, 2017.

Dallas did not consent to the interview being recorded.

Steve Dallas is the Mayor of the City of Carmel-by-the-Sea. He recalls talking to a woman and her husband in Barmel on Friday evening, March 31, 2017, around midnight. Dallas does not know if the

<sup>1</sup> The message was left on the City Administration phone line at 11:46 pm on Friday, March 31, 2017.

<sup>2</sup> Barmel is a restaurant and bar located at San Carlos and 7<sup>th</sup> Streets in Carmel-by-the-Sea.

<sup>3</sup> In all, there were seven attempted phone calls to the phone number provided by [REDACTED]. In the first three (on April 13, 14, and 17) no message could be left because the mailbox was full. On April 20 (at 9:30 am and 8:35 pm), April 21 (at 4:25 pm) and April 24 (at 11:20 am) detailed messages were left on the voice mail to explain the reason for the call, to confirm the City's commitment and intention to investigate her complaint, and to request that she return the call.

man with [REDACTED] was her husband but assumes this is so. Throughout the interview Dallas refers to the gentleman with [REDACTED] as her husband. Dallas said that he could recall clearly where this conversation took place in the room ("on the left side, near the wall with the red lamp"). Dallas was accompanied by two friends, an attorney and his girlfriend, [REDACTED] who had been with Dallas at a birthday party earlier in the evening.

Dallas says that he asked the woman and her husband where they were from and they replied "Carmel." He was surprised to hear that since he did not recognize either of them, and he believes he knows all of the residents of the city from his recent mayoral campaign. When he asked them where they lived in Carmel, the response was [REDACTED]. Dallas said he told the woman that she did not live in Carmel-by-the-Sea because [REDACTED] is outside of the City limits. She then attempted to showed Dallas her driver's license by putting it in front of his face. He said he could not read what was on the license. Dallas says that the woman then "screamed 'you're rude'" as she was leaving the bar. Dallas says that the husband was "quiet the entire time." Dallas says that the entire conversation took about a minute.

Dallas said that he had identified himself to the couple as the Mayor of Carmel and that he had initially been "embarrassed the he didn't know her." He repeatedly said that he met every city resident during his campaign when he was at the post office every day from 9 to 4.

Dallas volunteered that he was not drinking alcohol that night. He recalled that the woman had a drink in her hand, but he could not say if she was under the influence of alcohol.

Dallas characterized the woman's behavior as "aggressive" as she was leaving the establishment. He had been surprised by her behavior and noted that he had never had someone try to show him their ID. He said she felt that she was right about living in the city, but he knows that [REDACTED] is not in the city limits.

Dallas says that "someone" told him that allegations of harassment had been made about him. When asked who told him, he said he was told in a meeting with the City Manager Chip Rerig, City Attorney Don Freeman and Vice Mayor Carrie Theis. Dallas described the placement of the four of them during this meeting. He said that he has heard the phone message from [REDACTED] and that he had been waiting for this investigator to contact him about the matter.

#### Findings of Fact

1. On the evening of March 31, 2017, Mayor Steve Dallas initiated a conversation with a man and woman in Barmel and identified himself as the Mayor of Carmel.
2. Dallas asked the couple where they were from, and the reply was "Carmel."
3. Dallas asked the couple where they lived in Carmel, and he was told [REDACTED]

---

<sup>4</sup> In a telephone message on April 26, 2017, [REDACTED] was asked to call this investigator to be interviewed. [REDACTED] has never returned the call.

4. Dallas told the couple that they did not live in Carmel because [REDACTED] is not in the city limits.
5. It is more likely than not that [REDACTED] and Dallas debated this issue for more than a minute.
6. It is more likely than not that as the couple left Carmel, the woman told Dallas that he was rude.

Dated: May 3, 2017

---

Stephanie Atigh, Attorney at Law

Subject: **Investigation**  
Date: 2/10/2018 8:51:08 AM Pacific Standard Time  
From: stephatigh@sbcglobal.net  
To: Carmelcityatty@aol.com

Dear Mr. Mozingo:

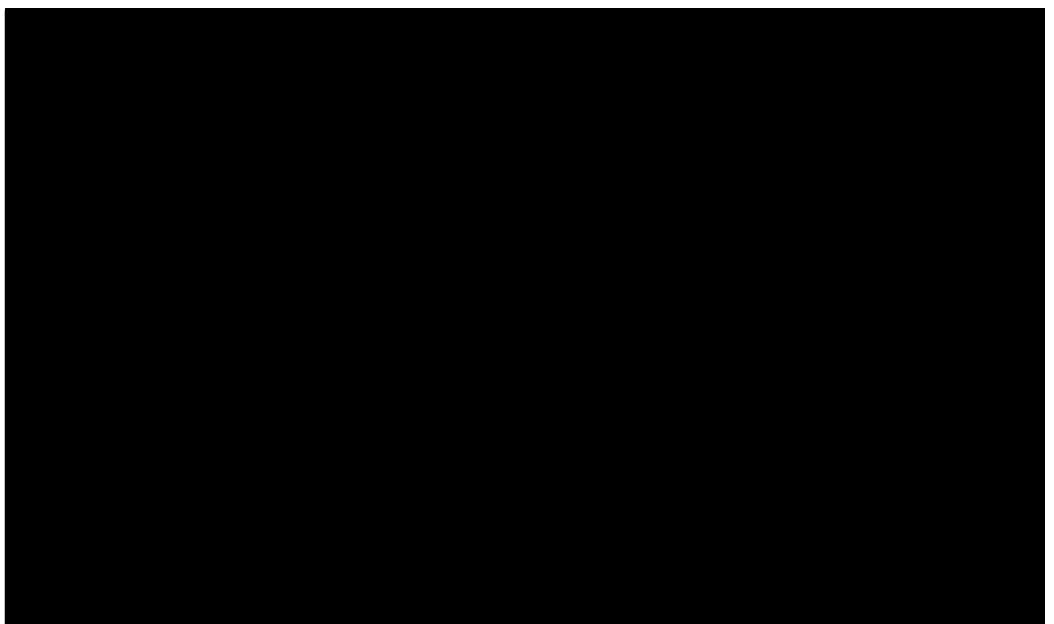
In response to your request, attached you will find a copy of the investigative report regarding Mayor Steve Dallas which I prepared in May 2017, and which you and I discussed last year in response to the City's public records request.

Sincerely,

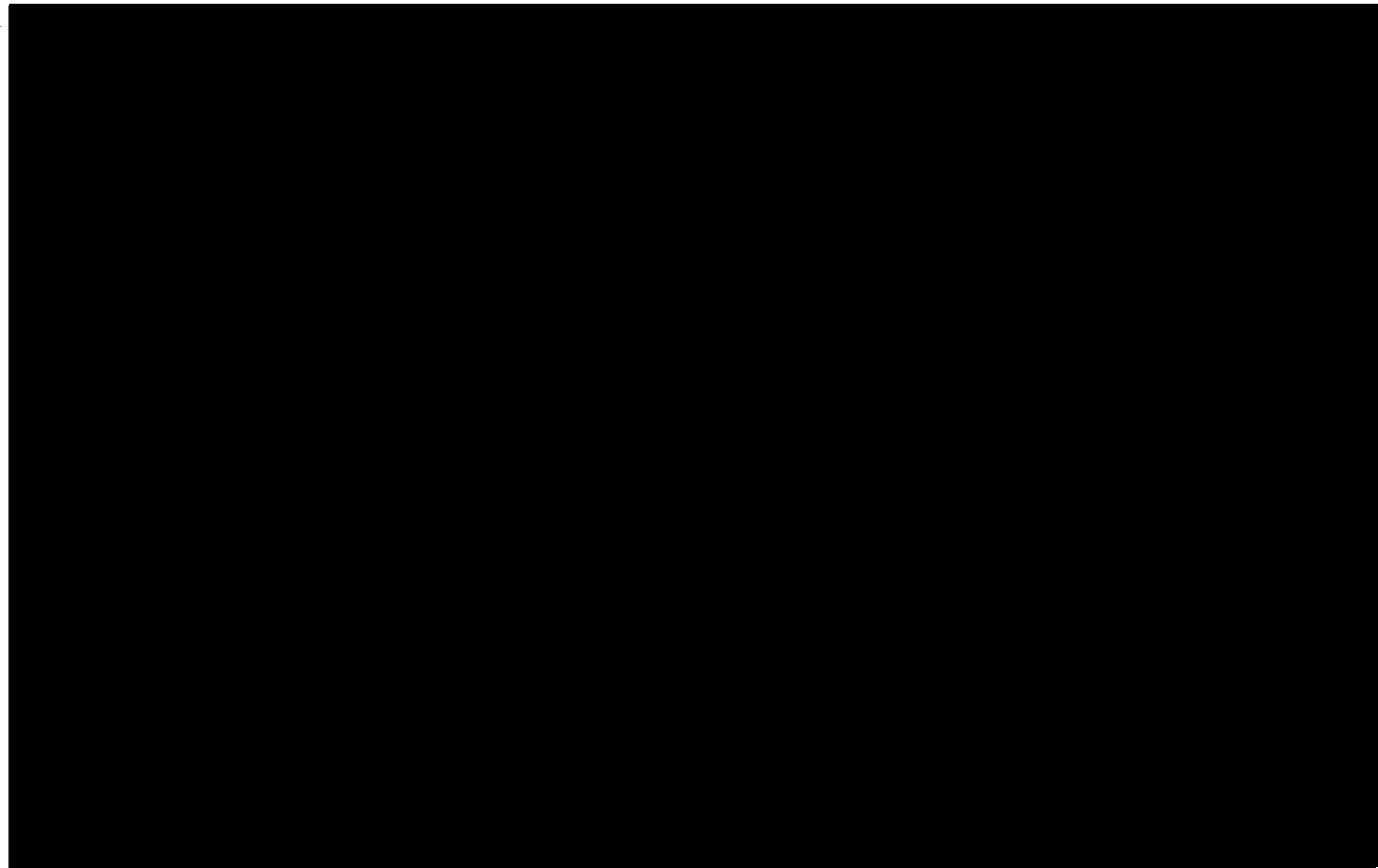
Stephanie Atigh

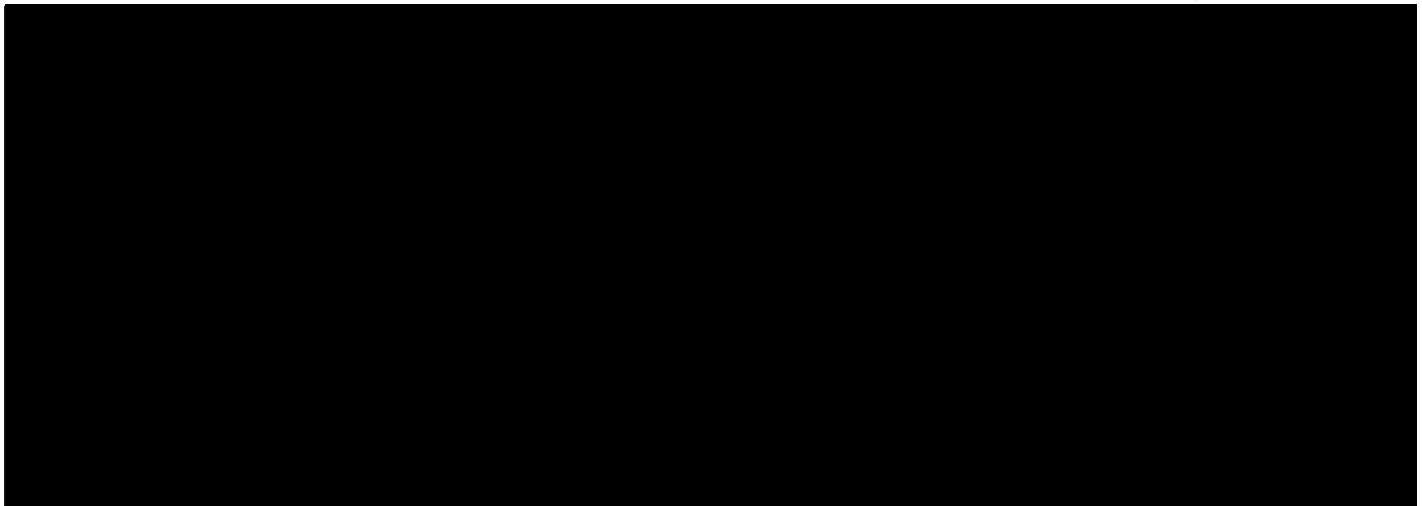
Stephanie Atigh, Attorney at Law  
Workplace Investigations  
831/915-4643

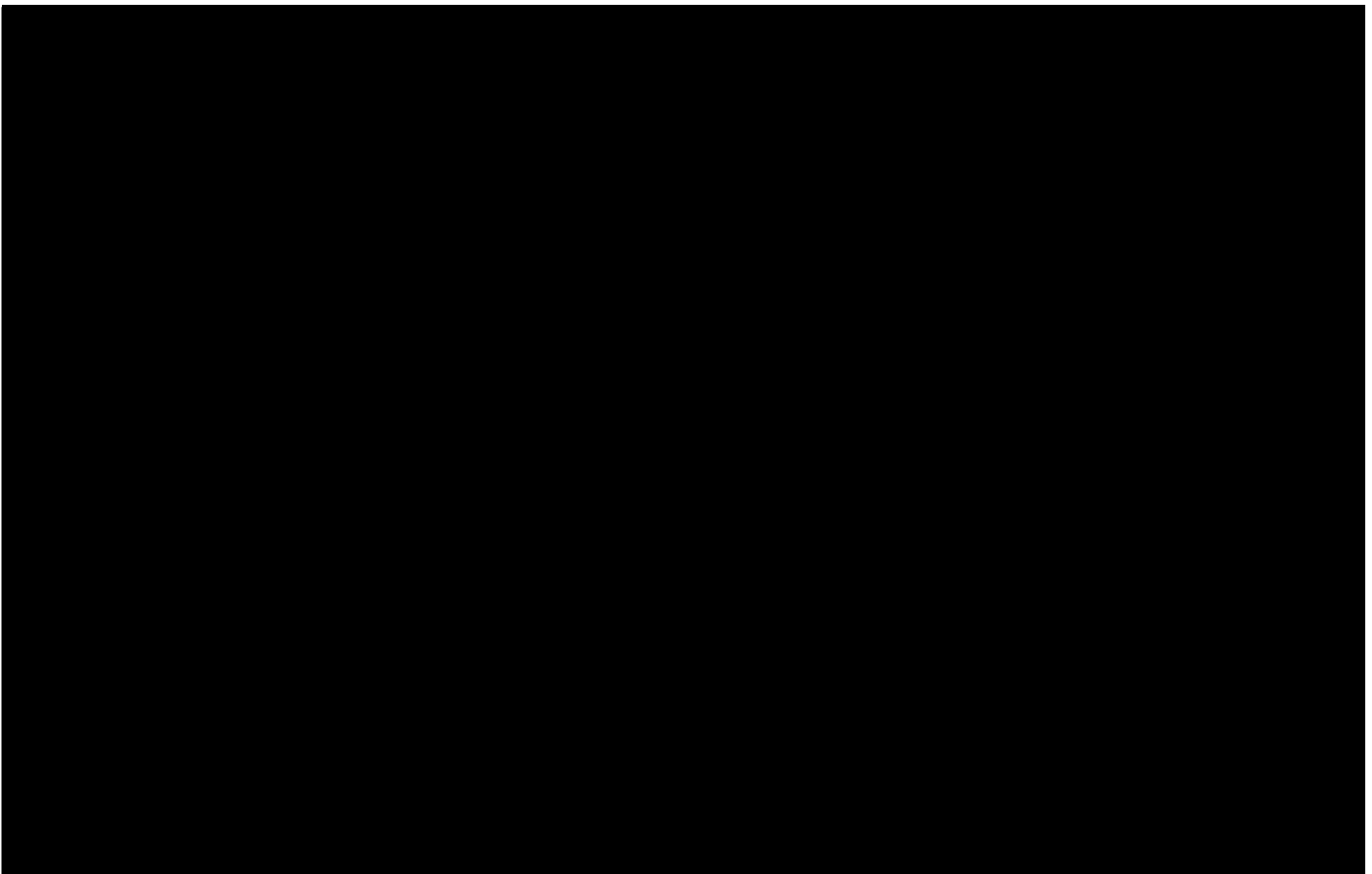
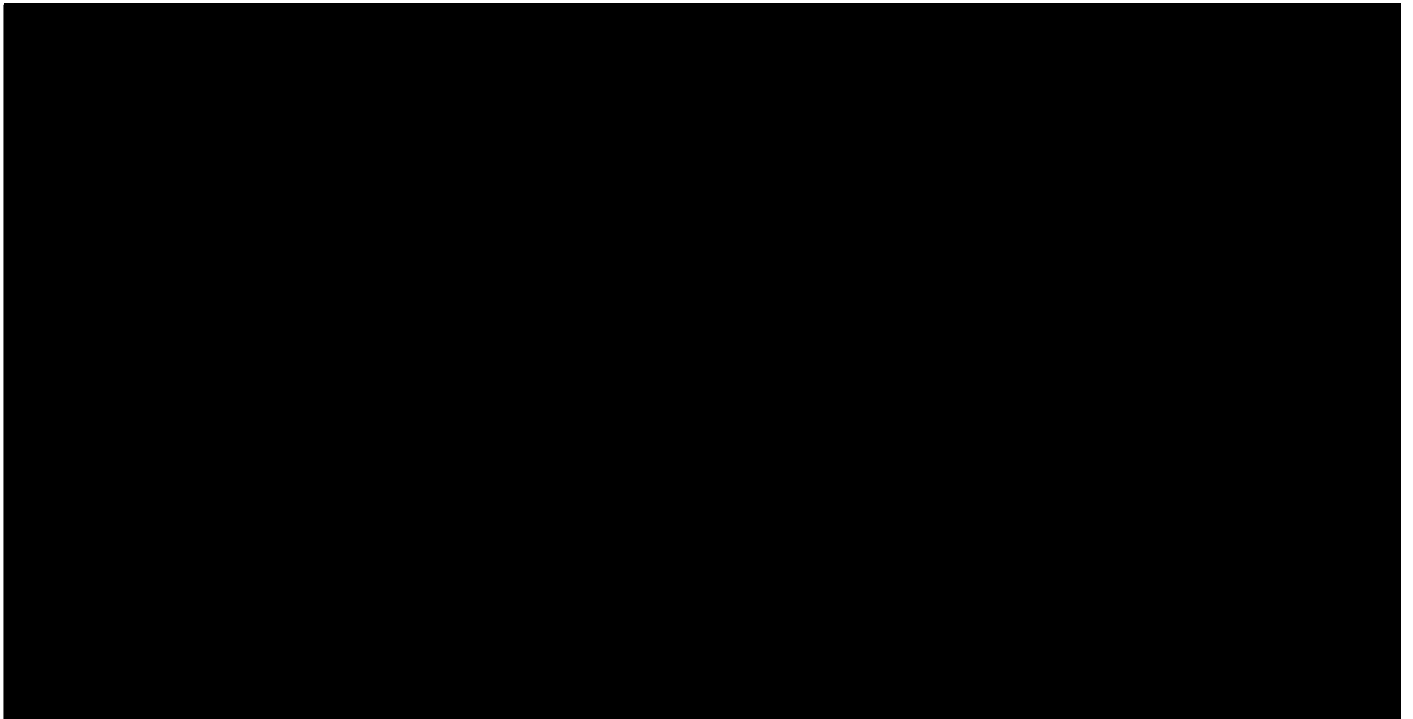
# EXHIBIT E

