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MEMORANDUM

TO: Sergeant Perafan, Chief Washburn, Assistant Chief Shaefer

FROM: Roxanne M. Diaz, City Attorney

DATE: November 17, 2021

SUBJECT: MMJ Solutions, Inc.

As you are aware, the City retained Michael Hines of MMJ Solutions, Inc. as a neutral, third party investigator to conduct an investigation into allegations made against Chief Washburn and Assistant Chief Schaefer. Mr. Hines worked independently, without direction from the City on whom to interview or what evidence to examine.

I understand that Mr. Hines conducted interviews of the complainant and witnesses. However, there were delays in Mr. Hines undertaking and completing the investigation because of a personal medical matter. It was then brought to my attention that an associate of Mr. Hines who was not given the authority by the City to work on the investigation conducted several interviews without my knowledge or consent.

Because of delays due to the medical emergency and because the City did not approve anyone else at MMJ Solutions to conduct the investigation, Mr. Hines was released and a new investigator has been retained to complete the investigation. The new investigator has been provided with Mr. Hines' working files (interview transcripts, documents, etc.) and will review and analyze the facts obtained by Mr. Hines. At no time did I receive any findings or conclusions from Mr. Hines (whether oral or written) and Mr. Hines did not provide me a report or put any of his findings in writing, so any conclusions made by the new investigator will be his own.

I believe the approach we have taken with regard to hiring a new investigator to analyze the facts and provide findings and conclusions to the City Manager is the most fair and efficient way forward.

Please do not hesitate to contact me if you have any questions.

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