OLSON & OLSON LLP
ATTORNEYS AT LAW

November 12, 2021
Sent via Certified Mail, Return Receipt Requested

Ms. Ashley Estes
Dolcefino Consulting
1951 Richmond Ave
Houston, TX 77098

RE: *October 25, 2021 Public Information Act Requests to the City of Dayton, Texas*

Dear Ms. Estes:

This letter is in response to the two (2) public information requests you submitted to the City of Dayton, Texas (the "City") on October 25, 2021.

Enclosed, please find the former City Manager's report regarding the complaint made by Amanda Morales related Dayton Police Department ("Dayton PD") Case #720144. The City is also releasing the current interim City Manager's report related to Dayton PD Case #720144. The City does not have any e-mail communications between the former City Manager, Theo Melancon, and the Mayor or any members of City Council related to these reports.

The City is also providing you with the body camera footage for Dayton PD case #720144. This information is contained on the enclosed flash drive.

If you have any questions or need additional information, please feel free to contact our office at (936) 336-4115.

Sincerely,

Daniel Sylvia
OLSON & OLSON LLP
ATTORNEYS AT LAW
State Bar Number: 24099404
1517 Trinity Street
Liberty, TX 77575
(936) 336-4115
dsylvia@olsonllp.com
Attorney for the City of Dayton

DAYTON TEXAS

City of Dayton
117 Cook St.
Dayton, Tx 77535
936.258.2642

TO: Robert Vine, Chief of Police

FROM: Theo Melancon, City Manager

DATE: July 20, 2021

RE: Amanda Morales Complaint Investigation

The City of Dayton Received Amanda Morales' complaint against Deputy City Manager/Police Chief Robert Vine. City Manager received the complaint and began the investigation with a review of Mrs. Morales' original complaint, the case file, review of Chief Vine's findings regarding the conduct of the on-scene officers' crime scene investigation, and interviewing key people as outlined in Mrs. Morales' new complaint.

Impartiality Disclosure: City Manager remains an impartial arbiter of this complaint. When Chief Vine submitted a draft of his investigation findings dated November 24, 2020, he asked for the City Manager and City Attorney to look it over. We both looked at it in regard to form.

The City Manager did not read the original complaint of the report. This was to maintain impartiality and ensure that in the event of a complaint being filed against Chief Vine regarding his report, it would be a review of first impression for the City Manager.

Issues:

Failure to Use Professional Training/Properly Investigate/Reconstruct Accident/Collect Evidence - Pg. 3

Mrs. Morales states that Chief Vine refused to order a reconstruction of the accident. She also asserts that officers failed to properly investigate and collect evidence in

regard to this case. Mrs. Morales states that it is in the City's standard of procedures to conduct an accident reconstruction.

Police Officers Treated Her and Family Members Unprofessionally and Callously - Pg. 7

In Mrs. Morales Complaint, she specifically highlights behavior by Sgt. Tyler Head and Detective Lt. Terry Hughes as being callous in discussions with Mrs. Morales.

Failure to Properly Reprimand Officers in the Aftermath of the Accident/Chief Vine Produced a False Report - Pg. 4 & 11

Mrs. Morales states that Chief Vine produced a false report and failed to properly reprimand officers involved in the accident investigation and aftermath.

Legal Authorities:

City Manager's Authority

The City of Dayton's City Manager's authority is stated in 4.01(d) of the City Charter:

> Duties of the City Manager: Except as otherwise provided by this charter, to employ, appoint and remove officers and employees of the City. The City Council and its members shall deal with the administrative services of the City for which the City Manager is responsible solely through the City Manager, and only the City Manager shall give orders to any subordinate of the City Manager, whether publicly or privately.

This authority is further elaborated in Chapters 11-13 involving discipline, grievance procedures, and dispensation of punishment. Chapter 11, Section 3 provides a succinct definition of authority granted the City Manager:

> The City Manager, or his designee, may take disciplinary action against an employee for a specified reason or reasons. The reason(s) shall be related to the employee's conduct and/or work performance, or lack thereof.