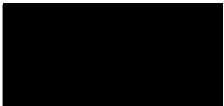
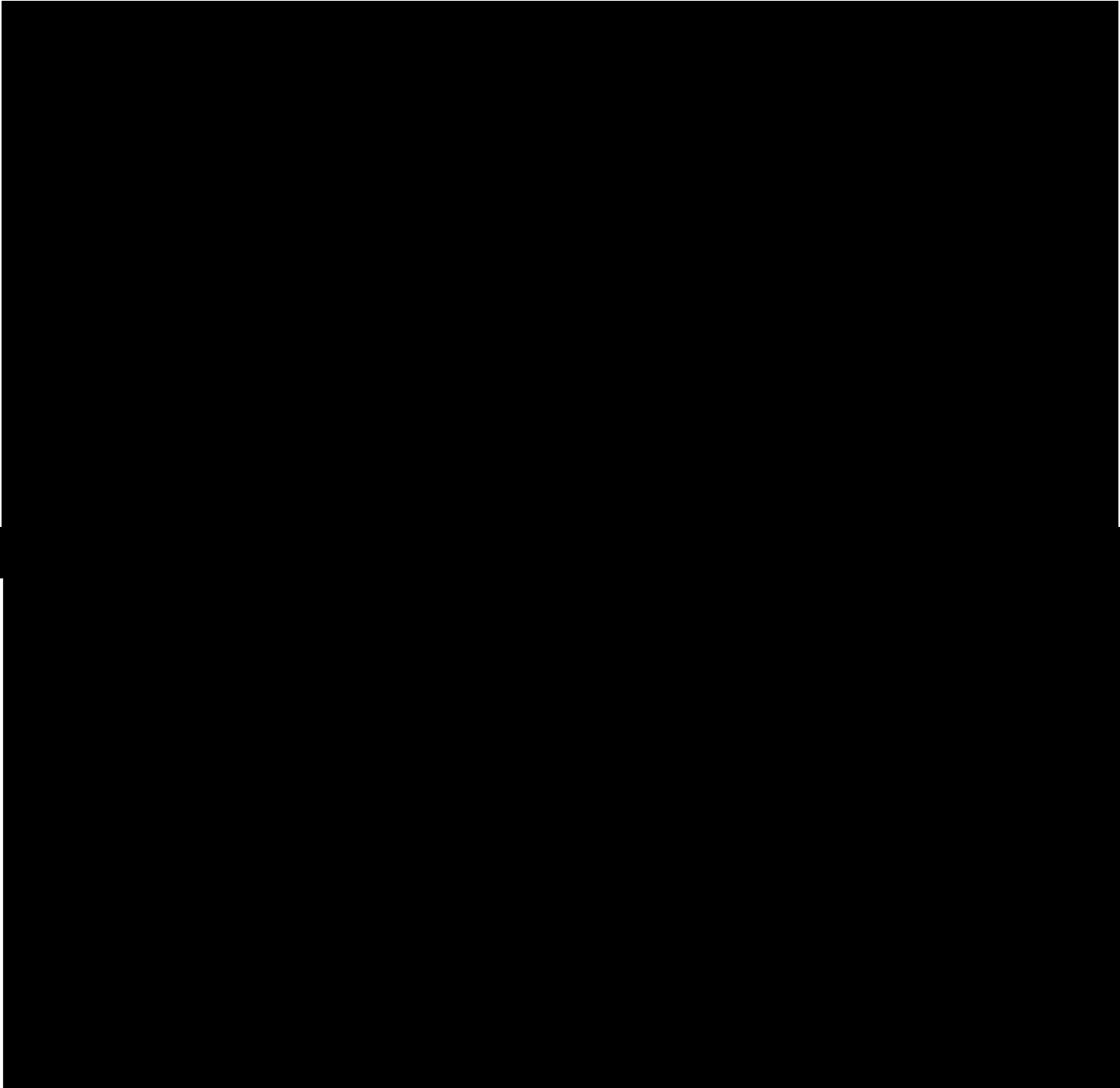


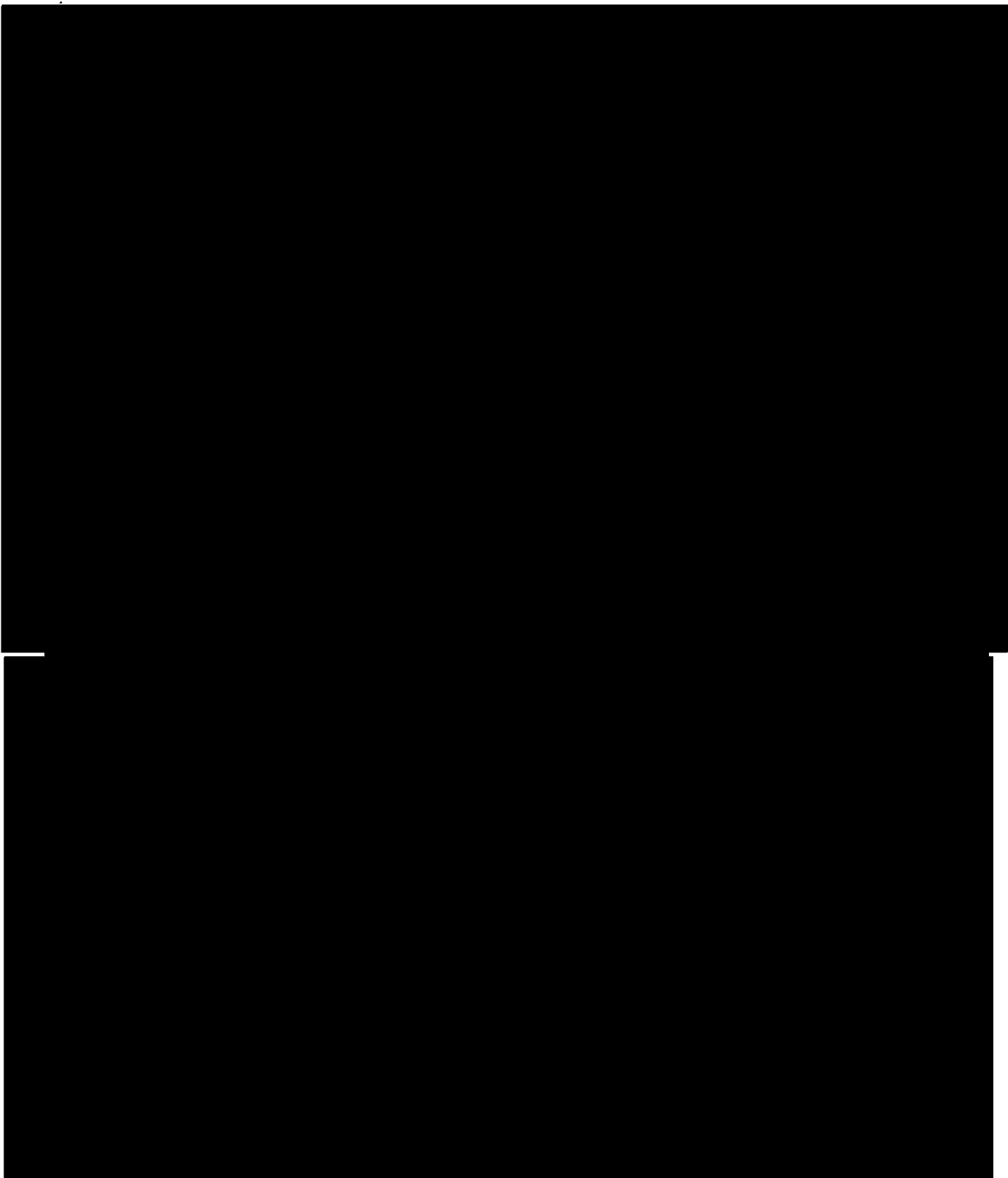


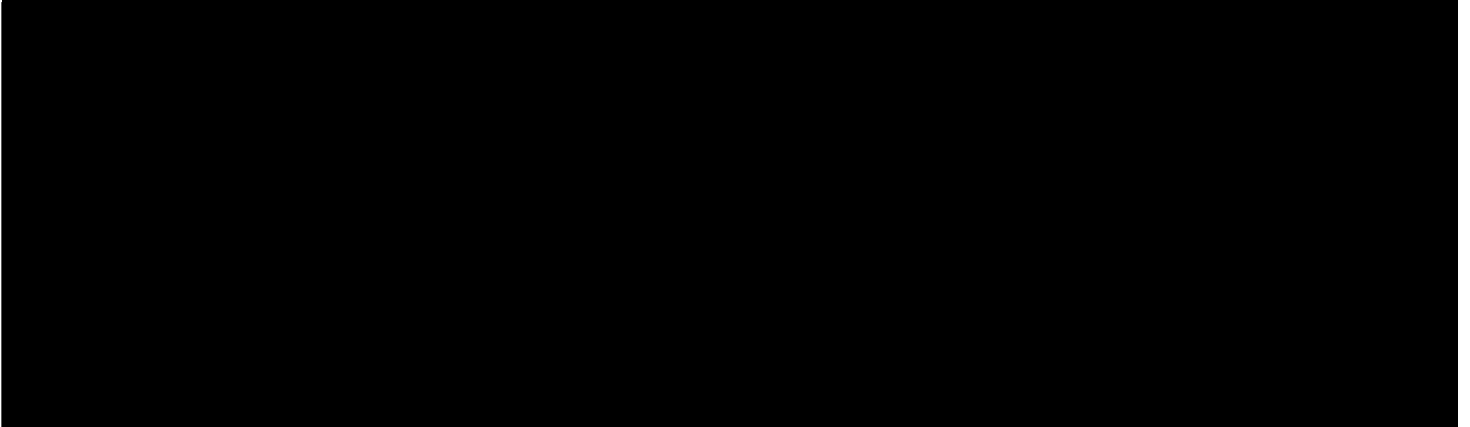
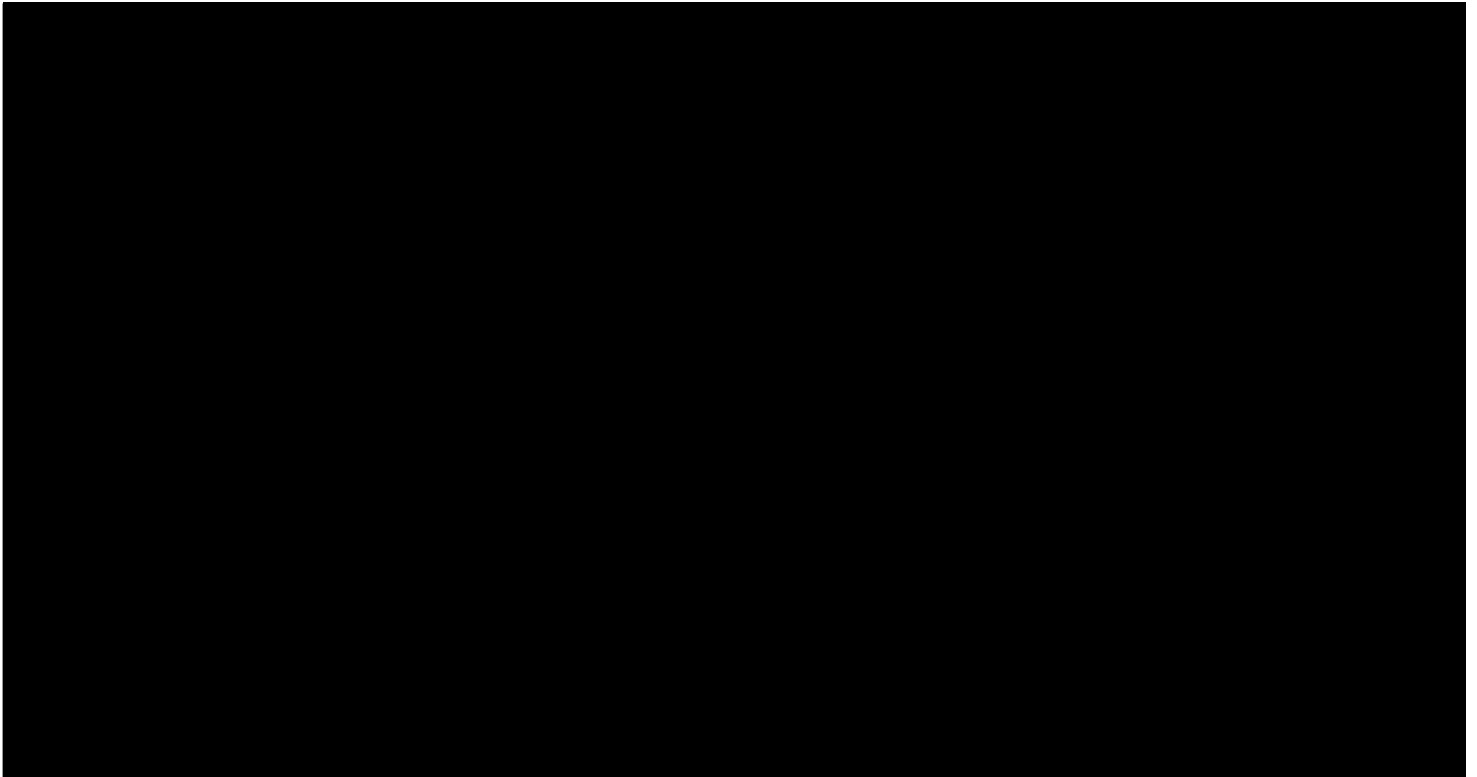
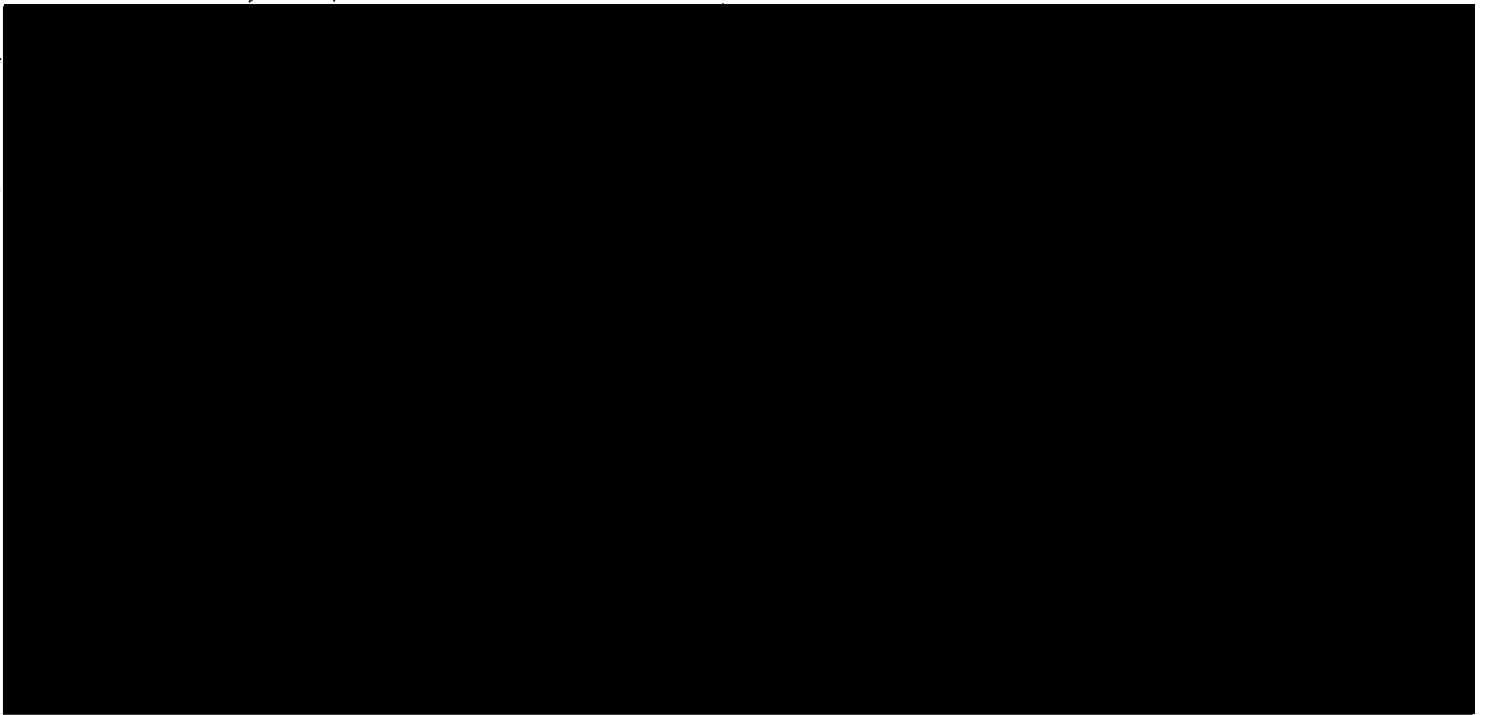


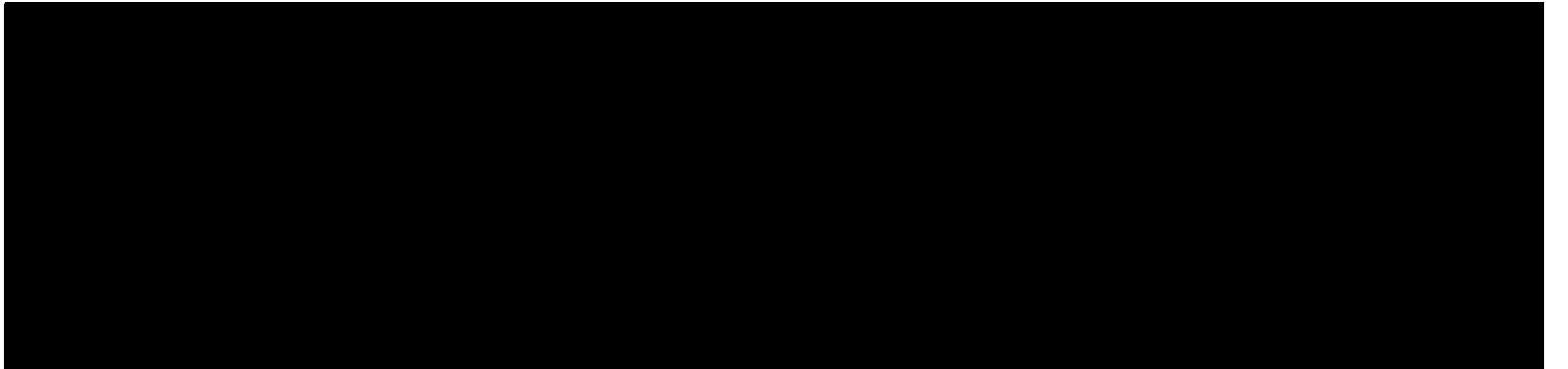
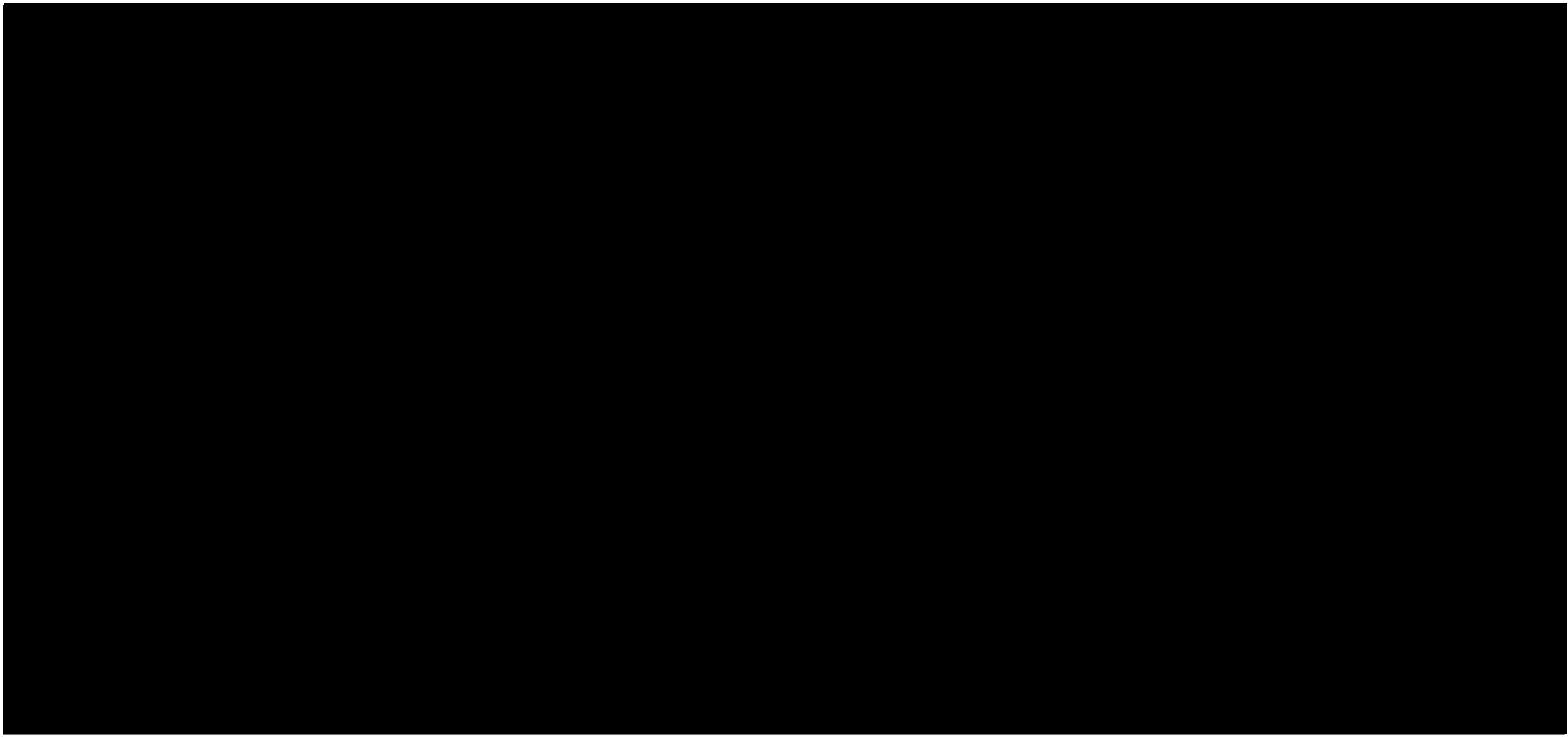












