

PRIVILEGED AND CONFIDENTIAL
PERSONNEL MATTER

To: Maurice Jones
From: City Council
Re.: Personnel Matter and Closed Session
Date: 8/23/17
Cc: Craig Brown

We are writing to request an immediate closed session with you regarding the handling of events leading up to August 12 as a personnel matter. In order that you're prepared, this memorandum contains questions we would like to ask you. (We would note that this memorandum was prepared by Mike Signer with input and edits from Wes Bellamy, Kristin Szakos, and Kathy Galvin. Mayor Signer called Bob Fenwick in the afternoon of 8/23 about this memorandum, leaving a message, but never heard back from Mr. Fenwick.)

August 12

The preparations for August 12 were akin to the preparations for a hurricane. All hands were, or should have been, on deck. You were scheduled for a family vacation in Canada the prior week. You delayed leaving for your vacation by several days for preparations for August 12 and were available by phone the entire time you were away. Nevertheless, the fact that you were out of the office for several days, delegating duties to Assistant City Manager Mike Murphy during this critical time, created a problem for planning and accountability. **Please provide an explanation for how you handled these critical issues during this critical time.**

Understanding through attorney-client privileged communications from the Council's office that the rally could not be outright canceled, Council developed a clear will that the rally be relocated to a larger location remote from the Downtown Mall like McIntire Park weeks before August 12. Mayor Signer had a meeting with you on July 13 where he expressed Council's will that the relocation occur. Yet there was no movement forward. In a conversation with Mayor Signer on Friday, July 21, Chief Thomas told Mayor Signer that the move to McIntire would indeed be "marginally" safer. Yet there was no initiative in the following weeks from the City Manager's office to move the rally to McIntire. Mayor Signer also conveyed this desire in written communications to the City Attorney's office. Yet nothing happened regarding the relocation of the rally until well after Council held a closed session with staff on Wednesday, August 2. Chief Thomas repeatedly said during the closed session that the delay in the relocation decision was crucial to his hesitation about it. He said that had he known "six weeks ago" about a new location, that the planning would have been much easier. **Please provide an explanation for the delay and for your actions and decisions during this period regarding this matter.**

Because of this guidance from Chief Thomas, and based upon Governor McAuliffe's warning of serious security concerns on August 2, Council's will was that the rally needed to be moved away from the downtown area because of the mayhem that was being promised. At the conclusion of the meeting, you told Council you needed 12 hours to make your decision. You reiterated this to Mayor Signer after the meeting. The meeting ended at about 10 p.m., so 12 hours would have been 10 a.m. The next morning, you told Mayor Signer that the decision was being delayed because assent was needed from the school system for the parking lot at

PRIVILEGED AND CONFIDENTIAL
PERSONNEL MATTER

Charlottesville High School to be used. The decision was not communicated to Council until Friday, almost 36 hours after the Council decision. Meanwhile, the window for Chief Thomas to plan for both locations was closing. **Please provide an explanation for the delay.**

The Synagogue

The protection of the synagogue was urgent. Charlottesville has a thriving Jewish population and one of the oldest synagogues in the South. Yet despite repeated inquiries and assurances to Mayor Signer and synagogue leadership, the Congregation did not receive the level of protection they required. On Wednesday, August 9 at 4:00 p.m., Mayor Signer wrote you, Chief Thomas, Deputy Chief Pleasants, and Assistant City Manager Mike Murphy the following email:

Maurice, Al, Gary, Mike:

This is a special request regarding Congregation Beth Israel. I just spoke with Rabbi Tom Gutherz there. Their current plans are to have a single outside security guard on Friday night and during the day on Saturday. They have services at 6:15 p.m. on Friday night and 9-11 a.m. on Saturday. They are obviously right next to Emancipation Park.

The rhetoric on the online sites right now is quite intensely anti-Semitic. [This post](#) on Daily Stormer about the rally ends reads, "Next stop: Charlottesville, VA. Final stop: *Auschwitz*." [This post](#) on Daily Stormer reads, "the cops are siding with us over the evil Jew Mayor Michael Singer and his Negroid Deputy Wes Bellamy. We have it on good authority that the Chief of police is going to ensure that the protest goes through as planned, regardless of what the ruling kike/Negroid powers are attempting." I listened to a podcast yesterday with two of the organizers and they referred negatively to Jews and to the fact that a synagogue was "two blocks away" from the rally. They also talked about how on Friday night roving bands of ralliers will be defying restaurants who deny them service. This could add an element of unpredictability on Friday night as well.