In review of Mrs. Morales' complaint against Chief of Police Robert Vine, I find the following rules to administer:

Chapter 11, Section 3(i):

> Violation of a regulation, or order, made or given by an employee's Department Head and/or supervisor

Chapter 11, Section 3(j):

> Commission of acts or omissions unbecoming an employee of The City

Chapter 11, Section 3(s):

> Willfully misrepresentation of any facts in any reports or statement regarding duties and responsibilities of to falsify any official document or record

Chapter 11, Section 3(w):

> Disregard of the The City's rules or policies; or disregard of the standards of behavior

City Manager's authority to administer discipline is outlined in Chapter 13. Chapter 13 Section 2 states:

> An employee may be terminated involuntarily for reasons that may include poor performance, misconduct, or other violations of the City's rules of conduct and personnel policies. The City reserves the right to discharge or demote any employee with or without cause and with or without prior notice.

Discipline may be meted out due to a multitude of factors. Chapter 13 Section 2(A) states [abbreviated to conduct in question]:

> Employees may be disciplined for poor job performance, including but not limited to the following:
> (1) Unsatisfactory work quality or quantity
> (3) Failure to follow instructions or City procedures

Chapter 13, Section 2(B) states [abbreviated to conduct in question]:

Employees may be disciplined for misconduct, including but not limited to the following:

> (2) Dishonesty
> (4) Discourtesy, rudeness, or unprofessional behavior toward a customer, or member of the public

Furthermore, Chapter 13 provides two more provisions applicable to this inquiry. Chapter 13 Section 2(D) states:

The City reserves the right to proceed directly to a written warning, demotion, or termination for misconduct or performance deficiency, without resort to prior disciplinary steps, when the City deems action appropriate.

Chapter 13, Section 4 states:

> Nothing in this guideline is intended to alter the at-will status of employment with the City. Either you or the City may terminate the employment relationship at any time with or without cause and with or without prior notice. The City reserves the right to terminate any employment relationship, to demote, or otherwise discipline an employee without resort to the above disciplinary procedures.

Analysis:

Failure to Use Professional Training/Properly Investigate/Reconstruct Accident/Collect Evidence - Pg. 2-6

Chief Vine provided a thorough reconstruction of events surrounding the crime scene as he was reviewing the conduct of officers during the investigation. In his investigation, he sustained both allegations. Those findings were that "Dayton Police Officers failed to conduct Field Sobriety Tests to determine the level of intoxication of the driver of the vehicle, Bernice Montano..." and "Dayton Police Officers failed to collect items at the scene of the crash, specifically, bottles of alcoholic beverages and a plastic bag of marijuana."

Chief Vine had received this complaint on September 4, 2020. He conducted the investigation over a two month period and submitted his findings on November 24, 2020. Chief Vine's breakdown of the failures are detailed in his report. Chief Vine specifically states the following:

> Due to the fact that this was a one vehicle, fatality crash, the time of the crash, along with the knowledge that the driver had picked up the passenger from a bar, the totality of the information gathered by the officers regarding the circumstances should have dicated the officers on the scene conduct the Standardized Field Sobriety Tests on Montano.

Chief Vine addresses the evidence collection as follows:

> As part of a criminal investigation, it would be reasonable to expect these items to be collected as potential evidence and equally reasonable to be mentioned in the narrative of the initial report or in a supplemental narrative. It would also be reasonable to expect that these items would be documented in such a way as to explain how they were

> discovered at the scene, who the owner is, and what part these items played, if any in the incident. This incident was not considered a criminal investigation at the time of the crash due to the fact that none of the first responders on the scene were of the opinion that Montano was intoxicated or physically impaired due to being under the influence of an intoxicant, specifically alcohol.

Chief Vine is correct that due to the officers not concluding it was a criminal investigation at the time of the crash, they did not collect evidence. Chief Vine fails to address the fact that even after Bernice Montano left the hospital without a blood test to see her intoxication level, officers still did not go back to the scene of the crash to collect evidence and the reasons for that decision. Furthermore, Chief Vine fails to state that even at the time of Amanda Morales' complaint (September 4, 2020) the bottles still had not been collected from the side of the road, and at that time, it was clear that the investigation was looking into criminality on the part of Bernice Montano. In interviews, it is clear that EMS and Police do not have a policy in place for telling authorities that someone has refused medical service after an accident including serious bodily harm or fatality. As such, officers did not even know she had refused medical service until much later and the bottles could no longer be deemed evidence due to the time that had passed. It is a serious failure by the officers and Chief not to highlight in any reporting or investigation that an officer should have accompanied the EMS personnel to the hospital since this was a fatality accident.

All interviewees stated that the party that would have picked up all of the debris from the side of the road is the towing company. As this was deemed a non-criminal accident at the time, this seems to be the standard procedure.