[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

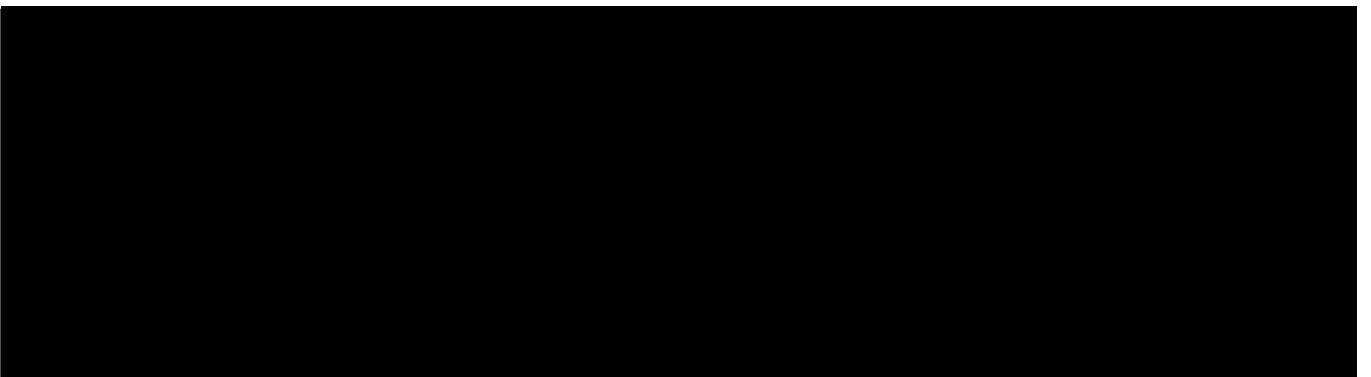
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

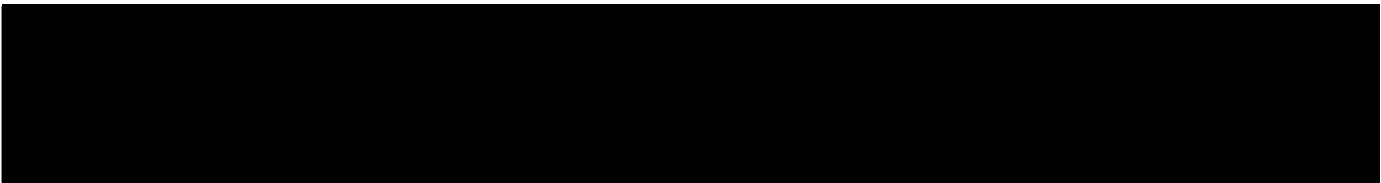
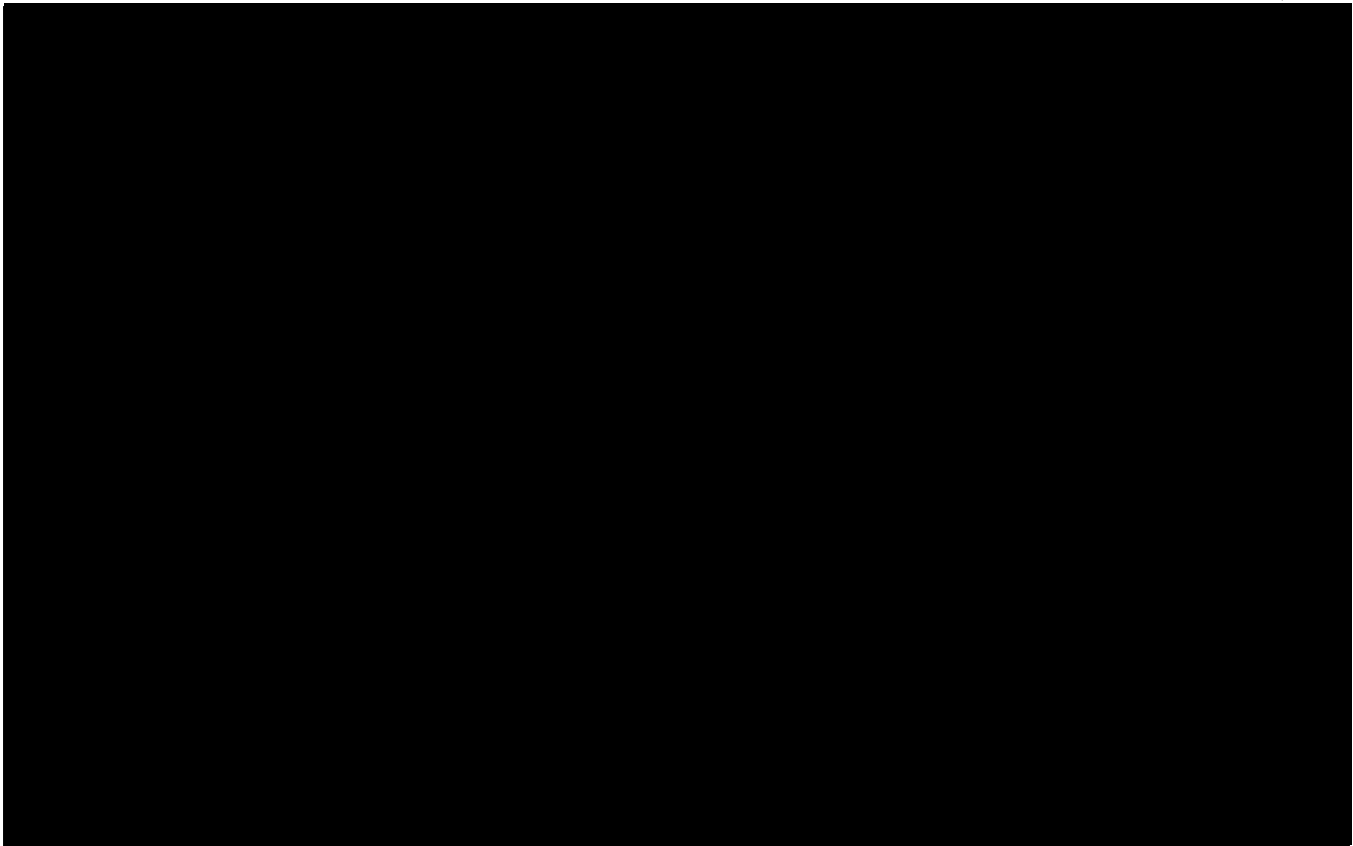


[REDACTED]

[REDACTED]

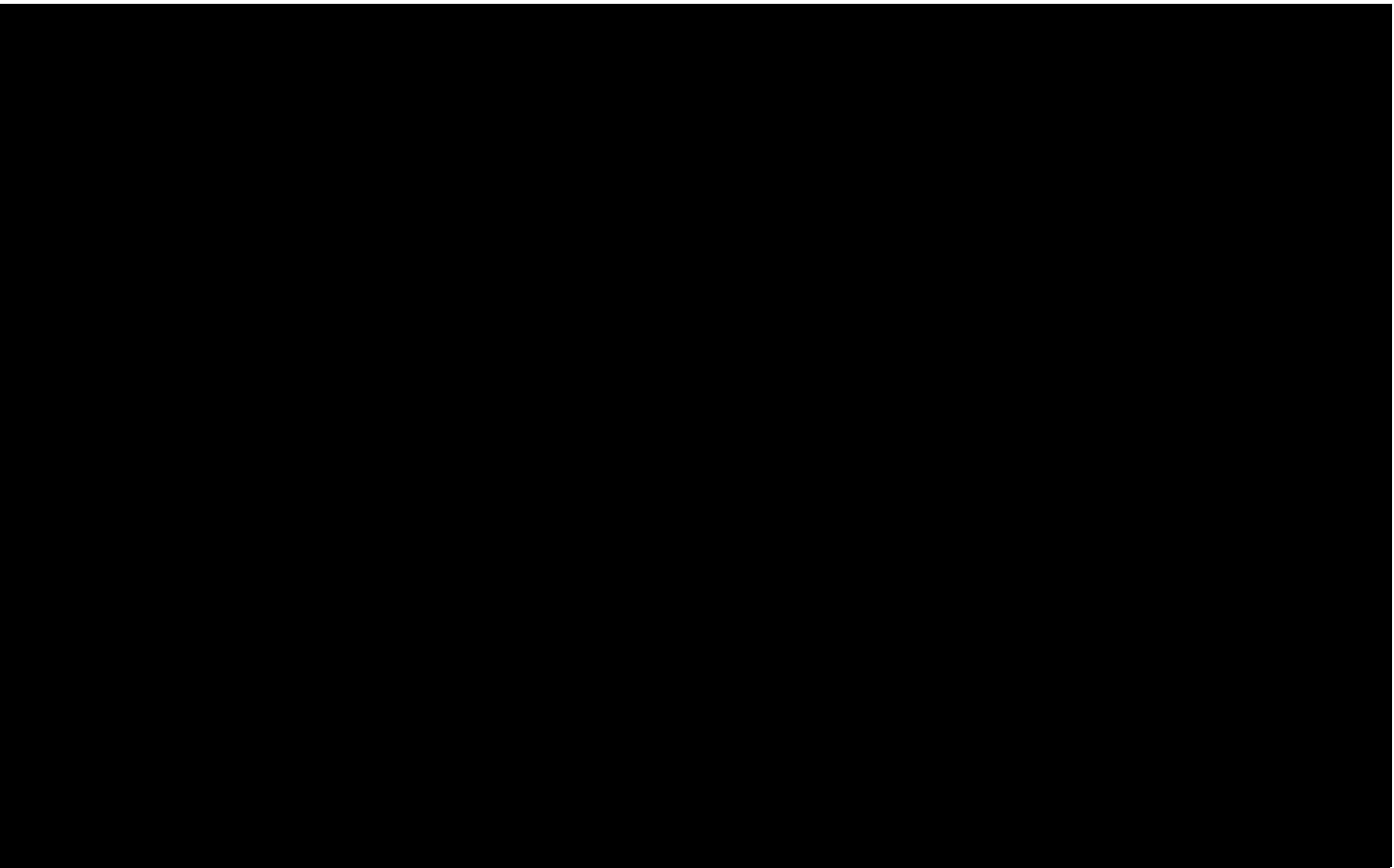
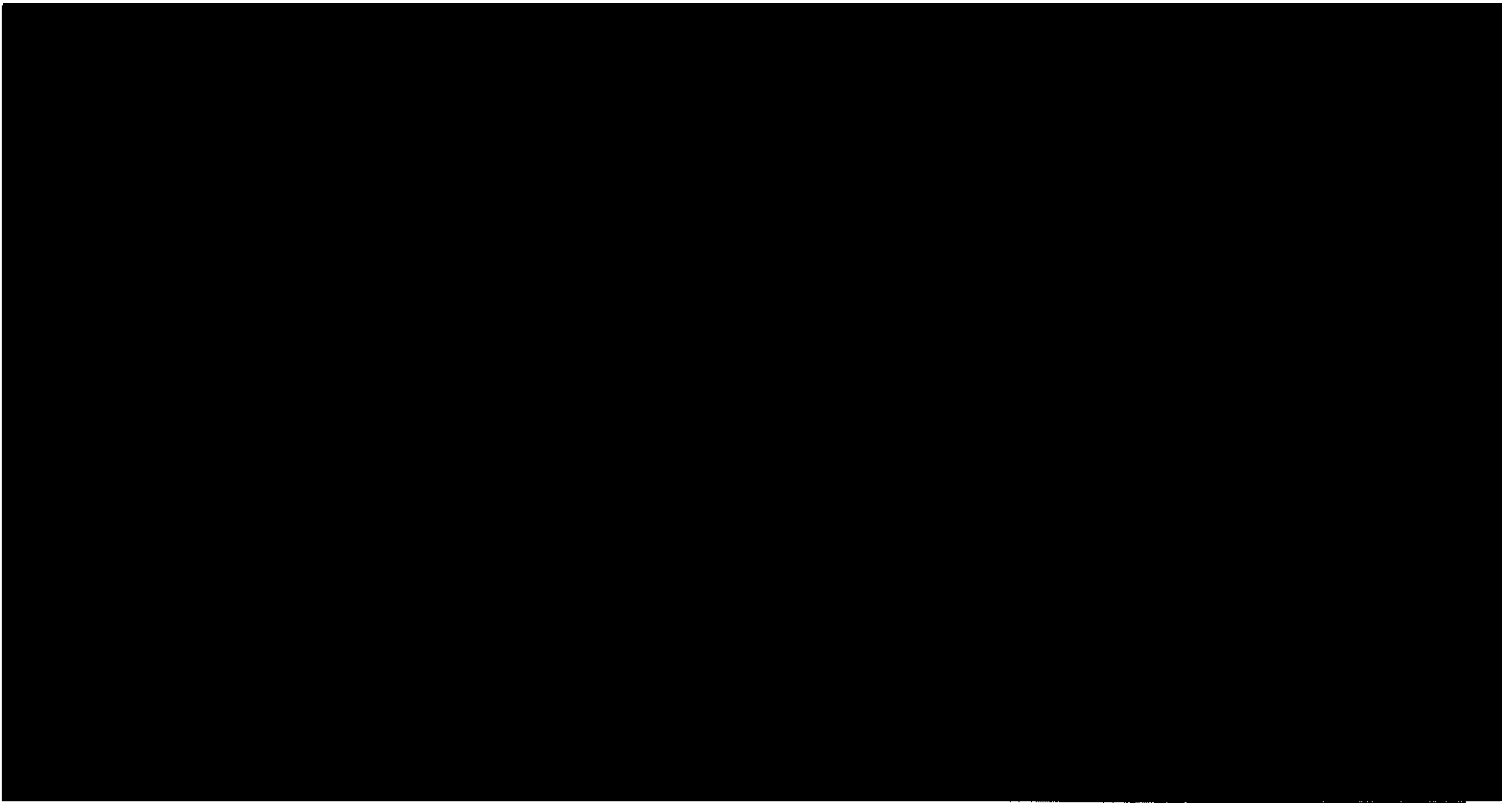
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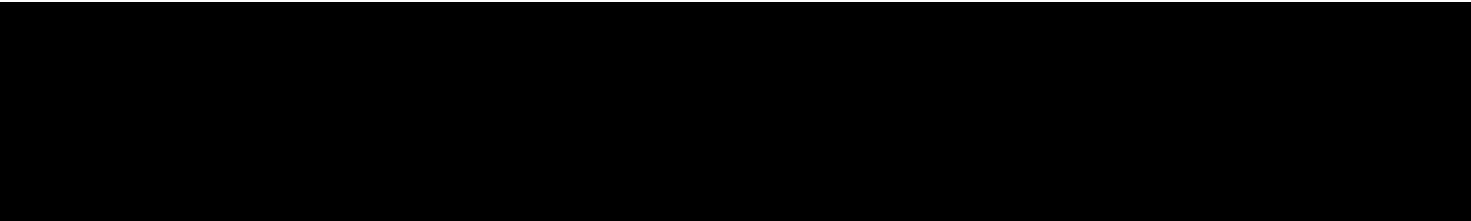
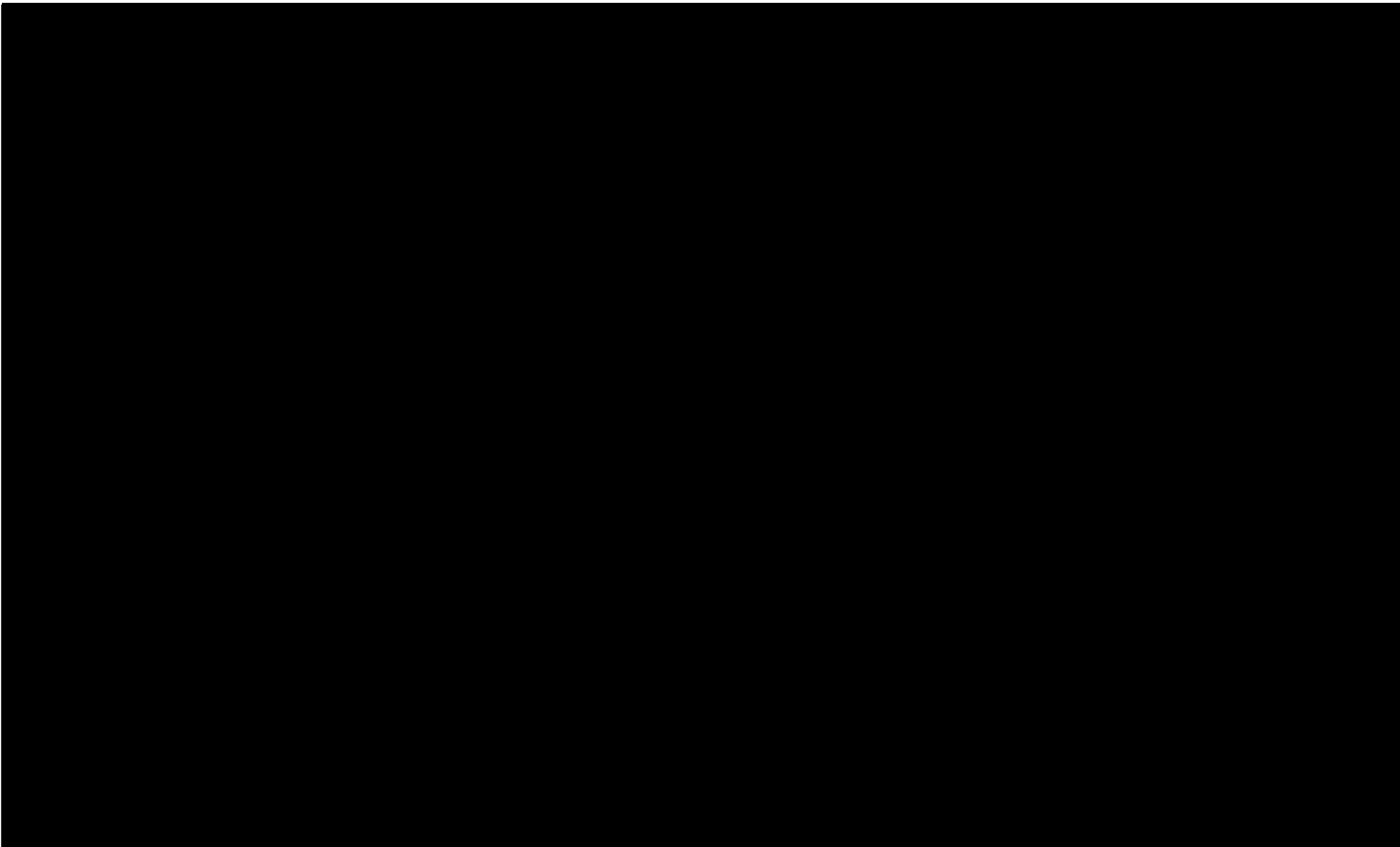
[REDACTED]





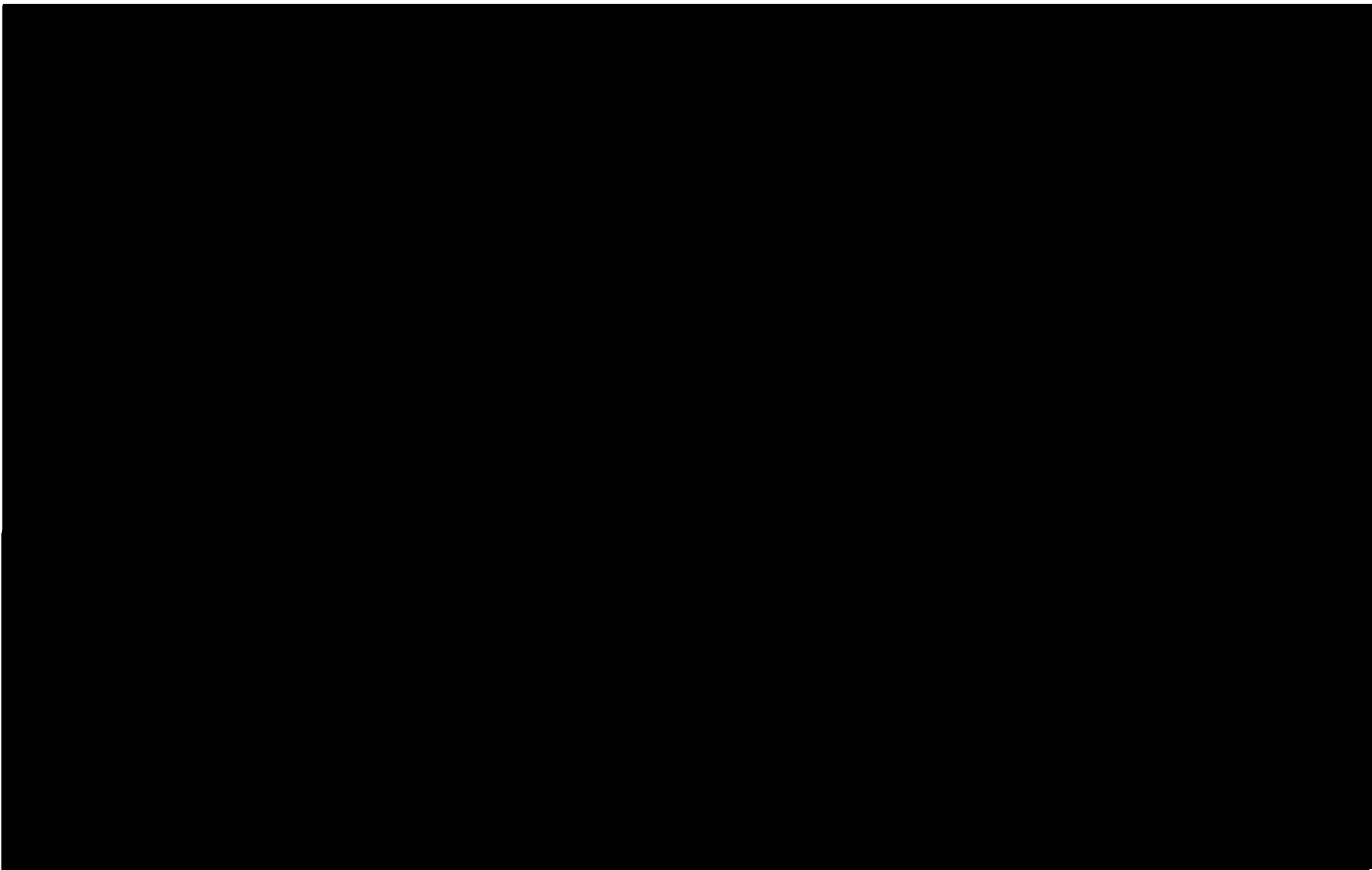
# EXHIBIT F





[REDACTED]

