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MONTGOMERY COUNTY SHERIFF'S OFFICE
INSPECTIONAL SERVICES INVESTIGATION
REPORT
#14-067

EMPLOYEE

| | | |
|--------------------------------|---------|-------------------------|
| Captain Thomas Flanders | PSN 387 | Jail Division |
| Detective Michael Sollenberger | PSN 321 | Administrative Services |
| Sergeant Brian Lewis | PSN 823 | Community Services |
| Deputy Jayme Horton | PSN243 | Jail Division |
| Deputy Joseph Connelly | PSN1149 | Community Services |
| Detective Brad Daugherty | PSN 354 | Community Services |

COMPLAINANT

Mr. Derrick Foward
Dayton Unit NAACP
1528 West Dr. Martin Luther King Jr. Way
Dayton, Ohio 45402
937-222-2172

SYNOPSIS

It is alleged between November of 2011, and January of 2013, Detective Michael Sollenberger exchanged text messages with Captain Thomas Flanders, Sergeant Brian Lewis, Deputy Joseph Connelly, Deputy Jayme Horton and Detective Brad Daugherty. These text messages were allegedly archived by unknown person or persons by printing them out to paper. The unknown person then provided the printed messages to Mr. Derrick Foward, President of the Dayton chapter of the National Association for the Advancement of Colored People (NAACP) in August of 2014. Mr. Foward lodged a complaint on behalf of the citizens of Montgomery County against the deputies participating in the text conversations due, to the allegedly derogatory and threatening comments contained in the messages.

INVESTIGATION

On Saturday, November 29, 2014, Mr. Derick Foward, President of the Dayton

1 Chapter of the National Association for the Advancement of Colored People
2 (NAACP), contacted Major Daryl Wilson and Sheriff Phil Plummer requesting a
3 meeting regarding a series of text messages he was provided by an individual who
4 wished to remain anonymous. Mr. Foward advised the text messages were reported
5 as being between several members of the Montgomery County Sheriff's Office and
6 contained derogatory jokes and threats to the African American community in
7 Dayton, as well as others.

8
9 On Sunday, November 30, 2014, Sheriff Plummer and Major Wilson met with Mr.
10 Foward at the Dayton Offices of the NAACP where Mr. Foward reviewed the
11 messages with Sheriff Plummer and Major Wilson. Mr. Foward explained that he
12 received the messages and met with the complainant sometime in August of 2014,
13 and had sent the messages to the National Offices of the NAACP for review,
14 guidance, and investigation. Mr. Foward advised Sheriff Plummer he could not
15 provide copies of the text messages at that time but would within the next couple of
16 days.

17
18 On Sunday, November 30, 2014, Sheriff Plummer contacted me with the information
19 about the allegations and assigned the investigation to me. On Monday, December 1,
20 2014, Captain Flanders and Detective Sollenberger were placed on Administrative
21 Leave. (see Personnel Order 14-081)

22
23 On Tuesday, December 2, 2014, Mr. Foward provided Major Wilson with 105 copied
24 pages of text messages. The text messages appear to be "screen shots" (photographs
25 taken with a smart phone device of the screen displaying the text) from a smart phone
26 device with which the text messages were transferred to a running list of text
27 messages between sender and receiver. There are no names attached to the individual
28 messages; however, the names of the sender and receiver were provided by Mr.
29 Foward, as were reported to him by the anonymous complainant. Mr. Foward said all
30 of the messages are messages between Detective Sollenberger and other Sheriff's
31 Office employees. Major Wilson wrote the name of the individual reportedly
32 participating in the series of text conversations with Detective Sollenberger at the top

1 of the first page of each group of texts. There are some time stamps showing date and
2 time visible in the copies. However, there are others, due to the poor quality of some
3 of the copies, that are not legible.

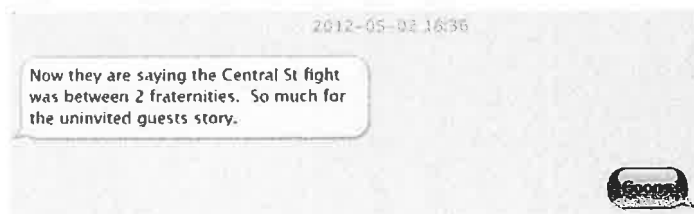
4
5 I reviewed the documents Mr. Foward provided. The documents all appear to be in
6 the same format with one sender of the text messages on the left side of the page and
7 the other on the right side of the page. Throughout all of the documents, Detective
8 Sollenberger's messages appear on the right side of the page. The original documents
9 provided by Mr. Foward are attached to this report.