It is alarming that Chief Vine's report fails to even discuss this lapse in time to understand the breakdown in understanding. Mrs. Morales clearly stated in her complaint dated September 4, 2020 to him that the bottles were a major point of contention as a piece of evidence. Chief Vine failed to follow up on discussion as to why these bottles were not evidence, the communication chain that did not exist that may have salvaged these bottles to serve as evidence, or who is responsible for picking up those bottles once it is not deemed evidence.

Further exacerbating this issue, Chief Vine fails to mention that as of his report (November 24, 2020) the bottles that were in the pictures of the crime scene were still on the side of the road. On January 15, 2021, the City Manager and City Attorney, after meeting with Mrs. Morales, scanned the accident scene and still found two of the three liquor bottles from the pictures. It was at this time,the City Manager instructed Chief Vine that he needed to address this accident scene properly.

Lastly, regarding the thoroughness of the investigation I turn to Detective Terri Hughes' closure of the case. In Mrs. Morales' complaint against Chief Vine, she states that Detective Hughes closed the case before having forensics done on the phone. Mrs. Morales picked up the phone months after it was seized, fixed the phone and was able to track down a witness that has provided key information for the case. This entire saga was ongoing during Chief Vine's investigation into his police department's conduct into this case and it was never mentioned or addressed. Considering her original complaint included this issue on pages 3 and 4, Chief Vine failed to follow up on this matter and include it in his review of his Department's conduct.

Interviewing Lt. Hughes, I understood her definition of what a closed case means. Chief Vine would have better served his officers by tackling this portion of Mrs. Morales' complaint with an explanation of what a closed case means. Mrs. Morales never received a formal explanation that closing a case to send to the District Attorney does not mean that the District Attorney will not request further assistance and investigation from the Police Department.

Inconsistency: In the discussions about why Mrs. Morales was unable to obtain her daughter's phone, there is a disconnect between the reasoning for not conducting field sobriety tests and seizure of the phone. In short, officers failed to conduct SFSTs on Benice Montano because officers deemed it a non-criminal accident, yet concurrently officers seized Alyssa Salazar's phone to do forensics. These are not consistent actions by officers on scene. This was not addressed by any party interviewed by the City Manager.

Police Officers Treated Her and Family Members Unprofessionally and Callously - Pg. 8

Amanda Morales has stated verbally to the City Manager and City Attorney that Officers Head and Hughes were callous toward her during the course of explaining her daughter's death. She also intimated that she was talked to in unprofessional ways. One such incident involved her confronting Sgt. Head about the bottles that were left at the accident scene. In this account, Mrs. Morales states that when her daughter pointed out that bottles were left at the scene, she states that Sgt. Head made a comment to the effect that those bottles could have been planted there. Mrs. Morales stated that Sgt. Head was cold in his interaction with her when he visited her to inform her of her daughter's death.

In the complaint specifically, Mrs. Morales states (pg 8):

> I lost my job due to my Alyssa's death. Tyler Head has been very, very rude and disrespectful and Mr. Vine says nothing. If the Chief of Police does nothing to all this behavior of the officers how many more families are going to suffer such an injustice.

Mrs. Morales has intimated to me in the past about the rude behavior of officers. In the interviews conducted with Sgt. Tyler Head and Lieutenant Hughes, both stated that they were not trying to be rude to Mrs. Morales. Lt. Hughes stated that she believes some of the problems come from the fact that police use of language is different from common parlance. One example of this is the term "unopened bottles." When Sgt. Head and Lt. Hughes uses the term, it is meant to describe that the bottles had their lids on them, not that they have never been open. Another example given was that Lt. Hughes used the term that her investigation/case was closed and sent to the District Attorney. This does not mean that when the District Attorney requests further investigation in pursuit of prosecution that Dayton Police would not be investigating. Mrs. Morales' understanding of those terms as a lay person may have caused some misunderstandings on this front.

All officers deny being rude to Mrs. Morales.

Failure to Properly Reprimand Officers in the Aftermath of the Accident/Chief Vine Produced a False Report - Pg. 4, 9 & 11

Chief Vine provided a thorough reconstruction of events surrounding the crime scene as he was reviewing the conduct of officers during the investigation. In his investigation, he sustained both allegations. Those findings were that "Dayton Police Officers failed to conduct Field Sobriety Tests to determine the level of intoxication of the driver of the vehicle, Bernice Montano..." and "Dayton Police Officers failed to collect items at the scene of the crash, specifically, bottles of alcoholic beverages and a plastic bag of marijuana."