[REDACTED]



## APPENDIX “B”

Complainant	Nature of Complaint
██████████	<p>Mostly Tenant/Landlord complaints from when she rented from him in 2012-2013 (before he became Mayor). Dallas was looking in windows; made inappropriate comments and sent inappropriate emails about ██████ boyfriend staying the night.</p> <p>Dallas made ██████ daughters feel uncomfortable. ██████ cannot recall any direct sexual comments made to her or her girls.</p>
██████████	<p>Dallas ████████████████████. Dallas refused to pay him for work done on Dallas’s home in 2014; ██████ was verbally assaulted by both Dallas and his mom; ██████ was chest bumped by Dallas in October of 2014 but the police would not take a report. Dallas told ██████ to finish the house or he’d tear off his neck and shit down his throat.</p> <p>██████████ also said Dallas would fight with the subcontractors, almost getting into a fist fight with the excavator. Dallas would not pay the plumber; there is still an issue with the sheet metal contractor.</p> <p>Dallas would videotape ██████ and his girlfriend from his car. ██████ says Dallas still owes him money for the roof.</p>
██████████	<p>Current renter of Dallas’s. Complaints relate to Landlord / Tenant issues. Dallas abused 24-hour notice rule. Both Dallas and his mother have sent her texts and screamed at her over the phone about seemingly minor issues. Dallas made her pay for an electrician when putting in a chandelier that did not require increased amperage.</p> <p>Another incident involved plumbing issue; Dallas wanted to send the plumber to do the repairs while ██████ was not home. ██████ called Carmel P.D. and P.D. explained to Dallas that he must provide 24-hour notice to his tenants.</p> <p>Dallas has never made sexual comments or advances to her.</p>
██████████	<p>Mostly landlord / tenant complaints, never actually rented from him, sent him a \$2,000 deposit to hold a place. She verbally told him she had a dog, which did not seem to pose an issue. When she signed and returned the rental agreement, she crossed out “no dogs” and wrote in that she would be bringing two dogs. Dallas’s mom called screaming at</p>

Complainant	Nature of Complaint
	<p>her, called her a liar, and hung up on her. Dallas then refused to return her full deposit. He kept 10%. Told her to take him to small claims court for the remainder if she wanted it. Yelled at her and said that if she ever slandered him or his mother, she would be in BIG trouble.</p> <p>Dallas never made sexual comments or advances toward her.</p>
<p>██████████</p>	<p>Dallas called her (██████████) ██████████ and asked if she would consider mentoring him. She was quite surprised. He then asked her what the community's impression of him was so far, and she was honest. She said that the impression is that Dallas is physically large, has a large voice, and is perceived as a bully. He pretty much ended the conversation abruptly at that point.</p> <p>A couple of weeks passed, and ██████ heard about an incident where Dallas had acted as she described. He started screaming at her to stop slandering him and how dare she go around telling people he was a bully. He then emailed her and cc'd the initials of a supposed lawyer.</p>
<p>██████████</p>	<p>██████████. He supported Dallas for Mayor. Owns local businesses. At a roundtable meeting, the topic of complaints against Dallas came up. No one in the room spoke up, except ██████ said he would share what he has been hearing around town. He said that people are afraid to speak up about Dallas and that they didn't know who to speak to about their complaints.</p> <p>The very next day, Dallas called him, screaming at him. Dallas said ██████ needed to stop talking behind his back. Dallas said that three people told him that ██████ was bad-mouthing him at the meeting. Dallas said if this type of talk continues, ██████ won't get anything else in town. Dallas even said if ██████ were to ██████████, that Dallas would dig up stuff about him to spread around. ██████ reiterated that he was not bad-mouthing Dallas; he was just sharing what was being said around town.</p> <p>More recently, Dallas called ██████████ (██████████) ██████████ and ██████████. He told them both in a raised voice (he called ██████████ first, and then ██████, once the two of them compared notes), and said bullying-type comments like "You guys have gotta shut up. If you don't stop talking about me, you will never get another building or tasting room in town, ██████████ building won't go through," and other threats. ██████████ told him to calm down and didn't react to his attitude.</p>

Complainant	Nature of Complaint
	<p>██████ said he has definitely seen Dallas flirting with women, but does not believe that constitutes the level of sexual abuse.</p>
<p>██████</p>	<p>██████ previously rented from Dallas and his mother. She said she actually has no actual complaints against Dallas himself, but feels that there should be a separate investigation against his mother. She is a true harasser as a landlord. They had some carpet issues they were trying to resolve and she would not cooperate or pro-rating the used carpeting rather than replacing it. Dallas will not stand up to his mother; basically, whatever she says, goes.</p> <p>The only issue that ██████ mentioned that did not sit well with her husband was a comment that Dallas made to her husband upon his return from a ████████████████████ was pregnant. When he saw them, Dallas said something to her husband like, "Wow, you guys must've been busy."</p>
<p>██████</p>	<p>██████ complains about Dallas being odd and rude, mostly relating to fire vs. propane issue on the beach. Claims Dallas harasses and threatens people who are against wood-burning simply for their own personal opinion and right to speak out. He harasses people to scare them, quiet them, and help make public policy go his way.</p> <p>At one City Council meeting, a person looked paralyzed with fear and begged her and her friend not to speak against wood fires or "You will be met with such retribution and vitriol and more.... by him."</p> <p>At a different council meeting, Dallas stared at ██████ with a malicious look for about 6 seconds before the meeting began. He continued staring even after she looked away several times. The staring was for about six to seven seconds at most. ██████ said he targets people.</p> <p>She never witnessed any sexual comments made by Dallas, nor did he make any advances towards her.</p>



## APPENDIX “C”

### I. SUMMARY OF KEY ELEMENTS OF WITNESSES’ TESTIMONY AND ANALYSIS OF THEIR CREDIBILITY

In this investigation, as in most investigations, the parties and witnesses’ version of certain facts or the meaning of those facts differ. Thus, in many instances, witnesses’ credibility is a key factor in making factual findings. Accordingly, the Investigator has made credibility assessments of each of the three witnesses in this investigation.

The Investigator’s analysis of a witness’s credibility is based on a number of tangible and intangible factors, and consideration was given to direct and circumstantial evidence. Factors the Investigator considered in determining credibility include, but are not necessarily limited to: the extent of a person’s ability to accurately perceive, to recollect, or to communicate; the extent of a person’s opportunity to perceive any matter; the existence or nonexistence of a bias, interest, or other motive; consistent or inconsistent statements; the existence or nonexistence and corroboration of any fact provided by a person; or any admission; and demeanor. (See, *EEOC Enforcement Guidance: Vicarious Employer Responsibility for Unlawful Harassment*, No. 915.20, p. 10 (June 18, 1999).)

#### A. [REDACTED]

##### 1. Summary of Key Elements of [REDACTED] Interview

###### a. Background

[REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED]

[REDACTED] rented a single-family residence with a granny unit attached from him in 2012 ([REDACTED] [REDACTED]). A female friend of [REDACTED] occupied the granny unit. [REDACTED] and her daughters lived in the main house. Dallas and his mother [REDACTED] were both involved with the contract for the rental.

All of the interactions [REDACTED] had with Dallas were prior to him becoming Mayor.

In September of 2012, [REDACTED] emailed Dallas and said that she and her boyfriend were discussing moving in together. [REDACTED] invited Dallas to meet him, obtain the financial information necessary, and have him added to the lease. Dallas asked where the boyfriend was going to sleep. She responded, “With me.” Dallas said he was not going to condone that kind of a relationship in his home. He said she could not change the number of tenants in the house until the lease is up. This is when [REDACTED] contacted the Housing Authority and requested formal mediation. Dallas

would attach “cc” with three initials and Esq. two times on each email. There were never any additional addresses in the email, so [REDACTED] felt it was just a bullying tactic.

Dallas went ballistic about the request for mediation. He went to the Housing Authority office and bullied the woman behind the desk and forced her to call [REDACTED]. Ultimately, Dallas had to relent and [REDACTED] boyfriend was added to the lease in October of 2012. Around April of 2013, he advised [REDACTED] that he would not be renewing her lease. This was a huge financial burden for her. However, [REDACTED] found a place and notified Dallas with a move out date. Dallas advised her that he was going to start showing the home 9 to 5. [REDACTED] said that this request was an invasion, as there needs to be 24-hour notice and not for eight hours a day. He responded that he could do whatever he wanted.

Once, Dallas requested a showing at 5:00 on a Friday. [REDACTED] originally said yes, but then three or four days before the showing, she asked him if they could change the time. He refused and said he was still coming in. [REDACTED] called the Sheriff. The Sheriff made two separate visits to the home and they advised her to start the process for a restraining order. She did not have it in her to do it immediately as she had just gone through a contentious divorce and had lost her mom. She just wanted to move. Dallas contacted the real estate agency from whom she was renting the new place from and lied about who he was trying to find out where she was going to be living. She had already given him a P.O. Box in Carmel as her forwarding address. Dallas told [REDACTED] that he was going to find out where she was living. So at that point, she started the process to apply for a restraining order (in May or June of 2013). The order was denied and they put it to a hearing. [REDACTED] was too emotionally exhausted to deal with it, so she let it go.

[REDACTED] said Dallas was looking through her windows. He would know when their rabbit was in the house and ask why the bathroom windows were closed. He wanted them open for ventilation, which is really not his place to dictate when her windows are opened or closed.

[REDACTED] cannot recall any direct sexual comments made to her or her girls, but the emails were inappropriate about asking her where her boyfriend was sleeping and that he hoped she wasn’t accommodating him every night. Her daughters were uncomfortable around him, but she doesn’t think that he said anything to them.

[REDACTED] also alleged that Dallas would disregard tenant rights, and abused the security deposit. He charged her for spackled holes from pictures, for curtains that he said her cat had scratched, which was not true, and charged her for cleaning the wood floors because he said she didn’t clean them correctly. He said there was a clump of long black hair plugging the pipes in the granny unit; none of the tenants had long black hair. He also said there were scratches on the sliding glass door (that was over 40 years old) caused by her dog or cat. She did not want to fight about it and he ended up taking \$700 of her security deposit.

The woman who moved in after [REDACTED] is actually going to Small Claims court because Dallas is saying that she damaged the wood floors, damaged the carpets, and broke a handle on the sliding glass door. She has since moved out but he is claiming that this woman cracked a toilet and then glued it. The toilet leaked and damaged all of the floors. Dallas did not replace anything

between tenants. The rental properties are supposed to have low flow toilets in California and his properties do not. █████ said he's like a slum lord in a nice area.

## 2. Credibility Analysis

Because █████ allegations are immaterial to the investigation, the Investigator has not made any credibility determination.

### B. Steve Dallas

#### 1. Summary of Key Elements Mayor Dallas' Interview

##### Background

Dallas was born and raised in City of Carmel-by-the-Sea. He graduated high school in 1985. He went to college at Sacramento State then to Golden Gate. He got married; and █████

██  
██  
██  
██

Dallas asked for over 10 years to be appointed to the planning commission. Finally, he got appointed and became the chair of the planning commission. When he got elected to City Council and was the top vote getter. In 2016, he ran for Mayor, mainly to get rid of the old guard. He worked hard against all the previous mayors who were endorsing his opponent, including giving his opponent \$10,000, etc. He went door to door, stood at the post office for hours, and conducted a grassroots campaign to ultimately beat his opponent. He is here to help and give back to his community.

He only has 20 percent of the vote. He is elected at large for a two-year term. He will be up for reelection in November of 2018 but has not decided whether he will be running again.

████████████████

He has known █████ for about four years. He absolutely denies that any of the conversations she alleges he had with her were sexual in nature. She asked him once to help her find a boyfriend or significant other because he knows a lot of people. He would see her at events and he would ask her if she was dating anyone; she would say she's trying to find someone to date. Dallas said he has a good track record of putting people together and █████ was open to the idea. They were Facebook friends until the middle of December [2017] when she took him off as her friend. Dallas never introduced her to anyone to date.

Dallas and █████ have limited interactions at events. They do not socialize or go out other than at events. He does not drink alcohol. He will put club soda in a wine or cocktail glass to make it look like he's drinking.

When asked about what happened at the Folktale Winery on November 6, 2017, Dallas told █████ that barricades were going to be required at her upcoming event as a safety barrier due to

some recent tragedies where cars drove through and massacred people. This was a consensus for public safety as well as by City Council that safety barriers would be required at all upcoming events. He stated he did not raise his voice or say that the barriers were required in a threatening way. [REDACTED] was highly upset that she had to pay for safety barriers. She suggested to Dallas that she may move her event out of town. However, Dallas said they had a very good working relationship. Dallas is absolutely not attracted to [REDACTED]. He's attracted to his wife of 17 years.

He sees [REDACTED] a maximum of ten times per year. During these interactions, he speaks to her for three to five minutes maximum, aside from a dinner once where he sat across from her. He denies ever asking her, "How's your sex life?" He said he specifically recalled on one occasion over a year ago that he asked her, "How's your love life?" He asked her this question because of prior conversations with her about her wanting him to find her a date or a boyfriend. [REDACTED] has never said any statements to Dallas such as, "If you want to talk with me, you need to be nicer." She never told him to knock it off, or that he'd taken it too far.

Regarding the "fluffer" comment, he said he got tickets to the Film Festival and before the movie, he was hanging out with a couple of buddies, [REDACTED] and [REDACTED]. Dallas cannot recall if it was [REDACTED] or one of her friends that asked, "What does he do for a living?" referencing [REDACTED]. Dallas turned and said (directed to [REDACTED]) as a joke, "Oh, he's a fluffer." [REDACTED] (or her friend) said something about not knowing what that is. Dallas said he was not going to say what it was and told her to look it up herself. After that he and his party went upstairs to see the movie. Neither [REDACTED] nor [REDACTED] reacted when Dallas made the fluffer comment. It was strictly to make fun of [REDACTED]. There was a gentleman off to [REDACTED] right and he may have said something like, "Oh, I know what the fluffer is," or something like that. The gentleman then said, "I'll tell you later," or something like that to [REDACTED].

Dallas did not see her any more at the Film Festival. After the movie, he saw her at the after-party, which was held at the Forest Theatre. He walked in with [REDACTED] and [REDACTED]. He saw [REDACTED] there and said, "Hey, how's your love life? How's things going?" Dallas does not recall her exact response but thinks she said she is still single. She did not roll her eyes. The only time she rolled her eyes was when he told her about needing the safety barricades when they were at the Folktale event, like he was putting her through more hoops to do something.

Regarding the incident about saying something was on [REDACTED] blouse, he said there was definitely something on the lapel or blouse near the upper area of her body on whatever she was wearing. He believes this exchange happened before the movie took place at the Film Festival, while they were still downstairs (they had food and beverages outside before going in). He told her very casually that she had something on her blouse. He said, "I can't, you know, take it off, but wanted you to know it's there," (or something like she needed to take it off because she'd look silly walking in with it there). He said he knows not to touch her. They were at least four feet away from each other. He did not look down at her blouse or lapel.

He absolutely has never asked her if she was in Carmel for a booty call. He does recall that she was dating [REDACTED] a few years ago. She said she was embarrassed by it. She told Dallas to please not bring it up. He thinks [REDACTED] got her the job in the [REDACTED] [REDACTED] and Dallas were very close friends up to a little over a year ago. [REDACTED] was proud that he went

out with [REDACTED] and that he got her that job. Dallas respected [REDACTED] wishes and never mentioned [REDACTED] to her again. He may have asked her about her love life, but absolutely never said anything about a booty call. These questions were in the context of her asking Dallas to find her a date or a boyfriend.

Dallas and [REDACTED] had a falling out. [REDACTED] was dating a gal from Sacramento, [REDACTED]. [REDACTED] had a falling out with her and [REDACTED] blamed Dallas for it. They only dated about 11 weeks and she wanted to rent a house from Dallas. [REDACTED] called Dallas and specifically told him not to let her rent a house from him. [REDACTED]

[REDACTED] She has now bought a house in Carmel with her boyfriend. On the street, Dallas heard that [REDACTED] said he was going to get back at Dallas someday, somehow. [REDACTED]. Dallas said [REDACTED] has different aliases.

Dallas thinks “100%” that [REDACTED] may have started this whole thing because he is resentful about Dallas having something to do with the breakup with his girlfriend. Also, Dallas was voting on a project that was appealed. Two days later, [REDACTED] came in and called up a project. Dallas believes that [REDACTED] and [REDACTED] are still talking and putting stuff out on Facebook that taint Dallas. [REDACTED] is feeding information to [REDACTED] and possibly the applicant regarding the project.

#### **Relations with [REDACTED]**

Regarding [REDACTED], Dallas does not remember going to the same high school with her. Dallas rented property to her from 2012 – 2013; her one-year lease was not extended. [REDACTED] has asserted that Dallas had come into her house unannounced or would be peeping through a window. Regarding [REDACTED] allegations about looking in a window, Dallas said that is nonsense. The windows are obscured. He asked her to open the windows in two of the bathrooms because there is not a fan in either of them, to get air into the rooms to avoid getting mold on the ceiling. He also says he always contacts his tenants before he comes over. Most of his tenants he’s had between five and twenty-two years; [REDACTED] lease is probably the only one that stopped at one year.

Dallas said [REDACTED] moved in with her two kids. Dallas, his 87-year-old mom, and a couple of Hispanic guys would come every two weeks to do the gardening. One day a neighbor ([REDACTED] now deceased) told Dallas that there was a new yellow car out front of [REDACTED] house that had been spending the night. Dallas asked [REDACTED] who the yellow car belonged to [which belonged to her boyfriend]. Dallas told her that he cannot stay over without putting him on the lease. [REDACTED] did not want him on the lease so they got a lawyer involved and eventually, through mediation with the Monterey County Housing Authority, he got the boyfriend put on the lease. The boyfriend was going to be a priest, an ordained minister or something. There was already an authorized tenant on the lease living with [REDACTED] in the guest unit.

Regarding Dallas’ comment about [REDACTED] boyfriend, “I hope you are not accommodating the priest every night.” He admitted that he said that, probably in an email. Dallas said it is because by law, she cannot move somebody into the rental property without telling him and having that

person on the lease. If he's not on the lease, and the lease is terminated, he becomes a squatter. For safety reasons, Dallas sought legal advice.

When asked about the tenant who leased [REDACTED] property after [REDACTED] left, Dallas said there is a [REDACTED] for a landlord/tenant dispute. Dallas said the tenants were two adults and two young children that were both in the military at Defense Language Institute. Dallas believes they were tenants for four years. He claims they destroyed the house with cat pee. The cat urinated on the carpeting and hardwood floors. The damage is not normal wear and tear. Dallas called them just plain pigs.

### **Relations with Glen Mozingo**

There is a concern that Dallas and City Attorney Glen Mozingo are very close. Dallas has known Mozingo for seven or eight years. Dallas said he does not go out to dinner with Glen or his wife, who used to be the City Clerk. Dallas has attended a public function for the Carmel Woods Association, where he owns a house, and also is where Glen lives. Glen is the president of the Carmel Woods Association. Glen has spoken to Dallas about [REDACTED] allegations. He told Dallas not to speak to her any more. Dallas said he is not talking to anyone. Period.

### **Relations with [REDACTED]**

Dallas said no one talked to him about allegations raised by [REDACTED], [REDACTED]. Dallas said that during a closed session, the City Attorney stated that he and Bobby could not be in the room for a conflict. Dallas put two and two together and figured things out. Dallas said he reviewed Facebook for hours and saw that one of his employees said some nasty things about him. Dallas said he just saw [REDACTED] the other day and she said hi to him. A couple of months ago, she had invited Dallas and his wife to a pre-party before a big gala at Bobby's house. Dallas absolutely denies ever telling [REDACTED] [REDACTED] should give Bobby a blow job so that he'd be happy. He does recall telling her, "Make sure you keep Bobby happy." Dallas recalls that this took place in May of 2017 during a Memorial Day celebration in the park. Dallas asked his wife again about this because she was right there with him. It was two days before voting on the budget. Bobby, a retired Coast Guard, was the speaker at the celebration (they all rotate). After the speech, Dallas said we've got to keep Bobby happy now. Dallas said this comment was most likely about the budget. The specific line in that budget was how much money to give the Chamber of Commerce that year. Dallas did not hear about the blow job comment except from the City Attorney. Dallas had no idea the comment was about Bobby, but figured it must be since Bobby had to leave the closed session, and was ultimately conflicted out on December 15, 2017.