Given all of these variables I feel it would be prudent for us to have a more overt police presence near CBI. Rabbi Gutherz suggested a car stationed in front of the building, and an officer nearby, which is the customary practice during High Holidays services.

I would be grateful if I could connect someone from CPD to Rabbi Gutherz and CBI's Executive Director Kathryn Mawyer (I just forwarded you a message she sent).

Thanks in advance,

Mike

On Friday, August 11, Mayor Signer received the following from Lieutenant Joe Hatter:

Mr. Signer,

I would be happy to speak with Rabbi Gutherz and CBI's Executive Director Kathryn Mawyer. Please pass along my name and number to them.

Thanks,

PRIVILEGED AND CONFIDENTIAL
PERSONNEL MATTER

Lieutenant Joe Hatter
Charlottesville Police Department

[REDACTED]
[REDACTED]

After this conversation, Kathryn Mawyer, the Executive Director of CBI, advised Mayor Signer by email that Lieutenant Hatter had told her that no officer could be provided specifically to the synagogue:

Thank you, Mayor Signer,

I just spoke with Lt. Hatter, who though he would like to be able to do so, has let me know that there is no way a CPD officer can be assigned at CBI. I expressed my fear that it only takes one troll with a molotov cocktail to burn down a building which has a history dating from 1882 and is the only synagogue in Central Virginia. He promised that he would make sure that the shift commanders through the weekend will be reminded of the presence of CBI so close to downtown and to the park, and would be encouraged to increase, as resources allow, patrol around CBI.

I am totally empathetic with the difficult circumstances all the first responders and law enforcement teams face over the next 36-48 hours and sincerely appreciate any attention which might be given the synagogue building. I am most interested, though, in awareness of the times during which congregants are entering, worshipping, and exiting tonight and tomorrow. Tonight, people will be coming in as early as 5:30p and exiting around 8:30 or 9:00p. Tomorrow morning, congregants will be entering as early as 8:30a and leaving between 11:00 and 11:30a. We will have a security guard in place in the courtyard in front of the building from 5:30p to 9:00 p.m. tonight and tomorrow morning from 8:30a to noon.

I pray for safety for all who will be doing their best to keep order and peace over the coming weekend.

Further, CBI President Alan Zimmerman and Rabbi Tom Gutherz had previously received firm assurances that a Community Service Officer (CSO) would be present at the synagogue—which did not happen. **Please provide an explanation.**

During August 12, after Mayor Signer was at the emergency operations center at Zehmer Hall, he received at about 2:00 p.m. notification of an extremely alarming tweet from an account “billy jane” in response to a Daily Stormer tweet, which said, “It’s time to torch these jewish monsters lets go 3 pm.” The next tweet, from an account named “Cracked Coconut,” said, “We must not slacken! SIEG HEIL.” Mayor Signer immediately called Rabbi Gutherz, who confirmed that nobody was physically present at the synagogue. He then sent the tweet to Secretary of Public Safety Brian Moran, who responded, “Address?” Mayor Signer sent the address, and Secretary Moran responded, “On it.” Secretary Moran called Mayor Signer on the phone and confirmed that a National Guard team would be sent to guard the synagogue. We still have no direct confirmation that this happened. **Please provide information on this.**

Police Actions

We understand and appreciate that many questions regarding police actions on August 12 will be thoroughly explored during the independent review. But we must ask for an explanation

PRIVILEGED AND CONFIDENTIAL
PERSONNEL MATTER

from you for the apparent unwillingness of officers to directly intervene during overt assaults captured in many videos in the time before the unlawful assembly was declared and after it was declared. Although individual officer responses will be examined later, the Police Chief must know what he told police before and during the day. On Monday, Councilor Szakos sent the following e-mail to you and Chief Thomas:

From: Kristin Szakos <[REDACTED]>
Subject: Police presence
Date: August 20, 2017 at 5:09:22 PM EDT
To: Maurice Jones <MJONES@CHARLOTTESVILLE.ORG>, "Thomas, Al" <thomasa@charlottesville.org>

Maurice and Al,

This video that Emily Couric produced is one of the most balanced I've seen, but really gives visual concreteness to the questions people have been asking - on both sides: Where were the police? I know that the day was complicated, and I am willing to wait for a full accounting after more time has been allowed for investigation and review. But in this video, we see blocks of city streets overrun with fighting and by the marching of armed, violent extremists, without a police officer in sight. We know that there were hundreds of police here, and we have been counseling restraint, but they were clearly not there in these scenes, they were not there at McGuffey Park when Nazis stormed it in the morning, they were not with us when we marched from the church to McGuffey.

I have heard reports of people begging police to intervene, and being met by "Palace Guard" stares and inaction. Were they told to do this? You may not know what each officer did, but you know what they were told by their superiors, and the guidance they were given. I think sharing that with the public might help people understand what happened.

If I, who trust your judgment and that of our police officers, am struck by this absence, and those who do not share my trust are concluding that the omission was intentional, that they were intentionally left to be beaten, then it is imperative that we get some real information out to the public as soon as possible. Not the complete review, but an explanation of why so many felt that the police were not present. What was the philosophy?

It may be that the restraint shown by the police resulted in the fact that there was no gun violence and that no one was shot. If so, we should be saying so.

We've been working for years to increase public trust of the police in the community, particularly among African American residents; this incident seems to have set that back considerably. We need more than operational platitudes and denials. The community needs reassurance now that the police are here to protect them and are committed to their safety.

- Kristin

<http://news.nationalgeographic.com/2017/08/charlottesville-racism-confederate-couric/>

Kristin Szakos
Charlottesville City Councilor
1132 Otter St, Charlottesville, VA 22901

c: [REDACTED]
[REDACTED]

We have been patient, but it is now 11 days out, and we still don't have an answer to this question. **Please provide an explanation.**

Public Housing

On August 7, at 12:01 p.m., Councilor Galvin wrote the following email to Mr. Jones and Mr. Murphy:

Hello Maurice and Mike M.,

Last Saturday at Westhaven day, I spoke with Tami Wright who is both a PHAR employee and the chair of the friendship court steering committee and resident association. She relayed to me that residents are feeling extremely vulnerable and in the dark as to how they will be kept safe on August 12. She felt it would be very important if someone from staff and the police department could meet with residents this week to give them an overview of what is going on. All I said was that I would look into it and get back to her.

Now that there is a new PHA executive director in place, Sunshine Mahon, would it be possible to work with him and Grant Duffield to pull together a short information meeting for public housing and friendship court residents in the SIA (which is close to the downtown)? I have no meetings scheduled at night this week, and as the council's friendship court steering committee representative, I would very much like to be there. I would also like to be able to get to Tami Wright with an answer.

Many thanks and wait to hear.

Best,
Kathy
Kathleen M. Galvin, AIA
Charlottesville City Councilor

Ms. Galvin's email followed two from Brandon Collins with PHAR:

Inbox

Thursday, August 10, 2017 4:53 PM

Dear Mr. Jones and Councilors,

I am extremely disappointed in the City's no parking plans for this coming weekend. Friendship Court, Sixth Street, and Crescent Halls will be completely exposed to violent, armed racists parking in their neighborhoods. The potential for random interactions and violence is quite high. PHAR has done our part by advising residents on staying safe, we sincerely wish you would do your part as well.

In addition, we have heard increased concerns that Prospect Ave and Greenstone on 5th may be specifically targeted by alt-right on Friday or Saturday night.

Inbox

Wednesday, August 02, 2017 12:06 PM

Dear councilors,

As you contemplate strategies for the upcoming crisis I hope you will consider what efforts can be taken to protect public housing neighborhoods and Friendship Court from the influx of hostile participants in the UTR rally.

Please consider parking strategies that will decrease the likelihood of alt-right/resident contact during the weekend. I suggest disallowing on street parking on Garret St, 2nd St SE, Monticello

PRIVILEGED AND CONFIDENTIAL
PERSONNEL MATTER

Ave, Sixth St, South First Street.