Chief Vine had received this complaint on September 4, 2020. He conducted the investigation over a two month period and submitted his findings on November 24, 2020. Chief Vine's breakdown of the failures are detailed in his report.

The question is whether Chief Vine produced a false report. To produce a false report, an act of commission or omission must be found. While Chief Vine's narrative is thorough, it does leave out key information that allows him to reduce the impact of the findings in his report.

First, he fails to address his department's failure to handle the bottles on scene through January 15, 2021. This is a misstep by the department, considering Bernice Montano failed to get a blood test at the hospital. Amanda Morales specifically states that the

following day, the alcohol bottles were still at the scene (on page 2 of her original complaint against the Police Department). Chief Vine sidesteps this detail in her complaint and focuses his efforts on the officers "in the moment" mindset. Mrs. Morales' statement further elaborates on the fact that Detective Terri Hughes informed her that no SFSTs were performed and that Mrs. Montano left the hospital without having her blood alcohol level checked (pg. 3 of original complaint). Lastly, Chief Vine never addressed the issue of the phone being held for forensic purposes, then forensics never being done (pg. 3-4 of original complaint). Mrs. Morales fixed the phone and went through Alyssa Salazar's phone (the one seized by the police) and began contacting people and found a witness to come forward with new testimony.

In interviews, Lt. Hughes and Chief Vine stated that Lt. Hughes sent the phone to forensics with Liberty County. Forensics was unable to pull data off of the phone without the possibility of losing all of the data. Chief Vine spoke with Mrs. Morales if she wanted the forensics team to try to extract this data. Mrs. Morales did not want to risk losing pictures and videos on that phone. It was at that time the phone was released to her.

None of these events or explanations were in Chief Vine's report to provide the chain of events that occurred in the case, even though Mrs. Morales specifically highlighted these issues. A thorough explanation in a formal report would have been more helpful to all parties rather than remaining silent.

Chief Vine's report is a narrow look at the events surrounding only the immediate aftermath of the crash. This narrow view was dictated by Chief Vine alone, as Mrs. Morales offered information and complaints spanning the days after the accident with some issues lingering past November 24, 2020 (the date of his report issuance).

With such a narrow view and using immediately attainable information at the scene of the accident, it was easy to obfuscate and limit the breadth of the findings. This narrow scope could then cascade to minor reprimands for all officers involved.

In response to the report's findings, Chief Vine issued written reprimands to Sgt. Head and Sgt. Brian Chowns (no longer employed with the City of Dayton). Lt. Shane Burleigh requested that he be added as an officer to be reprimanded as he was on the scene with them. [NOTE: This is another issue of limiting the scope of inquiry by Chief Vine] All three officers received the same reprimand on December 18, 2020:

> As a result of a formal complaint (2020-01) involving allegations against you, and a complaint finding report, you are receiving a written reprimand for failing to conduct, or supervise the conducting, of Standard Field Sobriety Tests on the driver in an accident

that resulted in the death of an individual. A copy of the official complaint and the complaint finding report is attached to this reprimand.

This written reprimand will remain in your file for a period of 6 months from the date of the incident and will be removed from your file in the event there are no additional actions that are similar in nature on your part. [Emphasis added]

In interviews, Sgt. Head and Chief Vine both told me that their understanding was that this reprimand's date of the incident is July 6, 2020. Based on the interpretation of 6 months, this reprimand would no longer be in existence as early as January 2, 2021 (180 days from the incident) or as late as January 31, 2021 (six complete months from the date of the incident). Chief Vine instituted a probationary period of between 15 - 44 days total, not six months.

In the interview, Chief Vine admitted that the probation should have started in December rather than July. He stated that the behavior had already been corrected and felt he had already dealt with the issues that plagued this investigation, leading to a more lenient punishment.

Findings:

Failure to Use Professional Training/Properly Investigate/Reconstruct Accident/Collect Evidence - Pg. 3 - **Sustained in Part, Exonerated in Part**

Corroborating Chief Vine's findings of the accident scene management, Dayton Police did fail to thoroughly collect evidence at the time of the incident.

The saga of the seized phone illustrates the lack of explanation that permeates the entire report. The phone was seized by the police department, held for months to do forensics by Liberty County. The phone was broken. In the midst of the initial investigation by Chief Vine, the phone is returned to Mrs. Morales. She has the phone fixed, begins searching the phone for leads and turns up a witness. This entire situation throws up red flags as Chief Vine's silence on the matter contrasts Mrs. Morales' contention in her original complaint. When Lt. Hughes sent the phone to forensics with Liberty County, Lt. Hughes was giving a full-faith effort to recover what was on the phone. Mrs. Morales was given Alyssa Salazar's phone after it was ascertained that the phone could lose all data with the forensic teams extraction protocols.