Again, Dallas went through Facebook looking for how this blow job comment could have come about. One person has attacked him because they used to go for a walk – four guys – and then have coffee and a banana or whatever at a little hotel that he used to own. One of the girl workers there wrote something ugly on Facebook about Dallas. He asked his wife where he could have said something like this and who he would have said it to. She said Dallas would never say something like that. They were thinking back and figured it must have been [REDACTED]



on May 31<sup>st</sup> in the park. Dallas said Bobby gets very emotional. Bobby does not want to go to the League [of California Cities] to learn procedures; he only sat on the Cultural Commission and was kind of pushed into this position. He does not want to be a team player in a lot of ways. He always wants to fight but does not want to make the effort. Now he is going to the League a year and a half later for training. Usually members go to the League right after being elected to learn how to interact with other Councilmembers.

Regarding [REDACTED] Dallas assures her that he will not retaliate as that is not the way he does business. He knows his family's reputation is tainted, which hurts the most. Dallas denies telling [REDACTED], "If Bobby votes a certain way, you should give him a blow job." He said he only said, "Please keep Bobby happy. We've got a big vote, please keep him happy." This was Dallas' first real budget; Bobby was upset because he texted Dallas about the budget for the Chamber of Commerce. Dallas asked him for a figure. Without having training and knowing how to interact with your Councilmembers, Bobby was upset when he voted and was unable to get this "little stupid pathway" up the street. He always thinks the other Councilmembers are against him.

Bobby may have "dragged" [REDACTED] in because Dallas voted a certain way on a project he was passionate about. It was a car show and Bobby has an award named after him.

He and Bobby may have had a falling out after the vote about the pathway. Bobby was upset that Dallas did not follow his lead on the pathway; he really tore into it with two female Councilmembers (Theis and Hardy) in the room. They used to walk in the mornings with some other guys. Dallas' wife and Bobby were classmates at Pacific Grove.

Bobby has never told Dallas he did not want to socialize with him because of his type of behavior. Once a long time ago, Bobby may have said that he did not want to be seen as going out a lot, especially now that he has a girlfriend. Dallas says he always goes out with someone because he never knows if somebody's going to try to attack him or have issues. People get very emotional in this "little City." Dallas admitted that Bobby has said Dallas has made him uncomfortable before with remarks about trying to introduce him to cheerleaders when he was single. [REDACTED] had invited Dallas and his wife over as recently as September [2017].

One time early on, Bobby wanted to resign because he did not feel like he was part of the team. Dallas told him to hang in there. They are trying to build camaraderie.

[REDACTED]

Regarding [REDACTED], Dallas is a friend of his. They just went to Big Sur in his Ferrari a few weeks ago [later changed to October of 2017]. [REDACTED] apparently made a comment to Bobby about why he and [REDACTED] are trying to make trouble for the Mayor. Dallas did not ask [REDACTED] anything about that. Because of it being a small town, rumors start and Dallas does not speak to anyone about this case except for his wife. Not even his mom.

### **Incident with Bobby, ██████████, and Bobby's Two Sisters**

There was an alleged situation earlier this year where Dallas walked into a restaurant and rubbed ██████████ bare shoulders with his hands. Dallas said he was saying hi to a friend at another table who was on a date, ██████████. He was being goofy and picked up a dessert menu and acted like he was a waiter taking their order. Then he saw Bobby and the others at another table. Dallas came up behind ██████████ and put his fingertips (not his hands) on her bare shoulders because her back was to him as he approached the table. He did not rub her shoulders or move his hands up and down her arms or anything. However, Dallas did recall saying something like she had really soft skin. But he said they're friends and he didn't feel like he was doing something weird. Dallas did not recall any type of reaction. They were all drinking wine and laughing and joking. The interaction was less than 30 seconds and then Dallas left. Dallas considers ██████████ a friend; they just said hello to each other the other day. Dallas is very hurt and disappointed in his fellow Councilmember.

### **Relations with ██████████, former contractor**

With respect to ██████████, Dallas denied any physical contact with him.. However, he and his mom have both yelled at him. It was the first time they had ever thrown a contractor off the job. No chest bumping occurred. No finger thrusting in his chest. Dallas said he never physically touched ██████████; and if he did, ██████████ should have called the police at that time. There was a lot of faulty work on the property and they had to hire an engineer and another contractor to come in and fix it all. It cost Dallas over \$100,000 to get it all corrected. ██████████ was fined by the State Licensing Board and ██████████ is appealing that. Dallas said ██████████  
██████████

### **Second Interview, January 26, 2018**

Dallas denies any comment to the woman at the farmers market. He confirmed that the Council agreed that in order to participate in the farmers market, the vendor had to be a brick and mortar business in the City.

Regarding the incident involving putting his hand down Jane Doe's pants, he said that is completely fabricated. He would never do something like that. Dallas said that things are getting ridiculous; more and more people are piling on these outrageous comments.

Dallas named off restaurants in town that have music: Athena, Barmel, Sadie. He denies having a habit of going up and dancing with women and coming up behind them. He danced once with a blond gal who is a friend of his, and it got out all over the streets that he was out dancing without his wife. He will stand and talk to people, but absolutely does not go up randomly and touch people, unless it is one of his closest friends.

Regarding the fluffer comment, it is not a common joke that he uses. He used it that specific time and directed it to ██████████ at the film festival. He does not recall ever introducing ██████████  
██████████ as a fluffer.



Regarding [REDACTED], Dallas said [REDACTED] himself refers to his nickname as Subway. He would say that because he's [REDACTED] and he's single. [REDACTED] has never been married in his life. Dallas said [REDACTED] is only out for one thing in the local area; he is looking for an older lady to take money from like a gigolo. Dallas finds it offensive that [REDACTED] does this in Carmel. If he wants to do it in other areas, that is his business. Dallas specifically told one of [REDACTED] [REDACTED] that if she was going to get involved, not to get hurt. She told Dallas not to worry about her; that she would end up hurting [REDACTED], which she did. This was [REDACTED].

[REDACTED] asked Dallas not to rent to her in Carmel. Dallas can have that verified by his mom. [REDACTED] and [REDACTED] were dating and she wanted to move down to Carmel full time. She was renting a vacation rental at first. They only dated for 10-12 weeks. She lives up in [REDACTED] but has since bought a house here now. Dallas said [REDACTED] came in with a very clean record and had a perfect credit score, so Dallas and his mom rented to her and never had any problems.

The rift between Dallas and [REDACTED] probably stemmed from Dallas telling him not to hurt [REDACTED]. Dallas said [REDACTED] has had two restraining orders by other women against him that have since dropped off. One was [REDACTED] somebody, and [REDACTED] was the other one. Dallas does think he has commented to women with [REDACTED] about what kind of car they drive. [REDACTED] [REDACTED] Dallas, and Dallas did not want anyone getting hurt and having it reflect back on him for not warning them about [REDACTED].

Regarding the incident with a gentleman at the Mission Ranch Barn, it was in February of 2017 at the AT&T. Dallas said it was one of [REDACTED] friends. Dallas said he is not sure if [REDACTED] paid the guy to start this whole thing. Dallas had walked up and said hi to a gal that this man was talking to. Dallas said he grabbed her to introduce her to a friend of his from [REDACTED]. This man came up three or four minutes later while the girl was talking to one of the top executives of [REDACTED]. The man came up and grabbed Dallas' hands – both of them. Dallas immediately grabbed the man's wrists – he was not sure if the guy had a gun or a knife. Dallas pushed him back and grabbed his throat. No blows were thrown. Dallas said he has not been in a fight since high school. Everyone that knew Dallas grabbed him, pushed him off, and told him to get the hell out of there. The staff from Mission Ranch whisked Dallas off the premises and walked him to his car so there was no safety issue. Dallas said it happened so fast and he did not have his security team with him. Dallas was with the top guys from [REDACTED]. He said he reacted in self-defense. He has no idea who the man was. He had dark hair and was a little shorter than Dallas. Dallas does not know if the gal that was talking to the [REDACTED] saw the interaction. He does not know her name, just that she's blond.

Regarding the incident at Vesuvio, Dallas admits following [REDACTED] into the men's room, but it was because he had to use the bathroom. He used the urinal and [REDACTED] was in the stall. Dallas said he thinks he said, "Why do not you knock your shit off? This is ridiculous. Stop being a child and stop playing these stupid games." Dallas said [REDACTED] talks shit all over town. It is similar to what's in the paper with [REDACTED] [REDACTED] and Dallas had tried to work their differences out, but [REDACTED] just continued with his games. He said [REDACTED] comes across as very perfect with suits and ties on, but he goes to the edge and does not get caught. Dallas thinks [REDACTED] is arranging to have emails sent from [REDACTED]. The police chief knows about this and is trying to track down an IP address. Dallas said that [REDACTED] constantly

has it out for him and is even talking crap to Dallas' wife. This has happened within the last three to four weeks.

There was another incident at Vesuvio regarding a woman who is frustrated because she could not get into the restaurant for dinner because of her dog. Dallas denies saying anything about her breasts being real. Dallas recalls the incident. The dog was a certified service dog. She explained that she had a hard time at Casanova's and as Mayor, he was going to say something to the restaurateur about it. Dallas said he does not even remember what she looks like; he thinks she had dark hair and was crying.

Dallas denies saying anything to Bobby Richards about trying to get gals to give them blow jobs underneath the dais. He never made that comment as a Councilmember or as the Mayor. Dallas does recall that he told [REDACTED] to keep Bobby happy, but never mentioned that she should give him a blow job. Dallas does not recall any comments made to [REDACTED] at a car show event in July of 2016. [REDACTED]

Dallas said the day before [REDACTED] story came out, Bobby took a walk with the City Manager and the next morning Bobby ran into City Hall and made a claim against Dallas. There was a special meeting called on December 15, 2017, and there were TV cameras from KSBW. This was supposed to be a closed session. The only person who is supposed to talk to the press is Glen Mozingo. Chip Rerig was outside speaking with the TV people. Glen is the only one who should be doing that. Chip made a statement to [REDACTED] and he is not supposed to speak on this matter. He feels Chip and Bobby are spilling information out on the street. Chip called Dallas and told Dallas he should quit when all of these allegations first hit.

Dallas said [REDACTED] spoke to the Mayor of Monterey and talked to him and the Monterey City Attorney. She also reached out to the Mayor of Salinas (Joe Gunter), but he didn't call her back.

Dallas said he has not spoken to anyone other than his wife about the allegations. Not even Glen. Dallas thinks there is a mole in his organization. He is also suspicious of [REDACTED] and [REDACTED].

### **Third Interview, February 17, 2018**

Dallas confirmed that Councilwoman Theis has counseled him to have a "little softer approach" to get stuff done at the City. The Council has accomplished so much in the past two years and it was difficult for him to see how slow things work in the City. Dallas does not recall her speaking with him about invading body space.

Dallas denied stating to women that, "If I was a younger man I'd have you." This is not in his character. Dallas denied making a comment to a young woman that she needed a fake I.D. to have fun in Carmel. He may have told a friend he knows well who was wanting to date someone, "Which guy in here do you want, I'll get him for you."

Dallas did not recall [REDACTED] ever being over at his home. She and [REDACTED] had a dog that would wander into their yard and played with his daughter. Dallas denied making any

comment to her asking, “How’s your love life?” Dallas denied inviting her to his home and asking her to see his bedroom. Dallas also denied going over to the [REDACTED] home and commenting that [REDACTED] looked good in a bathrobe.

## **2. Mayor Dallas’ Credibility Analysis**

The Investigator notes that, as a subject of this investigation, Mr. Dallas has a motive to deny the allegations against him and to slant his testimony against [REDACTED]. Mr. Dallas was cooperative with the Investigator and answered questions directly. Mr. Dallas admitted comments attributed to him that would not place him in the best light and that were consistent with some of the allegations. Mr. Dallas also provided detail to explain the difference between what he said and what others perceived him to have said. Mr. Dallas presents as a large personality with a booming voice and strong personality. Other witnesses testified to not liking him or his personality and that they believed he was a bully. Mr. Dallas does not appear to appreciate how he is perceived by others as he admits he does not understand why some of his behavior could be received as offensive. Therefore, Mr. Dallas may not be the best observer of events. Based on the totality of these factors, the Investigator found Mr. Dallas credible.

### **C. Jane Doe**

This witness is identified as Jane Doe because she is concerned about potential retaliation by Dallas. Confidentiality was mutually agreed upon regarding the discussion. Jane Doe agreed to answer all questions honestly.

She moved into Carmel-by-the-Sea about two years ago and met him through a friend of a friend. Dallas was not yet Mayor when she first met him.

One night in late August or early September of 2016, Jane Doe and two girlfriends were at a late night establishment in an open area off to the side of the bar. They were just standing in place, dancing. They were not on the dance floor. Dallas was behind her, apparently dancing around them. All of a sudden, he slid his hand underneath Jane Doe’s pants; she felt his hand on her skin to just above the pelvic bone area. Jane Doe immediately jerked around to force his hand to pop out. He said, “I can’t believe you don’t have an ounce of fat on you.” Jane Doe just glared at him and she thinks she said something like, “Seriously?” Jane Doe’s girlfriends did not see this happen, but she told them about it. Jane Doe knows she could have filed a police report, but did not want to be vindictive. She believes Dallas was with his brother-in-law that night, but Jane Doe feels the brother-in-law was staying away from the situation. She could not verify whether Dallas had been drinking alcohol or not. She has never had a man do that to her. It is not appropriate behavior for anyone. They were just acquaintances; the only contact she had with him was seeing him around town, on walks, and at restaurants. Dallas even introduced her to his wife and child one day while on a walk.

Aside from this instance, Dallas has not touched Jane Doe. Jane Doe keeps her distance whenever she sees him. Jane Doe has been present in friendly situations where he flirts and makes sexual comments or innuendos, but she cannot recall any specifics. Jane Doe has not seen him physically touch other women.

Jane Doe reached out to [REDACTED] after she saw the news article. [REDACTED] provided Jane Doe with the Investigator's contact information.

1. **Credibility Analysis**

The Investigator must note that a witness who does not want to be identified has to be provided less credibility. By not being identified, the Investigator can only superficially question Mr. Dallas about this very serious allegation. The Investigator appreciates Ms. Doe's concern for retaliation and appreciates that she allowed the Investigator to interview her in person, but by not providing her name, the Investigator cannot assess if Ms. Doe has a bias against Mr. Dallas or has some other intent that would impact her credibility. Given that this is the only allegation of an intimate physical contact, and the fact that her friends were unwilling to come forward, the Investigator has credited Mr. Dallas' denial of this allegation. Should Ms. Doe be willing to reveal her name and identify her friends, the Investigator will reconsider this finding.

D. [REDACTED]

1. **Summary of Key Elements of [REDACTED] Interview**

[REDACTED] was interviewed via telephone with her boyfriend, [REDACTED]. [REDACTED] has known the mayor about three or four years. [REDACTED]. She has no business dealings with him or the City.

The first event she wanted to share was when she took cookies over to Dallas' home for Christmas in 2013. [REDACTED] was unaware that his daughter and wife were out at the time. Dallas was outside doing yard work so she went over to give him the cookies. He asked her to come in and she originally declined. He said, "No, I want you to see the house." She asked if his family was home and he said no, but let me just show you some of the architecture. So she walked in and stood in the kitchen for a few minutes and was ready to leave and he brought me into the living room and she said, "I gotta go because [REDACTED] waiting for me back at the house." He said, "Well, how do you and [REDACTED] get along?" [REDACTED] responded, "We get along fine." And he said, "Well, how is your sex life?" And she said, "Fine, Everything's fine with us." Then he said, "Well, I was just wondering. Want to see my bedroom?" [REDACTED] said, "No I don't want to see your bedroom; I've got to go now. He continued to ramble on, and [REDACTED] said, "I've got to go." She was probably in the house 15-20 minutes total.

Another day in the spring of 2014, he came over early (around 7:30) in the morning and knocked on the door. He knows [REDACTED] cars and knew his truck was gone. [REDACTED] said, "What are you doing here?" Dallas asked if [REDACTED] was home and she said, "No, his truck's gone." [REDACTED] was still in her robe and [REDACTED] had taken his daughter to school. "Oh, I wanted to see if we could take [REDACTED] [the dog] out." [REDACTED] said, "No, she's fine. Wait until [REDACTED] gets home." Dallas said, "Is everything okay here?" [REDACTED] said, "Everything's fine." And he said, "Oh, you look great in your robe," or some sort of remark like that. [REDACTED] knows she doesn't look great in her robe at 7:30.

About a week or two later, Dallas did the exact same thing. He came by when [REDACTED] was gone. [REDACTED] takes his daughter to school between 7:20 and 7:40 in the morning. Dallas knocked on the door and [REDACTED] was cordial to him because at the time, [REDACTED] was working for him and [REDACTED] was intimidated to even say anything. Dallas did not normally come over when [REDACTED] was not home. Dallas again asked about the dog. [REDACTED] said the dog had gone with [REDACTED]. Again Dallas asked her, "Well, how's your sex life?" [REDACTED] said, "It's none of your business. [REDACTED] will be back in 15 minutes so you can come back and see the dog at that point." Dallas was kind of hinting about getting invited in, but he has never been invited into their home.

On various occasions, Dallas would come over with his daughter in the afternoon to walk the dog. The Dallahs did not have a dog at the time. If the mom came with the daughter, she trusted that, but knew that Dallas himself did not walk the dog. Dallas did not make any inappropriate comments in front of his daughter.

Another incident occurred when they were walking through a job site on Delores and 8<sup>th</sup> Street. [REDACTED] had brought [REDACTED] lunch. [REDACTED] asked [REDACTED] if she wanted to see the inside of the property. She said she felt somewhat obligated because he was the owner of the property, so he showed her inside. She doesn't remember exactly what he said, but it was some sexually snide remark.

These events all took place during 2014 while [REDACTED] was working for Dallas and his mom.

[REDACTED] remembers [REDACTED] telling him about these events at the time they occurred. [REDACTED] never asked Dallas why he was over at his house or anything, because Dallas is an intimidating person and he was building his house.

There was also an instance sometime after [REDACTED] was done working for him (but still in 2014) where Dallas was videotaping [REDACTED] in his vehicle while [REDACTED] was working on another job. Dallas' mom constantly drives by our house. [REDACTED] said she actually flipped him off with two fingers once.

[REDACTED] interjected and said that the house on Delores and 8<sup>th</sup> is the house that Dallas still owes him \$40,000 on. He said Dallas chest bumped him right in the driveway sometime in the first week in October of 2014. Dallas also tried to pick a fight with [REDACTED] excavator, Mr. [REDACTED], and one of [REDACTED] workers. [REDACTED] said he tried to file a police report, but the cops came, spoke to Dallas, and there was no report taken. [REDACTED] said the verbal threats went on for a couple of different times on the job site. Neither [REDACTED] nor [REDACTED] has had any one-on-one interactions with Dallas since that time period (late 2014).

Regarding the dispute about the money owed on the house, [REDACTED] claims he still hasn't been paid. The city signed off on the roof but Dallas never paid him. [REDACTED] said he filed a lien on the house, but could not perfect the lien. [REDACTED] did not have the money to sue them. They never paid him for the roof and he continued working to get all the interior beams in and prepare for drywall and he still has not been paid.

Once Dallas and his mom came to the 10<sup>th</sup> and Flores project. █████ started begging █████ to do the house for her. We hear so many great things about you, blah, blah, blah. She would not give up. He gave her prices and she would not sign his contract. She made █████ sign her contract instead. From the beginning, Dallas would fight with the subcontractors. Dallas would not pay the plumber, and there is still an issue with the sheet metal contractor. Dallas and his mom went through multiple contractors.

## 2. Credibility Analysis

█████ was interviewed over the telephone and the Investigator was unable to assess her demeanor. Further, her boyfriend, █████, was on the phone call during the interview. █████ clearly has a bias against Mr. Dallas based on their soured business relationship. █████ also has an interest to support her boyfriend in his bias against Mr. Dallas. Additionally, neither █████ nor █████ had previously made any of the allegations she made during her interview. This is very surprising given █████ history with Mr. Dallas. Therefore, the Investigator found that █████ was not credible regarding her allegations of contact with Mr. Dallas.

### E. █████

#### 1. Summary of Key Elements of █████ Interview

█████ has an attorney friend who is acting as an advisor to him.

█████ has been in Carmel-by-the-Sea for █████. █████ He came to Carmel for business, but has since left the company he was working for initially. He knows Dallas from when Dallas was running for City Council. He went to an event with his friend for Dallas' campaign and it turns out █████ They were friendly for a couple of years, until shortly after Dallas became Mayor. █████ found Dallas' behavior and actions to be unacceptable. These were mostly inappropriate comments to him, to other people, about █████ or about other people. Dallas tends to take conversations down a sexual path very quickly.

Dallas would somehow keep track of who was parked in █████ driveway. █████ found that to be very creepy. Dallas would question █████ about it and make comments to people when he was out. If █████ was speaking to a female, Dallas would ask her what kind of car she drove and mention that he had not seen that one in the neighborhood yet. Oftentimes, if █████ was there in a social setting with Dallas, Dallas would say that █████ nickname was "Subway" because he's got a foot long. In social settings in a small community, █████ feels behavior like that is unacceptable.