Additionally, efforts to direct foot and vehicle traffic around that area towards downtown should be in place so that violent extremists are not parking on Avon and walking through the area to reach downtown.

Thank you for your consideration

Brandon Collins

Organizer, Public Housing Association of Residents (PHAR)

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

Further, Councilor Galvin sent the following email to Ms. Dickler on 8/10 requesting increased patrols around the Friendship Court and public housing sites, but received no response:

From: "Galvin, Kathy" <kgalvin@charlottesville.org>

Date: August 10, 2017 at 8:35:11 AM EDT

To: "Dickler, Miriam" <dickler@charlottesville.org>

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] **and PHA residents for 8/12**

Good morning Miriam,

Thanks so much for providing this information to the administrative leadership of the CRHA and PHA. When your message states that, "*There will be increased law enforcement patrols in neighborhoods adjacent to McIntire Park and in Downtown Charlottesville,*" will that include increased patrols to promote safety and a sense of security in neighborhoods south of Water street?

Many thanks again.

Best,

Kathy

Kathleen M. Galvin, AIA

Charlottesville City Councilor

To our knowledge, none of these requested actions were taken. **Please provide an explanation.**

Communications

In recognition of the difficulties and failures of the staff to communicate to the public about July 8, Council also made the decision to retain the crisis communications firm Powell/Tate in the week leading up to August 12. Yet on Thursday, August 10, Ms. Dickler tried to stop the hiring of the firm. She said she would not work with them on August 12 because she would be too busy with the public information officers under her command. She said that she had enough experience handling crises. Because this was a direct challenge to a Council directive, Mayor Signer wrote the following email to you, in relevant part:

[Y]our note is belied by the alarming conversation we had yesterday, where Miriam attempted to block the hiring of this firm, stated that she would not communicate with them on Saturday, stated that she would rather have a positive Daily Progress story than a positive USA Today one (as if the two are mutually exclusive), stated that this whole thing should somehow be Council's responsibility (though we only received talking points, after a week's delay, last night), stated that the only message that she was prepared to off on 8/12 was about public safety, offered no specifics about being able to pitch or develop any other stories, stated that she is an expert on crisis communications and did not need help, and admitted that July 8 did not go well, but offered no suggestions of what could have been done differently.

This bordered on insubordination, as it contradicted both your consent to a PR firm and Council's clear desire for one, and was exhausting for me to deal with, as the typical response from anyone being offered special expertise help in an unusual situation (such as when I bring in outside counsel in my professional job, for instance), is to welcome the assistance.

And it further helped explain the remarkable passivity from our communications shop in recent weeks, despite urgent pressing from nearly every Councilor for more proactive, creative, and energetic communications.

Yet there was no change. Ms. Dickler did not communicate with Powell/Tate on August 12. As it happened, despite all of the events that happened, the City did not provide information until a press conference was held with the Governor at 6:00 p.m., meaning that during a day of incredibly tragic events, the City was silent. **Please provide an explanation**

On Monday, August 7, you made repeated assurances to Council that daily press briefings would be provided to the public regarding August 12. Yet these daily briefings never happened. Council further requested that a Q&A session be provided to an anxious public regarding August 12. Two specific dates that were suggested were Thursday, August 3 and Monday, August 7 (when the usual Council meeting was not scheduled to happen due to the customary August Council break.) Yet this never happened. **Please provide an explanation.**

Council further requested that a single major press conference happen during which there would be substantial briefings from you, Chief Thomas, and Mr. Brown regarding, respectively, the planning, policing, and legal issues surrounding August 12. There were specific requests from Council that the question of the protocol surrounding any use of chemical dispersants be addressed during this briefing as well as the reason for the use of body armor and the employment of the Virginia State Police and the National Guard. Yet no such press conference ever occurred. **Please provide an explanation.**