Mrs. Morales has stated verbally and in writing that an accident reconstruction was not done and that it is a requirement. A thorough reading of the City of Dayton's policies finds the following in III. Procedures - Accident Scene (B)(1):

> Follow-up activities which *may* be necessary include the following: [Emphasis Added]
> b. Reconstruct the accident.

While interviewing Sgt. Head, he explained that it would have been beneficial to do an accident reconstruction because of the "mayhem" of what he drove up on. He stated that it was hard to ascertain what happened at the scene because there were no skid marks or any other indicators that he could see that night to help him understand how the accident occurred.

The language of the policy specifically says may. The definition of may according to the Merriam-Webster Dictionary is "used to indicate possibility or probability; have permission to; have the ability to." These are not words of requirement, but words of discretion. The police department used its discretion not to reconstruct the accident scene.

Police Officers Treated Her and Family Members Unprofessionally and Callously - Pg. 7 **- Inconclusive**

Regarding rudeness and unprofessional behavior by officers, both officers denied those claims. Without recordings or some third party evidence, I cannot have a conclusive finding on it.

Failure to Properly Reprimand Officers in the Aftermath of the Accident/Chief Vine Produced a False Report - Pg. 4 & 11 **- Failure to Properly Reprimand - Sustained; Production of a False Report - Inconclusive**

Chief Robert Vine limited the scope of his inquiry. He did not properly address all issues that Amanda Morales brought forward in her initial complaint. It is convenient that the scope chosen by Chief Vine was the most easily defensible portion of her complaint. He failed to further investigate why the crash scene hadn't been properly processed in the days after Bernice Montano left the hospital to avoid a blood test. He failed to further investigate into why a phone was seized for forensics but never tested as she alleged, especially in light of SFSTs not being conducted because it was deemed a non-criminal accident. He failed to follow up on issues into whether the police department was rigorously investigating this case. He never answered why the phone was seized and held for months on an accident deemed non-criminal. According to all questioned, no one was aware that Bernice Montano had not been blood tested at the hospital until September 2020.

Chief Vine produced a thorough investigation into the topics he wanted to investigate. He ignored complaint topics that were not easy to defend. Merriam-Webster Dictionary defines "false" in a few different ways. The first entry is "not genuine." The second entry is "intentionally untrue; adjusted or made so as to deceive; intended or tending to mislead." It is hard to establish the intent of Chief Vine's limited report. Creating a false report would require some forethought that could not be established in this investigation.

The question of Chief Vine's motivation to limit his inquiry is evident once the reprimands handed to the officers is taken into account. Each officer received a written reprimand that would be removed from their file after six months if they did not have other issues. Considering the limited scope of inquiry and if only those "heat of the moment" decisions were considered, this light hand would be more palatable.

If Chief Vine had produced a thorough report looking into all of the issues addressed by Mrs. Morales: taking a harder look into the days after the accident, the failure to collect bottles even at the time Chief Vine's report was produced, the failure to coordinate a search of Mrs. Salazar's phone (a task Mrs. Morales accomplished), and knowing that Mrs. Morales found a lead on said phone after detectives held the phone for months, then such a light hand would be impossible to tolerate.

In confronting Chief Vine directly with the question about if he felt that his reprimand of officers seemed fair and just considering the totality of circumstances, he admitted that he should have rendered harsher punishments.

Conclusion

Dayton adheres to the S.H.I.N.E. principles (Service, Humility, Integrity, Nobility, and Excellence). In this set of events, the Dayton Police Department and Chief Robert Vine did not serve the public, failed to have the humility to own up to the full extent of the failure, intentionally limited the scope of inquiry which lacks integrity, failed to hold those responsible to a higher, noble standard, and failed to produce an excellent product.

It is evident that Chief Vine limited his scope of inquiry to the most defensible allegations lodged in the original complaint. He thoroughly worked through that inquiry while failing to address significant allegations lodged by Mrs. Morales completely.

Chief Vine failed to adequately address Mrs. Morales' claims that Officer Head was rude to her in how he broke the news of her daughter's death. Chief Vine failed to provide any performance improvement plan for any officer. He provided a memorandum of

reprimand that by the best count would have stayed on the officers' file for a month or less.