He cannot recall if all of these occurred before or after Dallas became Mayor. One incident was at Barmel; █████ said they walked in around the same time. Dallas would move up behind a girl or woman on the dance floor, make some dance moves, and then touch her behind. Dallas would tell people he was separated from his wife and that he was living in a separate house. He would take off his wedding ring.



Dallas told a woman that ██████ had slept with 2,000 women. ██████ told him to stop saying things like that and Dallas did not stop. So ██████ cut him off completely in July or the beginning of August of 2016. A prominent woman in her late 60s in town told ██████ that Dallas had told her some things about ██████. She shared that Dallas said ██████ had slept with 2000 women and that ██████ was a player. ██████ stated this was not true and that ██████ preference is to be in a committed relationship. The woman actually called him a despicable creep. ██████ texted Dallas and told him about the exchange and to stop talking about him. (He believes he still has the text.) ██████ is not even sure why Dallas would say these sorts of things about him, especially if he was considered to be a friend.

██████ said it is known around town that Dallas is an adulterer. It is hearsay, but there was supposedly a woman that was telling people she was dating Dallas and someone said how can you possibly be dating him when he's married? The woman said he told her he was separated, but he was not separated and in fact, Dallas was still living with his wife.

Regarding the fluffer comment, ██████ said he's not sure if Dallas had ever introduced him to others that way, but ██████ has definitely been around when Dallas introduced people that way in front of a female. Dallas does the same thing with the Subway comment. Dallas will butt into conversations and just drop the comment. Usually Dallas will say these things around random women, usually tourists or visitors. ██████ recalls one time that Dallas made the Subway comment was at il Fornaio happy hour one Friday night. ██████ remembers because it annoyed him. But ██████ said it happened multiple times.

In October of 2016 at the Athena restaurant (after ██████ had cut Dallas out of his life), ██████ was socializing with a group of friends. Dallas came up to him and said he needed to talk to him. ██████ had ignored him many times before, but Dallas kept on bugging him. So he stepped aside and ██████ politely explained that he has a right to choose who he wants to be friends with. ██████ told him he did not want to associate with him anymore. Dallas made some kind of threat and ██████ turned around and walked back to where his friends were standing. Then Dallas just charged against him, pushing him up against the bar with his stomach and pinned him against the bar. ██████ could not get loose. The bartender came out from behind the bar and pulled Dallas away, told him his behavior was unacceptable and that he had to either leave or sit down. Rather than leave, Dallas just went and sat at a table and stared. ██████ does not recall the bartender's name, but knows he still works there. There were at least four witnesses (██████ friends) and the bartender. ██████ said a number of people told him he should have filed assault charges against Dallas, but he did not.

Incidentally, as a side note, after this incident, this restaurant started having trouble getting permits for live music for a while. ██████ is not sure if it had anything to do with the incident.

In May of 2017, there was an incident at Vesuvio. ██████ was out with his friends and they went upstairs to the rooftop. ██████ had to go to the men's room, which is downstairs. He saw Dallas in the bar area with a couple of other people. ██████ actually hesitated about going to the bathroom, but decided he should not really be afraid. He went into the restroom and opted for the stall with the toilet. Within 30 seconds, Dallas came in and started rambling. Basically, Dallas said he'd given ██████ enough chances to be his friend and he was really going to screw

██████ over and drive him out of town. ██████ just stayed quiet while Dallas ranted and raved. Then it got quiet. ██████ peeped over the door to see if he was still there, but Dallas had left. When ██████ exited the restroom to go back upstairs, Dallas just stared at him. ██████ told his friends what had happened when he returned upstairs.

These threats happened just because ██████ wasn't being Dallas' friend anymore. One of Dallas' closer friends warned him about this happening. Things he said to ██████ were similar to what Dallas had told ██████, the former head of the Chamber of Commerce. Dallas was threatening ██████ with all kinds of stuff. ██████ said the allegations were in the Pine Cone.

In late 2015 or early 2016, at Sadie's bar, ██████ also saw the Mayor go up behind a woman and hug her. He apparently touched her inappropriately and she got pissed off. ██████ saw her reaction. Dallas tried to shrug it off. The girl's friend later asked ██████ how he could be hanging out with "that pig." He's also made inappropriate comments on cleavages, too.

Another time, at the Mission Ranch barn, there was a special event tied to the AT&T tournament. This happened on February 10, 2017. The guy was ██████ and he was a visitor to town from Omaha, Nebraska. ██████ has known ██████ for twelve years or so. He was in the area for business. ██████ was holding his girlfriend ██████ hand and although ██████ did not witness it personally, both ██████ and the girlfriend told him what happened. Apparently, Dallas came up and grabbed ██████ other hand and tried to pull her away, saying that there was someone he wanted to introduce her to – some kind of reporter or producer or something. But ██████ said no; Dallas kept on pulling. ██████ told Dallas to get lost or f-off or whatever and Dallas immediately grabbed ██████ throat. ██████ does not know if he grabbed ██████ with both hands or what. ██████ asked ██████ to call the Investigator about the incident, but he is done with Carmel. The girlfriend and ██████ are no longer seeing each other (██████████). After Dallas grabbed ██████ throat, some of the Mayor's friends stepped in and told him to back off.

██████████ was going to talk to his lawyer and then try to provide the Investigator with the text messages and other items on his phone (Facebook screen shots, etc.). ██████ said he would email the Investigator to set up a time to meet with her on February 7. ██████ has sent a few emails but has yet to provide any text message or confirm a follow-up interview.

## 2. Credibility Analysis

██████████ has a bias against Mr. Dallas. He has stated to ██████ that someone as dangerous as Mr. Dallas should not be Mayor, and ██████ broke off his friendship with Mr. Dallas because he believed Mr. Dallas was spreading false statements about him to a former girlfriend. ██████ also tended to be hyperbolic in his statements. For instance, he said it was known around town that Mr. Dallas was an adulterer and described the altercation at the Mission Ranch in great detail, as if he had been there personally, as opposed to hearing about it from his friend ██████. This reflects ██████ willingness to exaggerate. Further, ██████ stated that they bartender who purportedly witnessed Mr. Dallas push and pin him was afraid to come forward. Therefore, the Investigator will not credit this allegation. The



Investigator has only credited [REDACTED] testimony to the extent it was corroborated by others.

F. [REDACTED]

1. Summary of Key Elements of [REDACTED] Interview

[REDACTED] is a member of the community and lives in [REDACTED]. He has his own [REDACTED] business. He used to be a contract employee for the City.

He met Dallas about six years ago. He currently serves [REDACTED] but met Dallas when [REDACTED]. When he first met Dallas, Dallas was a volunteer driving the shuttles during Concourse for the AT&T Golf Tournament. [REDACTED] believes Dallas was on the City Council at that time. Within the past two or three years, they have slowly become closer friends. [REDACTED] stated that Dallas jokes with him and they harass each other. They have gone out of town a couple of times with a group of guys.

The night of the Film Festival, he told Dallas he was not one for going partying or socializing. Dallas invited him as a composer who they both know composed the score. [REDACTED] said there were about 200-250 people in attendance. Dallas gave [REDACTED] a badge that said "Producer." He did not know anything about what that meant. They started wandering around and Dallas introduced him to different people and always stated that he did something different for a living with some sort of exaggeration, like "this is [REDACTED], he used to race Formula One cars." Once he introduced him as working for the city. Another time he introduced him as a producer. [REDACTED] just rolls with Dallas' humor. At the Film Festival, they were in a group with a couple of women and guys and Dallas said do you want to know what [REDACTED] did before he was a producer? He used to be a fluffer. At the time, [REDACTED] did not know what that meant, but at least half of the group started laughing, so he just blew it off. For the rest of the evening, Dallas introduced him as a fluffer to everybody. [REDACTED] did not think anything of it at the time. The next day, he looked it up and could not believe what it was. So any other time Dallas introduces him that way, he now says to Dallas, "I thought we were not going to talk about what I used to do; it helped me to get where I am now." So [REDACTED] just plays along. Dallas has even gone so far as to introduce him to three ladies as being gay. [REDACTED] dishes it back, too, and neither of them takes offense. [REDACTED] tells his wife and she just laughs. When they have gone to parties for the [REDACTED], Dallas will harass [REDACTED] wife or harass [REDACTED] in front of his wife, and they both have fun with it.

With respect to the Film Festival, [REDACTED] does not remember who he met and did not know [REDACTED] and would not recognize her today if he saw her. Dallas called [REDACTED] two or three weeks ago saying that some investigator was going to call him, but could not tell him about what. A mutual friend said Dallas was getting upset about people accusing him of all sorts of things. The mutual friend would not divulge any more information.

[REDACTED] was part of a walking group with Dallas in the mornings. One day it was raining and dark, so Dallas suggested having breakfast at il Fornaio instead. They continued the breakfast tradition on Friday mornings and now there are anywhere from 20-50 people who show up. [REDACTED] is known for getting harassed at the breakfast. He usually gets there a bit late because he

has to drop his daughter off at school. He will get a standing ovation when he walks in, just like, “it’s about time [REDACTED] shows up.” Or if he is really late, they place a photo of a dog sitting in his chair with his name on it. This is all in good fun.

Bobby Richards owned part of the Lamplighter. After their walks, they would sometimes sit by the firepits at the Lamplighter and talk. [REDACTED] noticed Bobby and Dallas being friendly. Through this process, [REDACTED] and Bobby became acquainted. [REDACTED] noticed that some weeks, Dallas and Bobby would not be friendly. [REDACTED] would ask Dallas what was up and he would say they had a disagreement at City Hall. Dallas said it would be nice if Bobby would just open himself up but Bobby has a different direction. Bobby would have differences of opinions with Dallas. They stopped going to Lamplighter after their walks and started going to il Fornaio. Bobby started ignoring [REDACTED] when he would see him or his wife at events, sometimes acting like he didn’t see him.

Then yesterday [January 9], [REDACTED] was at the gym and Bobby was there. Bobby stopped his exercise, walked over to [REDACTED] and asked how he was doing. [REDACTED] said fine. Bobby said he was not here last week as he did not want to be here for the fallout. [REDACTED] asked what he was talking about. [REDACTED] said he does not read the *Pine Cone*, and he does not live inside the bubble of Carmel-by-the-Sea; he lives in [REDACTED]. Bobby stopped talking, told him to have a good time, and turned away.

[REDACTED] said he has never seen Dallas make someone feel uncomfortable. Dallas has made many comments to [REDACTED] and his wife that were sexual. He told F [REDACTED] wife at a charity event, if he [REDACTED] is not giving you enough attention, why don’t we just go out and have dinner ourselves. [REDACTED] wife just brushed it off. He has seen Dallas make people laugh and flirt with people, but never witnessed anyone feeling uncomfortable.

[REDACTED] has no recollection of being present when Dallas mentioned to [REDACTED] that she had something on her blouse.

[REDACTED] never witnessed Dallas ever asking someone about their sex life.

## 2. Credibility Analysis

[REDACTED] is friends with Mr. Dallas and therefore has an interest in supporting Mr. Dallas’ version of events. Nonetheless, [REDACTED] described candidly his interactions with Mr. Dallas, even when they did not place him in a positive light. The Investigator found [REDACTED] credible.

G. [REDACTED]

1. Summary of Key Elements of [REDACTED] Interview

[REDACTED] considers herself a friend of Dallas. She has her own [REDACTED] business. She is [REDACTED] old and loves the Monterey County area.

[REDACTED] from Dallas for less than a year and never found him offensive. Dallas does like to joke.

She met [REDACTED] in May of 2016 as he was good friends with Steve Dallas. She [REDACTED] [REDACTED], she broke up with him ([REDACTED] [REDACTED]). After they broke up, [REDACTED] contacted Dallas and told him not to rent any property to [REDACTED].

[REDACTED] stalked and harassed her and yelled at her to get out of Carmel. If she went to dinner with someone else, he would then “black ball” her. At this time, [REDACTED] started blaming Dallas for not dating her.

Steve Dallas has a big heart and told her to be careful as [REDACTED] is going to hurt you and told her [REDACTED] had dated many other women.

As a result of [REDACTED] conduct, she went to the police around September 24, 2016 and filed a report [REDACTED] [REDACTED] told [REDACTED] to stop following her and that worked.

[REDACTED] observed that [REDACTED] and Dallas were friendly and she did not hear [REDACTED] say negative things about Dallas, except blaming Dallas for them breaking up. A couple of months after they broke up, [REDACTED] hired someone to physically beat up Steve and [REDACTED]. [REDACTED] was another resident of the area whom [REDACTED] hated. [REDACTED] and Steve attended a play at the Barn (Mission Ranch) and that is where the assault took place.

[REDACTED] is a bully and he tries to get into fights with her. His real name is [REDACTED], but he also goes by [REDACTED].

2. Credibility Analysis

[REDACTED] was interviewed by telephone and the Investigator was not able to assess her demeanor. She is friends with Mr. Dallas and therefore has a motive to provide statements that are helpful to him. She did provide a copy of a police report that showed she was concerned about [REDACTED] conduct from September 2016 that corroborated her allegations that [REDACTED] sent her harassing/annoying text messages and that she wanted it to stop. [REDACTED] testimony was only relevant to establish [REDACTED] bias against Mr. Dallas and was credited for this limited purpose.

H. [REDACTED]

1. Summary of Key Elements of [REDACTED] Interview

[REDACTED] wanted to describe how he met [REDACTED]. [REDACTED] stated he had [REDACTED] [REDACTED]. Last year there was a [REDACTED] event. He always walks through the parking lot to watch what's going on and because he is in the process of developing the property. He is waiting for permits from the City. He noticed that there was lots of activity in the parking lot. A lady was standing there and he asked what was going on. He told her that he was not notified of the event. She asked rather aggressively who he was. He told her his name and said he and the owner, [REDACTED], did not know about this event. He asked if she had a permit. She said she did not need to answer him. [REDACTED] called [REDACTED] and he said that [REDACTED] had given her permission and did not know he needed a permit. That was [REDACTED] only contact with [REDACTED]. The only thing he can say is that she was aggressive in the way she approached the whole situation.

[REDACTED] has known the Mayor for many years. He has donated to his campaigns. He knows him to be unfairly misunderstood many times. He does not drink; he does not smoke. He is a local gentleman who grew up here. [REDACTED] knows his mother and he knows him to be a very understanding good person. Many times people get into the field of hatred and that is what is going on and it is unfair.

[REDACTED] has read the news articles. He knows nothing more about the allegations than what he saw there. He did not recognize the picture of [REDACTED] in the paper because it was an older photo but then it clicked who she was.

[REDACTED] was not at the Film Festival opening.

[REDACTED] has dinner with the Mayor and other infrequent events. He is a developer so he sees him in the capacity of being the Mayor. He has a lot more contact with people like the planning department. He does not have comparable relationships with other members of the City Council. He has had lunch with Bobby Richards and donated to his campaign as well.

[REDACTED] spoke with Bobby recently and stated to Bobby that it is a weird situation that's going on [REDACTED]. Bobby said he did not want to talk about it. [REDACTED] has no personal information about what the allegations are, just what he has read in the paper.

The Mayor has not spoken to [REDACTED] about the allegations against him. [REDACTED] has never heard Dallas make sexualized comments. He has never observed Dallas and [REDACTED] having any interactions. [REDACTED] asked the Mayor what is going on and he said it's going through the process and he would rather leave it at that.

[REDACTED] said Dallas has a personality like his own; kind of a "wise acre." He knows Dallas to be a person who cares what happens and is misunderstood at times. He feels that people are getting into a feeding frenzy like the national news right now. Every little thing is interpreted to be much worse than it actually is. Everyone is getting on one team or the other and he feels it is in an unfair direction.

## 2. Credibility Analysis

██████████ is friends with both Mr. Dallas and Mr. Richards. As a result, he has an interest in providing information that is not harmful to either. ██████████ appeared to be very cautious in his answers and wanted to control the information he provided the Investigator. ██████████ wanted to provide his opinion that he found ██████████ to be aggressive in his one interaction with her. The Investigator gave no weight to his opinion. ██████████ was also cagey in his response to questions regarding what information he knew and from whom regarding ██████████ allegation. The best he would do is state that he only knew information from what he read in the paper. Because the Investigator has found that Mr. Richards is not a reliable recollector of events, the Investigator has credited ██████████ statement that he was unaware of the specifics of the allegations against Mr. Dallas.

### I. ██████████

#### 1. Summary of Key Elements of ██████████ Interview

██████████ has a good friend, ██████████, who is like a dad to her. He knows the situation very well and called ██████████ after the ██████████ story came out and told her to report what Dallas did to her. ██████████ will see if ██████████ will talk to the Investigator.

██████████ used to ██████████, ██████████. ██████████ had relocated to downtown Carmel in the middle of 2008. ██████████

██████████. After that, starting in the summer of 2014, she was ██████████ at the local Carmel-by-the-Sea farmers' market. At first, the market was located at the Sunset Center in the parking lot. Then because of a contract between the farmers' market owner, ██████████, and the City, the market was relocated to Mission between Ocean and 6<sup>th</sup> Street. This area made the farmers' market a huge success. The success of the farmers' market upset the merchants and restaurant owners in Carmel-by-the-Sea. Dallas had just been elected to the City Council around this time. He and Carrie Theis (another Councilmember) were appointed to investigate what to do about the farmers' market's success. ██████████ said Dallas used to walk through the farmers' market, checking out everything. ██████████ said he was nosy and bossy.

Ultimately, the City Council decided that if you do not have a shop or a restaurant in the City, you can no longer be a vendor at the farmers' market. When Dallas told this to ██████████, she told him that it was not fair. He said, "Why don't you get your cute, sweet, hot little ass down to the Pine Inn where Southern Lanterns used to be and reopen your shop? Then you can come back." ██████████ told him that it was because of people like him that she shut down her shop. ██████████ said she was going to move the farmers' market out to Carmel Valley where she lives. Dallas looked at her and got a really nasty look on his face and said, "Go ahead and try." ██████████ asked him if that was a threat, and she said he has nothing to say about what goes on in Carmel Valley. He said, "Well, we'll see about that."

██████████ had just taken a head job at Rocky Point and a passing conversation with some of the farmers' market vendors that maybe they could do something out at Rocky Point. It

was just a thought, but Dallas caught wind of it and called [REDACTED], the owner of Rocky Point and made a big stink about it. [REDACTED] ended up leaving Rocky Point.

[REDACTED] left Carmel-by-the-Sea and actually opened the farmers' market in Carmel Valley within a month. It's still open every Sunday and it is very successful. [REDACTED] was trying to work with the school district to open up a farmers' market in Carmel-by-the-Sea on Sundays at the high school just outside the City limits. [REDACTED] thinks that Dallas was complaining to the school district about that because now they hired a new marketing manager. [REDACTED] was subpoenaed for the lawsuit by the banker who had paid for a year-long permit when the vendors that did not have a shop or restaurant in the City got kicked out. If [REDACTED] would have known at the time, all of the vendors could have sued the City and probably won.

[REDACTED] said Dallas has always been kind of flirty, and she does not know him well enough for him to be talking to her that way. She could not believe it when she found out he had a wife. She said he is creepy and slimy and the way he looks at her, she feels like she's being undressed right in front of someone. He does not like being challenged; his demeanor totally changes.

[REDACTED] was going to reach out to her friend, [REDACTED], and also to [REDACTED] to see if they would call the Investigator.

## 2. Credibility Analysis

[REDACTED] was very forceful in her testimony and recollection. She harbors resentment towards Mr. Dallas based on the farmer's market decision. She also does not like Mr. Dallas' style of communication. [REDACTED] did not want the Investigator to reveal her name for fear of retribution. Therefore, the Investigator must mitigate the credibility of her statements as remaining anonymous does not allow Mr. Dallas the opportunity to meaningfully respond to the allegation. As discussed in more detail below, [REDACTED] response to the alleged statement focused on the decision and not the response she would have provided had Mr. Dallas made the statement in a sexual nature. The Investigator has credited her recollection of events, but also finds that the comments were not sexual in nature or intended to send a sexual message.

### J. [REDACTED]

#### 1. Summary of Key Elements of [REDACTED] Interview

[REDACTED] moved to Carmel-by-the-Sea 20 years ago. Fifteen of those twenty, she lived in Mid-Valley and the last five years she has lived in town. [REDACTED]

[REDACTED] She works with high end clients, very high end projects. She has lots of relationships with reputable architects, builders, designers, etc. She met Bobby when he was remodeling his home. They have been dating for about two years now. [REDACTED]

[REDACTED]. She lives at home by herself.

The first time she met Dallas was before she was dating Bobby. She was at the Mission Ranch with her family while they were visiting. Dallas approached her and her family, gave out his card and told them he was running for Mayor. [REDACTED] first impression was that he came across

as very inappropriate; nothing specific but like he did not have a lot of class. It was a superficial interaction. [REDACTED] does remember Dallas introducing her cousin to his friend [REDACTED] as being a single guy because her cousin is single and saying that they should connect. She thought it was funny that a potential Mayor would say something like that to someone he did not know.