PRIVILEGED AND CONFIDENTIAL
PERSONNEL MATTER

Council received their first formal briefings on the security plan on Thursday, August 10. These briefings included the numbers of security personnel that would be on the ground. Yet we were given no documents related to August 12, including any security plans. With the exception of Mayor Signer, no member of Council was invited to be anywhere specifically on August 12. There were two centers of command that day: the “command center” in the Wells Fargo building, and the emergency operations center in Zehmer Hall. Given the number of media requests that were already coming in for Mayor Signer during the week prior to August 12, Mayor Signer, who was in the command center during July 8, repeatedly asked both you and Chief Thomas to be included in the command center so that the stakeholders could be on the same page. Multiple times, he was told that they preferred him to be at the emergency operations center. **Please provide an explanation.**

The morning of August 12, Mayor Signer sent a text to you and Chief Thomas with the following: “Given last night I need to be on site so we are on one page.” You responded, “We still think it’s best to have you at Zehmer.” After the unlawful assembly was declared, Mayor Signer texted you, “I need to come up at Wells Fargo. Won’t be in the way but I need to be here.” You responded, “I’m concerned about your safety getting here.” Mayor Signer headed to Wells Fargo anyway. He was not allowed up to the 6th floor, where the command center was. He was escorted instead to the 8th floor, where there was a lone staffer observing events through the window. Mayor Signer sent you a text which read, in relevant part, “Al works for you. You have barred me from the center. We are not together. I don’t know what’s happening. We are not unified. We can’t say no comment or it has to wait. I’m at city hall.” You responded, “Mr. Mayor, we are not disorganized. This is a hyper fluid situation. We need to let this play out. And the media can wait for an hour or so.” Mayor Signer responded, “Elected officials like me can’t be barred from necessary information and how to talk about it. That’s disorganized. I’m headed to zehmer now.” **Please provide an explanation for these decisions and events.**

These issues were compounded by a previously undisclosed problem, which was the collapse of the City’s website and email capabilities that evening. After the press conference, Council convened an emergency session to pass a resolution enabling Chief Thomas to declare a curfew if he deemed it necessary. Yet the email system went down, and the decision was not sent out to the public until it was almost dark. Moreover, the City of Charlottesville’s website was down for at least two days after August 12. Council has yet to receive any information about these events. **Please provide an explanation.**

August 21 Council meeting

During the crucial and very difficult Council meeting on August 21, Chief Thomas was not present to address Council and citizen questions—when he was the only person who could have directly answered the questions. Several times, you said that you could not answer questions and that certain topics could only be addressed during an investigation (for instance, with the question about the closing of 4th Street.) **Please provide an explanation.**

July 8 rally

The handling of the July 8 KKK rally raised a number of critical questions from the public. The most important of these was the decision to release tear gas. While we understand that Chief Thomas was in charge of the overall operation, several hundred Virginia State Police troopers were under his command. Based on conversations that have been relayed to Mayor Signer from people who overheard Chief Thomas speaking candidly, the decision to release tear gas was made by Virginia State Police, independent of the Charlottesville Police, and Chief Thomas disagreed with that decision and was frustrated by it. Yet neither Council nor the public has received any information or accountability on this front, either from the City government or from the Virginia State Police. **Please provide an explanation.**

Regarding the overall handling of July 8 vis-à-vis City Council, we would like to know why we were never given a security plan. We were never briefed on the overall operations. The only Councilor who was present during the briefing with all the security forces on the morning of July 8 was Mayor Signer, but that only happened at the impromptu invitation of you earlier that morning, via text message. This led to unnecessary confusion among elected officials about the security plan and events that unfolded. **Please provide an explanation of these decisions.**

Chief Thomas was not present during the July 17 Council meeting where Council heard public questions and complaints about the police's handling of the situation. Despite repeated requests from the Mayor during the prior week that Chief Thomas be present in that meeting, you repeatedly refused to require Chief Thomas to present the statement on July 8 and to answer questions from Council. At least two times, in explaining your preference for making a statement as City Manager rather than having the Chief present to answer questions from Council, you referred to the likelihood of harsh public criticism in explaining why Mr. Thomas should not be present during the meeting. **Please provide an explanation of these decisions and events.**

Despite Chief Thomas' absence, Council signaled its unanimous support for an investigation and report on the events of July 8. To our and the public's knowledge, this investigation was never made, and the report has not been delivered. This was a significant problem given the need for us to learn lessons from July 8 for August 12. **Please provide an explanation of the investigation and why it was not provided before August 12.**