With no performance improvement plan for any officer, minimal reprimand to officers, and outright disregard to allegations made by Mrs. Morales, Chief Robert Vine failed to uphold the City's standard of integrity and nobility.

DAYTON TEXAS

City of Dayton
117 Cook St.
Dayton, Tx 77535
936.258.2642

TO: Robert Vine, Deputy City Manager/Chief of Police

FROM: Theo Melancon, City Manager

DATE: July 20, 2021

RE: Robert Vine Move from Deputy City Manager to Police Chief

This memorandum is to outline the reasons for demoting Chief Vine to Police Chief and eliminating the Deputy City Manager role at this time.

Failure to Adequately Notify City Manager and City Attorney on Salazar Case

On September 3, I was startled to find a Fox 26 story being run about this case and a mother seeking justice. While I can understand people run to the media regularly, July 6 to September 3 is a grand total of 59 days. This is nearly 2 full months. City Attorney Brandon Davis and I had to speak to Council about the situation and had no idea what was going on in the case. This did no justice to either he nor I. The lack of communication on a case that has now embroiled countless work hours for administration is unacceptable.

Slow, Nearly Non-Responsive to my Request to Split DCM and Chief of Police Role (Insubordination)

This item was an egregious example. I requested to see a full breakdown of Chief and DCM roles and the budgetary implications. After multiple months of requests, I still had not seen any of my requests fulfilled.

Chief Vine requested that we unfreeze officer positions for the 2020-21 budget year and had done budget work and breakdowns for all of his needs. It was in this breakfast meeting that I said I am not going to entertain unfreezing any positions until my request was fulfilled. Chief Vine put together the job descriptions of each position, but I never received the budget amendments necessary to make it happen.

Chief Vine continues to request an unfreezing of officer positions, when he knows that my first priority is to have the Chief position separated from the DCM role. I finally agreed to unfreeze one position, all while I am still waiting for his action plan on the splitting of the two roles.

Alyssa Salazar Investigation

As outlined in my investigation report regarding Amanda Morales' complaint regarding Chief Vine's investigation into his department's actions, Chief Vine limited the scope of his inquiry into only things he could defend easily, while ignoring issues raised by Amanda Morales. While my findings did not conclude that Chief Vine produced a false report, his limited scope made it fairly easy for him to punish his officers minimally with no performance improvement plans administered.

Conclusion

City Manager has lost faith in DCM/Chief Vine to serve as Deputy City Manager and Chief of Police concurrently. City Manager has lost faith in DCM/Chief Vine to serve as Deputy City Manager.

At this time, DCM/Chief Vine will no longer hold the title of Deputy City Manager. His compensation will be adjusted accordingly due to his compensation package being heavily reliant on his role as Deputy City Manager.

His new compensation will be $105,000 with standard employee benefits as outlined in the employee handbook.

He is also being placed on a six-month probationary period. At any time the City Manager can terminate employment, maintain current status permanently, or reinstate Chief Vine to the Deputy City Manager role at a readjusted compensation rate.

DAYTON TEXAS

July 30 2021

To: Mayor Caroline Wadzeck
Brandon Davis, City Attorney
Tammy Alexander, HR Director
Robert Vine, Deputy City Manager / Police Chief

From: David M Willard, Interim City Manager

RE: Official Complaint Against City Manager Theogene Melancon

On July 20 2021, Robert G Vine filed an official complaint against City Manager Theogene Melancon in response to a memo dated July 20 2021, wherein Mr Melancon concluded that he had lost faith in Mr Vine to serve in the capacity of Deputy City Manager, thereby removing the title, reducing his compensation package associated with the position of Deputy City Manager and placed on a six month probationary period. Mr Melancon's conclusion was the result of his investigation of a complaint filed against Deputy City Manager/Police Chief Robert Vine on 09/04/2020 by Amanda Morales regarding the Dayton Police Department's response and investigation surrounding the death of her daughter Alyssa Salazar in a one vehicle rollover on July 6 2020.

I was duly appointed Interim City Manager for the City of Dayton beginning July 26 2021 and on July 28th, met with Mr Vine to discuss these and other matters pertaining to his duties with the City of Dayton. Pursuant to my review of all of the relevant reports, memos and other such information in my possession together with my discussions with Mr. Vine, I am recommending that we continue forward with Mr. Vine serving in the capacity of Deputy City Manager and Chief of Police with no reduction in compensation.

I am hopeful that this action will bring a conclusion to all matters in this regard!

Respectfully:

David Willard
Interim City Manager