She and Bobby were friends and had casual hangouts, but nothing official. There were a couple of campaigning events that she and Bobby attended while they were dating. Sometimes Dallas would talk about city issues while they went out for pizza. Dallas and Bobby both had strong opinions about certain things and Dallas was trying to convince Bobby that his position was right.

At a Fourth of July event in the park in 2016, there was a lot of debate going on between Steve and Bobby about Concours d'Elegance, a big car event that comes every August. They both had their arguments and it was a point of contention between them. They were both very passionate about their stances. Bobby was upset about it and tried to steer away from Dallas. Dallas approached [REDACTED] and said, "Would you please talk to your boyfriend and give him a blow job so that you can get him to vote my way?" At the time, she was shocked, like "whoa, did he just say that?" She just laughed it off because there were a lot of people around, loud music, and because she did not know how to deal with it. She told Bobby about it on the walk home, and he said he could not believe it. But they did not report it. She did not want to make it a big deal. She was not used to being around politicians. She did not want to make Bobby look bad or bring any attention to the issue.

As time went on there were more incidents. She heard stories, but one time she witnessed an incident while she and Bobby were sitting at Vesuvio about six or seven months ago. A woman walked in with a dog and she was wearing a skin-tight white outfit. Dallas followed her in and came over to Bobby and [REDACTED] and said, "You know, those are real; those aren't fake." Then Dallas went over to her and introduced himself to her and then introduced the woman to them. She reported that she tried to go to Casanova to dinner but the owners would not let her in with her dog. She went off on her own way and Dallas repeated, "Yeah they're for sure real." He was talking about her breasts.

[REDACTED] said Dallas has touched her inappropriately while Bobby, her, Bobby's two sister were dining at Christopher's restaurant on Lincoln. This was in June of 2017. [REDACTED] had her back to the center of the restaurant and she was wearing a sleeveless tank top. They saw Dallas walk in. He was not dining there. He just makes rounds through town sometimes. It was awkward because they felt like now they had to address him. He came up behind [REDACTED] and put his hands up and down her arms like he was rubbing her arms. And he said, "Oh, you're creamy" She thought that was gross. When people use the term creamy, it has a sexual tone to it, so that bothered her. She knew it bothered Bobby, too, but it was like they were in shock. It is so wrong that you do not even do anything. She wishes she would have stood up and told him not to touch her and to leave. But she did not want to create a scene. She and Bobby talked about it and she told him how creepy it made her feel.

She has not witnessed any other conduct of a sexualized nature by Dallas.



She has heard stories but everyone is so afraid about their name getting out because the town is so small and your reputation can be killed in one day. Plus someone as powerful as the Mayor saying something bad about you, even if it is false, can cripple your business, or get you fired.

██████ ex-husband told her that there was an incident a couple of months ago where he and his friend from out of town were at Barmel. ██████ ex and Dallas are acquaintances because ██████. Dallas came into Barmel and asked what the two of them were up to for the night. They said we don't have plans; we're just staying here and having fun. Dallas called a woman on his phone while standing in front of them and said, "Watch, these women will be here in ten minutes." And sure enough, two Russian young women showed up at Barmel. Dallas introduced them to her ex and his friend and said, "There you go. There's your fun for the night." The girls were clearly prostitutes. It was extremely uncomfortable for her ex and his friend because they were not interested. They had to dismiss the girls. The guest thought that was really bizarre to have the Mayor do something like that. They laughed it off and thought it was strange.

██████ is afraid of having any more contention with her ex and therefore refused the Investigator's request for his contact information.

Another incident within the last year involved a woman that works at a hotel. She's beautiful and in her thirties. She was told by Dallas that she has a nice butt, a sexy butt, or some comment about her rear. ██████ did not witness this, but heard about it.

Other than that, she just has heard from different people that he is out with women a lot late at night. Different women. Like a womanizer, more than having affairs. ██████ said his wife is a wonderful lady but they are rarely seen together.

Bobby told ██████ later that in closed session, some issues came up about the Mayor and he felt that he needed to let them know about ██████ experiences. Her initial reaction was "oh no." She knows that Dallas can be very vindictive. Anyone that goes against him is in trouble because he has a very powerful mom. He has a lot of influence on business owners. He talks to a lot of people, etc. Bobby also told Maxine in Human Resources, and ██████ is not sure which one happened first. Bobby assured her that it was all in confidence. She is not upset that Bobby shared it; it was probably the right thing to do. But she does fear what Dallas will do when he found out.

On Christmas Day, ██████ was with her kids and her family. Bobby was having coffee with ██████ and they went for a walk. Bobby told her that ██████ said to Bobby, "What's this that Steve said to ██████ about a blow job?" Bobby was totally caught off guard. ██████ knew the whole story. ██████ and Steve are friends, so she believes there was a breach of confidentiality. ██████ wanted to talk to Glen, Chip and Maxine to see how this got out. She has not heard anything. She said Bobby may have said that ██████ said he heard it from Steve.

She has not heard that anyone else knows about her allegations. She has not spoken to ██████ directly about it. She absolutely said there is no politically motivated effort by Bobby to do this to the Mayor. ██████ said no one has put her up to this. She said she thinks Dallas does a



wonderful job at some things. He has a great command; she just wishes he took that professional behavior with him at all times.

## 2. Credibility Analysis

██████████ was a reluctant witness. She does not like Mr. Dallas and her boyfriend, Councilman Richards, does not like Dallas either. They both describe that Mr. Dallas as not likeable based on his personality and how he conducts himself - brash, loud, and unprofessional.

K. ██████████

### 1. Summary of Key Elements of ██████████ Interview

██████████ attorney ██████████ was present.

██████████ family manages commercial property in Carmel-by-the-Sea. ██████████

██████████. One of their tenants was involved in one of the accusations against Dallas. ██████████ lives in Carmel Valley but his business is in Carmel.

██████████ does not know ██████████ to his knowledge. He has never had any observations where the Mayor and ██████████ were in the same room.

He has known Dallas since he was on City Council as an acquaintance. He did not support his candidacy as Mayor. But as the Mayor, Dallas is very open so he's gotten to know him a lot more because of the interaction with some land use that concerns one of ██████████ tenants. This tenant is ██████████ who ██████████.

As some background, there were some alleged instances where the landlord felt there had been some default in the ██████████ lease. A couple of default notices had been sent. A final default was about to be sent and the ██████████ brought a preventative action against ██████████ client to stop the process. They brought a breach of contract and a slander action. This has been going on about two years and they have reached a settlement but it has not been documented yet. They are in a vulnerable time right now.

There was a City Council meeting in March 2017 when a decision was made that ██████████. Part of it would be counter service and part of it would be sit-down. The City was coming up with a description of how this was to be enforced. The ██████████ had until November 10, 2017 to come into compliance.

There was a subsequent meeting between Dallas, ██████████ after the City Council meeting ██████████ had been inquiring to Dallas about the usage and the details. Dallas came by the restaurant and said to put menus on the table, and maybe a sign that says seating area only. At that point, Dallas was going to continue the meeting with the ██████████. He asked ██████████ if he wanted to be present and ██████████ said only if you need me.

██████████ office is nearby so he could hear nearly everything. Dallas never raised his voice, berated them or became aggressive. ██████████ thought he was very professional. He said Dallas was trying to assist them in understanding the transition. There were raised voices on the ██████████ end. There was concern about the counter service. They were getting upset saying they were not going to comply. Dallas said then the City would be forced to take action, and issue some type of red tag. One would go to the landlord ██████████ and one to the tenant. The ██████████ were acting like juveniles. They said they had a lawyer and wanted to work with ██████████ who is an ██████████. ██████████ said that Dallas was trying to ruin them or destroy them. Dallas was saying, no, the City was trying to work with them. Ultimately, Dallas and ██████████ left with hugs and handshakes, agreeing that ██████████ had a land use attorney that was going to look at options.

## **2. Credibility Analysis**

As the subject matter of ██████████ testimony is immaterial to the investigation, the Investigator has made no credibility findings.

### **L. Bobby Richards**

#### **1. Summary of Key Elements of Mr. Richards' Interview**

Richards has been on the City Council since April 2016. He is in the hotel business. He has a bachelor's degree in practical or professional ethics. He is involved in a lot of the City boards and the tourism industry. He has property that he rents out in town. He has known Dallas about three years; they met during the election process, only in a professional setting. Dallas encouraged Richards to run for Council.

Around August of 2016, Bobby decided it was not a good idea to hang around with Dallas because of the way Dallas acts. Dallas wants Bobby to be his Facebook friend, but Bobby does not want to do so. Bobby teaches driver's training, and is alone with 15 ½ year old girls (and boys) and feels he cannot risk Dallas saying something inappropriate in front of one of his student's moms.

Examples of Dallas' behavior included introducing Richards to a group of people, and Dallas would say, "Hey ladies, Bobby likes pretty girls." Or that Bobby "only dates cheerleaders." Richards said it put him out of his comfort zone constantly. He cringed at Dallas' crude remarks. Bobby decided to distance himself from Dallas. Bobby also recalled an instance where Dallas said, "Hey, we could get those girls to give us a blow job under the dais." Bobby is not a prude, but he does not like the locker room talk. Richards says Dallas touches everybody, including him.

One night in September of 2017, Richards was at dinner with his family, one of whom was his sister who had just lost her husband. Dallas came into the restaurant and made a big to-do. He came over and Bobby's ██████████ was wearing a sleeveless dress and Dallas started rubbing her shoulders while he was talking. Then he says, "You're so creamy. Did you put lotion on?" and then Dallas took his hands and wiped them on his face. Richards found that inappropriate, especially at a serious dinner. Richards was debating whether to stand up and tell

him to back off, but said he did not want to cause a scene in the restaurant. He feels emasculated when Dallas is around. ██████ told Dallas to stop. Richards mentioned the incident to the City Administrator. He does not remember telling the City Attorney about the incident.

When Richards came home and told ██████ that the Mayor was in trouble ██████ said, "Oh, like the time he told me to give you a blow job so you would change your vote?" Richards said that was disgusting. What if Dallas would have said that sort of thing to the husband of one of the Councilwomen? Richards did not recall ██████ telling him about that at the time it happened until she reminded him; he had just chalked it up to Dallas' typical behavior.

Richards did tell Glen about what ██████ had told him. Richards saw ██████ out on a walk on Christmas morning of 2017, and ██████ (one of the Mayor's biggest supporters) said to Richards ██████ are "out to get Dallas." ██████ said he had heard that ██████ made a complaint against Dallas. Richards changed the subject immediately, and did not go into any details. Richards had only told Maxine, Chip and Glen (at separate times) about ██████, but not in closed session. Richards is not sure who told the Mayor about ██████.

Other than his own observations, Richards found out about the issue with respect to the Mayor's conduct towards women when ██████ called him around the end of November or beginning of December of 2017. Richards has known ██████ through the town for a couple of years. ██████ just called to let him know she was going to lodge a complaint against Dallas. She did not go into details, but stated she had told Maxine about it.

Councilwomen Carolyn Hardy and Carrie Theis have both counseled Dallas about his behavior, i.e., don't be seen out so much, etc. Even Glen told Dallas not to go to every party during car week. It is his understanding that Dallas was kicked out of the EG conference.

Richards never observed Dallas engage in any concerning behavior toward ██████. His interactions with the two of them together were very limited. He did not hear Dallas comment to ██████ about a "booty call."

Richards says everyone in town is afraid to come forward for fear of retribution. People will comment on blogs, etc., but no one that has commented is anyone that Richards knows personally.

## **Second Interview, February 7, 2018**

Richards stated he just learned that there was an investigation about the Mayor last summer (June or July of 2017) where someone made a complaint. The City Attorney was Don Freeman. Chip and Maxine turned it over and nobody knows what happened after that. Richards said this is all a rumor – he thinks it had something to do with inappropriate behavior with a girl at a bar. Chip, the administrator cannot remember what happened.

Richards met a photographer on the beach who was the photographer at the EG Conference, He talked more about Dallas being asked to leave the EG Conference because of an inappropriate

incident. The photographer is friends with the person that puts on the conference. The photographer's name is [REDACTED]. Richards said he is not sure if it is all rumor or true. He does not know who puts on the conference, or who made the order for the mayor never to come back. Richards will reach out to [REDACTED] to see if he will speak with the Investigator.

## 2. Credibility Analysis

Mr. Richards did not have any recollection of being told Mr. Dallas to “stop” any behavior towards [REDACTED] and had no recollection [REDACTED] about the “blow job” comment at the time it was supposedly made. This lack of recollection shows that Mr. Richards is either a poor recollector of events, or reflects that Mr. Richards cannot admit to any conduct that would place him in a bad light, e.g., that he observed behavior against women and took no action. Further, Mr. Richards directly contradicted what he told [REDACTED] about his Christmas 2017 discussion with [REDACTED]. [REDACTED] stated that Mr. Richards [REDACTED] mentioned the “blow job” allegation. Mr. Richards stated that [REDACTED] asked him why [REDACTED] were out to get the Mayor and there was no specific discussion of the allegations. Further, Mr. Richards appears to harbor animus towards the Mayor as he repeats allegations he heard from others—the EG Conference—and chose to end his social contact with Mr. Dallas in August 2016. Based on the totality of the circumstances, the Investigator has not credited Mr. Richards’ independent observations and only credited his testimony if corroborated by others.

M. [REDACTED]

### 1. Summary of Key Elements of [REDACTED] Interview<sup>1</sup>

[REDACTED] and attended a city of Carmel event in 2016 at Del Mar Ave. to preview types of propane fire devices displayed on the sand that could be used in the propane-only pilot program. The event was organized by Public Works and the purpose was for citizens to gather and converse about the program.

It was during the 2016 campaign for mayor, and Dallas had publicly said that if he won, he would overturn the propane-only pilot program—as approved by the Coastal Commissioners in December 2015 at their Monterey meeting. The commissioners said that smoke was unhealthy and prevented access to people who cannot tolerate smoke. At that meeting, many citizens from Carmel spoke before the commissioners for a propane-only program. During the campaign, Dallas said he would restart having wood-burning fires again at the beach.

As people mingled at the event, she noticed that Dallas was to her right, so she walked a few feet closer, standing to his left side. He was standing by himself looking down at a propane device. She had never spoken to Dallas or met him before, but she knew he was a city council member. She asked him, “When are you going to be for all-propane?” He ignored her by not replying and not making eye contact, and continued to look down. She thought maybe he didn’t hear, so she repeated the question, but he continued to look down without making eye contact. I thought it was odd, but said, “You know, the ones without the smoke.” He rudely said, sounding mad at her, “It’s not about the smoke” —still not looking to acknowledge her.

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<sup>1</sup> [REDACTED] also submitted a written statement and sent several emails to the Investigator.

She decided to walk away from him because his behavior was odd and rude, and people were there to have normal conversation about the propane pilot program.

She walked up the slight slope about 15 feet when she was shocked to hear Dallas yelling angrily at her for anyone to hear, "You're just going to walk away without letting me answer your question?" She was spooked and kept walking, wondering if people were looking at her or what else he would yell out. At the time she felt embarrassed, shocked, and a bit afraid of him harassing her. It was not normal or reasonable. Later she thought, "he's a harasser." He set me up, targeted me and yelled angrily the lie that she would not let him answer her question, in order to intimidate her and embarrass her in public. She decided that she should stay away and not speak to Dallas again, and has never approached him.

It later became clear to her that Dallas harasses and threatens people who are against wood-burning simply for their own personal opinion and right to speak out. Many people care about the fact that smoke can be harmful to one's health and prevent access to the beach. He harasses people to scare them, quiet them, and help make public policy go his way.

He easily knows who people are who have personal and individual viewpoints against wood-burning fires when they express their opinions before him at City Council meetings.

Since he was elected mayor, Dallas has over-turned the all-propane pilot programs.

However, there was still opportunity to legally appeal the new wood-burning program to the California Coastal Commission within a deadline time frame. The appeal document by appellant Richard Flower, who passed away in 2017, also included contributions from various sources. He said he was afraid he could lose his job and not to attribute his name to his information. It was known by people that the mayor had told him to stop talking about wood-burning fires. Dallas had influence in personnel matters and could try to fire him, as he had implied to the person by threatening him to keep quiet.

Any number of people would have signed with Richard Flower but for their feeling of vulnerability and not wanting to deal with Dallas, including myself.

Richard Flower, the appellant, lacked standing as stated by the Coastal Commission staff (he had not voiced his position in letters or to the councilors previous to his appeal), so wood fires continue today. Therefore, people continue to speak before city council about not wanting smoke, and the wood burning pilot program must still be approved by the Coastal Commissioners in a couple of years or less.

She went to a city council meeting in October 2016 and sat next to a friend. Their intention was to speak before the City Council against the wood-burning fires on the beach and record their comments, because it is ultimately important to let the Coastal Commission see that we are still aligned with their vote for all-propane at the Monterey meeting in December 2015. There is still a chance that they might vote for no wood burning.

The person sitting next to her looked paralyzed with fear. The person begged them not to speak against wood fires or "You will be met with such retribution and vitriol and more.... by him."

The person repeated to us not to speak. We could see that this normally composed person was afraid, and wanted to protect us. We did not even ask why but knew something must have happened for the person to be so fearful. We assured the person we would not speak. The person was truly afraid. So whatever happened, it affected her friend and [REDACTED] from speaking too.

It was learned later that Dallas had angrily threatened and scared the person. He said to stop speaking against wood fires or he would do certain harmful things. He would destroy an organization and spread lies of a sexual nature. There was a witness to the phone call and the threats affected that person as well. There might have been a police report against Dallas, but she does not know.

It is important to protect people's names because the reality is, these people, although all strong and great citizens of the Monterey community, are still under threat. That's what threat is: It hangs around like a dark cloud even if you decide to be high-minded and ignore it.

At a different council meeting, Dallas stared at her with a malicious look for about 6 seconds before the meeting began. He was in a different seat to the right and councilors were still walking around before taking their regular places. She looked away to a person next to her, but looked forward to the dais again and he was still staring. She looked away again and when she looked forward again the councilors were taking their regular seats to start the meeting. The staring was for about six to seven seconds at most. Of course, she was uncomfortable. (Even if he'd been smiling, it would have been out of place—not normal.) He targets people.

When Dallas first became mayor, she was speaking with someone at CVAC (Carmel Valley Athletic Club) about that news development. Immediately this man told her that he thought Dallas is a sociopath. He asked her if she had read about his issue with him in the papers awhile back. She had not. He said he rented a house from him, and Dallas harassed him by just showing up without 24-hour notice or reason. He said one time he arrived home, and saw Dallas on top of the roof. He could not believe it and asked him what he was doing. Dallas said he might hose off the roof or something. The person said he looked odd, and "I think something really must be wrong with him." The person had called the police one or more times, but the person decided to move and bought his own home.

## 2. Credibility Analysis

The investigator made no credibility analysis regarding [REDACTED] as her testimony was immaterial to the investigation.

N. [REDACTED]

1. Summary of Key Elements of [REDACTED] Interview

[REDACTED] has been in Carmel-by-the-Sea since 1978. [REDACTED]. He has been very political, way more so since Dallas has been Mayor. [REDACTED], which consists of former Mayors, City Council members, business people, restaurateurs, and most of the time the Chief of Police. Most recently, the group has been focusing on the parking situation. [REDACTED] is also one of [REDACTED]. [REDACTED]. [REDACTED]

[REDACTED] has known the Mayor for seven to eight years, both business and socially.

[REDACTED] does not know [REDACTED] very well. He has had limited contact with her through [REDACTED]. He is not sure he would recognize her if he saw her. He only knows hearsay stuff about the allegations she made about the Mayor.

[REDACTED] does know [REDACTED] and said that at one time [REDACTED] mentioned something about the fluffer incident that had happened in front of [REDACTED] with the Mayor, but then all of a sudden said he could not talk about it anymore. [REDACTED] said the joke was directed towards him.

[REDACTED] said Dallas is very outspoken and is very demonstrative. Dallas' family owns property. [REDACTED] has witnessed Dallas reprimanding other guys' behavior with women at restaurants; he's actually shut it down multiple times. [REDACTED] has never seen Dallas grope anyone or heard him speak about specific body parts or anything. [REDACTED] has never seen him manhandle any person, man or woman. He has never seen him drink.

[REDACTED] has gone against the Mayor on certain projects before the City Council. Several people have agendas to bring the Mayor down. [REDACTED], who sits [REDACTED], was unhappy that Dallas turned down the approval of [REDACTED]. [REDACTED] very well. He has heard there is a connection between [REDACTED] and [REDACTED]. The timing of the approval/denial and [REDACTED] claim occurred around the same time. One of the reasons Dallas got elected was because of his personality. [REDACTED] describes him as very demonstrative, outspoken, and opinionated. Dallas promotes communication, unlike [REDACTED] who was respectfully a tyrant for the 12 years she was in office. Even if Dallas does not agree with things, he promotes communication. [REDACTED] is aware that there is conflict between Richards and Dallas.

[REDACTED] has no information about the Mayor making sexually inappropriate comments to women.

2. Credibility Analysis

The investigator made no credibility analysis regarding [REDACTED] as his testimony was immaterial to the investigation.



O. [REDACTED]

1. Summary of Key Elements of [REDACTED] Interview

[REDACTED] was present for the interview. He is an attorney, but is not acting as her attorney, but rather he was there to support to support her as a friend.

If the media contacts [REDACTED], the Investigator requested that she tell them she has no further comments. The fact that she has met with the Investigator is not confidential, so she can say the matter is under investigation.

[REDACTED] is concerned and afraid of retribution because the City Attorney was a main campaigner for Dallas and hence is concerned about the legitimacy of the process. The Investigator informed them that the City Attorney will not influence the outcome of the investigation.

[REDACTED] . [REDACTED]  
[REDACTED]  
[REDACTED] She fell in love with the area and moved out here in the late 80s.  
[REDACTED]  
[REDACTED]  
[REDACTED]

In [REDACTED], she took the job with the [REDACTED] ("Association"). [REDACTED]. Her role with the Association is to promote the value [REDACTED]

[REDACTED] . [REDACTED]  
[REDACTED] She is not a partier. [REDACTED] has never seen her drunk and [REDACTED] wife is one of her best friends. She does consume the product, but does not over-consume.

She recalls meeting Dallas after he was elected to the City Council in 2014. [REDACTED]  
[REDACTED] [REDACTED] is in its fourth year and is one of the Association's top events. [REDACTED] and [REDACTED] works with the City Council to coordinate permit approval. [REDACTED] says Dallas has become more of a bully since he has become Mayor. She recalls one celebration where Dallas said something sexual to her, and Bobby Richards said to Dallas, "Stop talking to her that way."

[REDACTED] and Dallas have more regular contact at public events, and she sees him about once a month. There are about ten events a year, though, so there may be more contact with him during "event season." Whenever she interacts with him on City business, the interaction has been fine.

Dallas asks for tickets, wine, and this year he seemed to get savvier about the requests. For instance, he asked for ten tickets so that the U.S. Marshalls could attend [REDACTED]  
[REDACTED] [REDACTED] gives him whatever he wants. [REDACTED]  
[REDACTED]



████ mentioned that the Form 700s show zero for gifts, which is wrong. He should be properly reporting the gifts he is given.

████ would not consider Dallas a friend. She would never call him or hang out with him. They have never had dinner together, a beer, nothing. She called him a “slime” because of the way he makes her feel.

On November 6, 2017 at the Folktale Wineries Chef Duel, Dallas came up to her at the entrance and says very loudly, like he’s yelling, “You’re going to have to put up big cement blockades on your event this year. City Council is going to vote on this tomorrow night.” He was standing over her when he said this. She had a witness with her who could not believe how he was treating her. He was not talking to her; he was yelling at her. She just walked away from him and went inside. She was sitting with three other people: her girlfriend and two guys that work for Folktale. Dallas then came up again and got really close and towered over her. She finally said, “If you want to talk to me, you need to be nicer.” He fizzled out and walked away.

A couple of years earlier as she was setting up for the ██████████, there were five people with her and Dallas drove up in his white pickup and said, ██████████, you better get this shit together.” Part of the problem is that Dallas can be an asshole versus being sexual. ██████████ both have witnessed Dallas treating her poorly. They see the way he looks at her in a sexual way. Neither of them can stand him.

At one point about three years ago, ██████████ dated a guy in Carmel for a couple of weeks. Dallas got wind of it. It had already been over and she decided she would never date anyone from Carmel again. Dallas would say, “So you coming to Carmel on a booty call?” He would say those things when he saw her at events. He asked her about her sex life numerous times before. He also looks her up and down regularly at events, like leering at her. He thinks he’s hot or something. ██████████ says he looks so ridiculous. He has never touched her. She thinks he sometimes drinks, but she cannot say that she’s ever seen him drunk. He is a larger man and she has never heard him slur his words. She has seen him touch other women regularly at events. He will go up to women and put his arm around them, usually around their waist.

His regular pattern of behavior with ██████████ started about three years ago. She recalls being in a circle with him. Bobby Richards was there and somebody else, too. Dallas started talking about ██████████ going on a booty call in Carmel. Bobby turned to him and told him to stop talking to her that way. Dallas ignored Bobby but stopped talking. He still asks her about her sex life. Her reaction is either “stop” or “that’s enough,” or she won’t say anything. ██████████ is very tough but does not want to piss Dallas off. He is powerful in the City. He is known for threatening and retribution. ██████████ was trying to set up a business right now, she would not have come forward with her allegations.

She is concerned about the City declining her application for her annual ██████████ in May. ██████████ honestly does not think Dallas is a bad person; he is just wounded from his childhood. He thinks he is just joking around. Asking someone about their sex life or if they are on a booty call is completely inappropriate. She said she has never asked him to introduce her to

somebody. She would never take his recommendation. █████ sets boundaries with other men, but because Dallas has power over her, she has put up with more of his shit.

Regarding the fluffer incident, it occurred on October 19 at the Film Festival. █████ reception for the Carmel Film Festival. After the reception, everyone went into the movie over at the Sunset Center. She does not recall seeing him at the reception. After the movie, she ended up in a group of people with him. He looked at her breast area and said “you have something on your chest. I would wipe it off but I can’t do that,” or something snide like that. He gave her a head bobble, while leering at her chest. Then, he introduced her to his friend and to make conversation, she asked this friend what he does. Dallas interjected and said, “Oh, he’s a fluffer.” Or like, “He’s Harvey Weinstein’s fluffer.” Then Dallas turned to a guy █████ was with █████ and told █████ to tell █████ what a fluffer is. █████ was in another conversation, but he told her what a fluffer was right then and there. █████ realized then how inappropriate the comment was.

Later that same night, there were receptions afterwards and she ended up at the Forage in the Forest. She again ended up in a group next to Dallas. He turned to her and creepily said, “How’s your sex life?” She just shook her head in exasperation. █████ witnessed him asking her this question.

Bobby Richards has witnessed comments where Bobby has told Dallas to stop. She honestly never considered reporting this behavior; she thought it was just the cost of doing business. But several things happened within a couple-week period, and the #MeToo movement has made her realize that she does not have to put up with it.

Ultimately, █████ told her Board what had happened and they approved that she should file a complaint. █████ called Chip, the City Administrator, and shared the information. He was super apologetic and told █████ she had to talk to Human Resources. Maxine called █████ the next day and arranged a call for December 1st. She had that call and shared the same information. Maxine said she was going to need to contact the City Attorney. Then the City Attorney actually called the same day. █████ feels that the City was very responsive and apologetic. December 8, she met with the City Attorney. The City Attorney asked her why the Mayor might act this way. She said it does not matter, because it doesn’t excuse his behavior. If he has mental health issues or something, it still does not excuse behavior.

The City Attorney told her he was going to do three things: 1) Talk to the Mayor and reveal who she is; 2) he was going to have an executive coach for the mayor; and 3) he was going to provide sexual harassment training to the City Council. He promised █████ a letter, but she never received one. Then he actually denied it. He said he never said he would provide a coach. █████ called the City Attorney (witness to the fluffer comment) and told him what happened to attest to the fluffer incident.

On December 12, █████ received a call from the City Attorney who informed her that we need to make the complaint public. He never asked her if this was acceptable. He said they were hiring an independent investigator because they wanted this all to be transparent. Dallas apparently did not deny anything that █████ had reported, but he just nuanced it, saying he was just joking.

Thereafter, there was a closed City Council session and someone leaked that [REDACTED] name was on the closed session sheet. [REDACTED] called [REDACTED] a couple of hours before the closed session was to take place. [REDACTED] decided she was just going to tell her truth. That is all she has been doing. [REDACTED] says she has 32 other complaints. One woman said he grabbed her butt, but her boyfriend has business in Carmel so he does not want her to go forward. [REDACTED] said she will reach out to the rest of them and ask them to contact the Investigator to see if they are willing to come forward.

[REDACTED] would like the mayor to resign, but if he is staying in the position, she wants him to recuse himself from any inkling of retribution or [REDACTED] or other businesses. She has not seen Dallas since her conversation with Mozingo. [REDACTED] require permits from the City and Dallas has to vote for it.

Everyone is petrified of going to the City. [REDACTED] referenced the Jane Doe incident (hands down the pants). She sent an email to the City Council, Mozingo, the Human Resources Director, Chief of Police and the media (everyone except Dallas) asking to put a system together for reporting the incidents.

### **Second Interview, January 26, 2018**

[REDACTED] was not present for this interview.

[REDACTED] denies ever asking Dallas to introduce her to someone to date. Dallas does not ask her about her “love life.” He clearly says “sex life.” [REDACTED] says she cannot recall every time, but knows that the most recent time he asked about her sex life, he leered at her breasts.

[REDACTED] love interest in Carmel (that generated Dallas’ “booty call” comments) was [REDACTED]. She dated him for a short time. [REDACTED] was embarrassed about having dated [REDACTED]. [REDACTED] says that Dallas twists things around.

A member of the Rotary recently shared a story about the Mayor. The Rotarian was at the Super Cuts and another man getting his hair cut was sexually harassing the hairdresser in front of everyone. The Rotarian said the man mentioned that he does really well in commercial real estate in Monterey. At the end of his haircut, the man asked for a coupon or a discount. He said, “Doesn’t the Mayor of Carmel get a discount?” This Rotarian was appalled by the Mayor’s conduct.

Regarding the comment on [REDACTED] blouse, it was not the actual comment that she took issue with, it was how he said it, how he looked at her.

[REDACTED] said if he was sincerely trying to have a conversation about her dating someone, a normal person would have a real conversation about it. Not ask about her sex life or if she was on a booty call. She and Dallas are not close enough friends to even consider having talks like that.

[REDACTED] has never seen Dallas hug a man.

█████ gave █████ the Investigator's contact information. █████ said █████ and Dallas used to hang out and that she perceived both of them as "players," as in they go out at night to party. That is their commonality. She recalls that recently they are no longer friends. █████ does not see any political agenda with █████ against the Mayor. █████ trusts █████ more than the Mayor.

█████ loves this town. █████ believes that someone as dangerous as the Mayor should not be in control. █████ did talk to █████ after she called Chip; not that same day, but later after the whole issue escalated more than she expected because she knew he was aware of other incidents. This was her first contact with █████ since their breakup.

█████ has known Bobby Richards about the same length of time as she has known Mayor Dallas. She would see Bobby and his wife at events and media dinners. █████ would never invite the mayor to a media dinner. When Bobby told Dallas to stop talking to █████ like that (about the booty call comment), Dallas was on the City Council. The last time the Mayor said anything to █████ about booty call was after this; perhaps a couple of years ago.

Before she made public statements about the complaint, █████ did call Bobby because he had witnessed an incident. Bobby was a blank slate and just told her thanks for telling him. She did not call any women or other Councilmembers because they had not witnessed any of Dallas' behavior. She does not know either of the women on the Council very well. █████ would not consider Bobby a personal friend; she has his cell number but he does not have hers so he never knows who she is when she calls. She does not call him regularly.

Since the last meeting with the Investigator, █████ has reached out to all of the other witnesses and given them the Investigator's contact information. She has not contacted any other political officials, other than the Council of Mayors. She had a conversation with the Interim City Manager of Monterey and he told her to trust the process. She also spoke to the civil rights person for the County after speaking to the Investigator. Before the first meeting, she also spoke with █████. █████ told █████ not to trust Mazingo as he is protecting the Mayor.

█████ hopes that the truth comes out and that she is not being used as a pawn. She feels Mazingo should be recusing himself because he supported Dallas and this could be a conflict of interest.

## 2. Credibility Analysis

█████ voluntarily appeared for two interviews with the Investigator. She was energetic and chuckled throughout her interviews. There were times when her demeanor did not match the nature of the information she was providing. █████ clearly was indignant and angry in describing her experiences with Mr. Dallas. █████ conduct in affirmatively contacting █████ — an individual she was embarrassed to have dated — contradicts her statements that she wanted to keep the complaint confidential and did not want to hurt Mr. Dallas' family. █████ stated that she initiated contact with █████ because he knew of other instances where Mr. Dallas had acted inappropriately. This explanation is inconsistent with an intent to protect Mr. Dallas' family, especially given █████ animus towards Mr. Dallas.

This inconsistency has impacted the Investigator's assessment of [REDACTED] credibility. [REDACTED] had informed her friend [REDACTED], about her poor opinion of Mr. Dallas, so the Investigator finds [REDACTED] credible regarding her sentiments about her previous interactions with Mr. Dallas.

P. [REDACTED]

1. Summary of Key Elements of [REDACTED] Interview

[REDACTED] is worried about business-related retaliation by the Mayor or his office. [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]. Then he left and became [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] would be at the [REDACTED], [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] He has interactions with officials from the City of Carmel.

[REDACTED]n got to know [REDACTED] very well because she's [REDACTED]  
[REDACTED] They would be at a lot of the same  
functions, but would also collaborate on some [REDACTED] issues in Monterey County.  
[REDACTED] and [REDACTED] became family friends.

He's known [REDACTED]r as an acquaintance about 5-6 years, but they've socialized a lot the past 2 – 2 ½ years, going on hikes with her sons and his daughter, etc.

Out at [REDACTED] they do a lot of events with live music, chef duel cooking competitions, etc., and Dallas was always on the guest list per instructions of [REDACTED]. Dallas would usually show up with a handful of people, sort of an entourage. He is a large presence and he's kind of a touchy-feely guy with both men and women. Some people are fine with it and others are made quite uncomfortable.

[REDACTED] has spoken to Dallas dozens of times. He describes him as sort of an "obnoxious frat boy." Dallas makes joking comments as veiled threats where no one knows whether he is joking or not.

[REDACTED] has some hearsay stories. When Dallas met a lesbian and her partner, he apparently said to them, "Oh, well do you need a boyfriend to get in the middle of that or can I just sit and watch?" Another young woman who works for an area non-profit met the mayor at a function and gave him her business card that had her cell number on it. The next thing she knew she was getting text messages from him at 1:30 or 2 in the morning saying, "Hey, we're all over at

Barmel, you should come and join the fun,” which she found creepy and disturbing. [REDACTED] will ask these women to speak to the Investigator.

[REDACTED] has seen Dallas rubbing people’s shoulders, touching and patting people on the shoulders (both men and women). Dallas has commented to him on other women’s features when [REDACTED] has been in a group of people. Once he said, “Check out the rack on that one,” while at a music event at the winery in 2017. He believes the group was all guys, but he cannot remember. They were in a courtyard setting by the barrel room. He believes [REDACTED] the [REDACTED] was standing with both of them when Dallas made that statement.

[REDACTED] said Dallas was not shy to drink at their functions.

[REDACTED] met Dallas in the December 2015 to January 2016 time period. In early June of 2017, the restaurant opened in Carmel, and he started interacting with Dallas a lot because he was a proponent of getting the restaurant up and running. He has personally never gone out and socialized with Dallas.

Regarding the film festival event, prior to going there, he, [REDACTED], his wife, [REDACTED], and [REDACTED] met at the restaurant and walked over to Sunset Center. They went to support [REDACTED] who is a business colleague. The performance stopped and they exited the back of the theater and were talking with different groups of people. [REDACTED] was probably standing six feet away from him, talking with the mayor, a tall blonde gentleman, and [REDACTED]. [REDACTED] conversation with some other gentlemen ended, and Dallas motioned for him to come over. He said, “Hey, counselor, tell [REDACTED] what a fluffer is.” And [REDACTED] looked at [REDACTED] and said, “What’s a fluffer?” [REDACTED] put his arm around her shoulder and said, “Well, let me explain...” and walked her away from the group and everyone laughed. He told her what it was. [REDACTED] apologized to [REDACTED] when they were leaving about telling her, but she said it was OK, that Dallas was just a sleaze ball. He knew she was pretty pissed off about his comment. [REDACTED] did see [REDACTED] talking to Dallas at the after party, but he was not part of that conversation at all.

Dallas has been at events out at the [REDACTED] where he would talk to [REDACTED] in a condescending, patronizing manner. Dallas seems to enjoy flaunting his position as mayor.

Prior to the film festival event, [REDACTED] had told [REDACTED] a handful of times that Dallas always made her feel uncomfortable, in that he repeatedly sexualized conversations with her. A handful of times over an eight to ten month period when she would see Dallas at the [REDACTED], she’d say things like, “Ugh. Oh God, It’s the Mayor. He’s such an ass.” [REDACTED] told [REDACTED] that it was not an employer-employee situation. It is unprofessional, but that it is unlikely to rise to the level of sexual harassment. [REDACTED] felt that she had to go before the city council for events in her capacity and that it was not right and she does not like it. Once at the [REDACTED] she said, “That guy [Dallas] is such a creep. He sexualizes everything.” And she was like, “I’m over it.”

[REDACTED] did not want it to be a public shaming; she just wanted his behavior to stop. After the Matt Lauer story broke, she said, “You know what? Enough.” She decided to initiate contact with the city.



## **More Hearsay Comments**

About five other women have talked to [REDACTED] about their interactions with Dallas. Besides the young lesbian woman who does not want to be involved, and the other woman who received unsolicited texts from him in the middle of the night, there are three more stories.

Prior to him being Mayor, there was another young female who is a [REDACTED]. Dallas would make comments to her like, “Hey, if I was a younger man, you know, I’d have you, you’d be mine” kind of thing. Basically, she pushed it off like, “Yeah, in your dreams, buddy.”

After he became Mayor, another employee at the [REDACTED] that if she goes into Barmel, Dallas will put his arm around her and ask, “Alright, tell me who you want. Which guy in here do you want? I’ll get him for you.”

Then there is a [REDACTED] who the mayor was trying to play matchmaker with a friend of his, even though she was in a long-term committed relationship and the mayor knew about that. Dallas made her feel pretty uncomfortable.

Another time, a woman friend had a friend and her daughter visiting. The mayor invited them to breakfast and then turned to the 17-year-old daughter and said, “Do you have a fake I.D.?” The girl looked stunned and Dallas said, “Oh, you have to have a fake I.D. How are you going to have fun in town?” The mother was not thrilled that the mayor was telling her 17-year-old daughter that she needed a fake I.D.

One other time at one of the [REDACTED] was dating a young girl, like 15-17 years of age. Apparently she was in tears and upset because Dallas was hugging her and grabbing her and making comments to the chef’s son who was dating her, like, “Oh, what a great catch for you. She’s out of your league,” and stuff like that.

[REDACTED] will see if any of these people will come forward to speak to the Investigator.

## **2. Credibility Analysis**

[REDACTED] is family friend of [REDACTED] and a licensed attorney. [REDACTED] was very careful to differentiate when he was providing hearsay information. His only direct observation was with respect to the “fluffer” comment and [REDACTED] comments to him about Mr. Dallas. Because his recollection of the “fluffer” comment is consistent with the recollection of other witnesses, it is credited. The Investigator also credits [REDACTED] testimony that [REDACTED] had complained to him, as a friend, about how she did not like Mr. Dallas’ conduct. The Investigator gave no weight to the rest of [REDACTED] testimony.

**Q.** [REDACTED]

## **1. Summary of Key Elements of [REDACTED] Interview**

[REDACTED]  
[REDACTED] Most of her clients are developers. She works

with the County most of the time. She has had business at Carmel by the Sea [REDACTED] She is not involved in any civic organization.

Dallas and [REDACTED] are family friends. She is very good friends with [REDACTED], and Dallas, of course. She does not know [REDACTED] personally. She has met her on one occasion. She remembers Dallas talking to [REDACTED] at the Forge restaurant one night in August of 2017 during car week. Dallas did not introduce them to each other, but he was talking to [REDACTED] [REDACTED] was standing between them. It was a quick conversation and they seemed to know each other very well. She heard Dallas ask her how her love life was. According to [REDACTED] Dallas told her that [REDACTED] had been asking him about any gentlemen he might know since he is good at putting people together. After that, he said he hoped everything was going well. It was very cordial. [REDACTED] did not witness any look of discomfort from [REDACTED]; she was smiling at him.

This was the only interaction that [REDACTED] has ever observed between [REDACTED] and Dallas.

Prior to the allegations made in December of 2017, [REDACTED] had not heard any complaints about the Mayor's interactions with women or making sexual comments. She said Dallas does not drink at all; he keeps his hands to himself and is very appropriate. [REDACTED] does not think that his behavior could be construed as flirtatious, but anything can be misconstrued.

[REDACTED] said Dallas never goes out alone; he always sticks with one or two people so they can watch out for each other. She has never seen Dallas drink, not even at her house.

[REDACTED] thinks Dallas is a good Mayor. He voices an opinion where some of the previous Mayors did not. Sometimes people do not get their way because the City comes first to him. If he does not like something it is because it's not good for the City. He's stood on some people's toes for that.

[REDACTED] has never seen the Mayor touch anyone. She has to ask him for a hug. She never saw Dallas stare at [REDACTED] chest area. "That is not Steve."

## **2. Credibility Analysis**

[REDACTED] is close personal friends with Mr. Dallas and therefore has a motive to provide positive testimony on his behalf. Her character testimony reflects that she cannot perceive the Mayor engaging in any improper behavior. Because of the testimony from others, and from Mr. Dallas himself, the Investigator finds that [REDACTED] is not an accurate perceiver of social interactions. The Investigator will credit [REDACTED] testimony that Mr. Dallas explained to her that he commented on [REDACTED] "love life" because he believed she wanted to be introduced. However, as described below, the Investigator does not credit her testimony that he said, "How's your love life?"