10
11 On Friday, December 5, 2014, Detective Brian Cavender was temporarily assigned to
12 the Inspectional Services Unit to assist with this investigation. I assigned Detective
13 Cavender the task of independently authenticating as many of the individual
14 messages as possible.

15
16 **ADDITIONAL INVESTIGATION: DETECTIVE BRYAN CAVENDER**

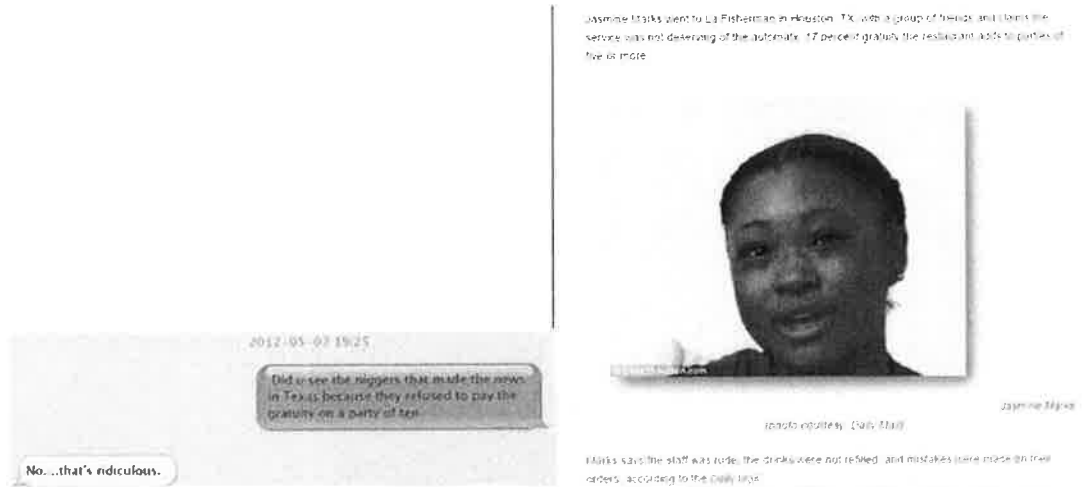
17 While investigating this complaint, I started by authenticating as many of the
18 messages as I could. I started by verifying events talked about in the text messages.

19
20 One such incident that was talked about between Captain Flanders and Detective
21 Sollenberger was a fight that occurred at Central State University. The text is dated
22 May 02, 2012; the WHIO website news article is April 29, 2012, which has the words
23 "Uninvited guests." (See attached document)



24
25 Another text I attempted to authenticate was dated January 16, 2012, in which
26 Detective Sollenberger talked with Captain Flanders about a TV show, iCarly. The
27 conversation was about Michelle Obama appearing on the show. I was able to verify
28 the episode in which Michelle Obama appeared was the same day the text
29 conversation occurred. (See attached document)

1 A text message dated May 07, 2012, from Detective Sollenberger to Captain Flanders
2 talked about a group that refused to pay gratuity. I found the news article Detective
3 Sollenberger was referring to, and it was dated May 03, 2012. (See attached
4 document)



5
6
7 A text message dated November 08, 2012, from Captain Flanders to Detective
8 Sollenberger talked about Sheriff Gene Kelly. I located a news article dated
9 November 08, 2012, about Sheriff Gene Kelly and Sheriff Office employees
10 regarding an incident that occurred at Stone Crossing Apartments. This news article
11 was also dated November 08, 2012. (See attached document)

12
13 I attempted to authenticate the text messages that referred to work incidents. On
14 April 5, 2012, Detective Sollenberger sent Captain Flanders a text message referring
15 to Deputy Haas being involved in an accident. This message was authenticated with
16 call number 120960007. (See attached document)

17
18 A text message dated May 19, 2012, referring Captain Flanders standing by with
19 Trotwood Police Department (this incident was a SWAT call out) was authenticated
20 with call number 121400897. (See attached document)

21
22 A text message from Detective Sollenberger to Captain Flanders dated December 06,
23 2012, referred to Captain Flanders at Phase 2 training. I authenticated this message
24 by obtaining a copy of Captain Flander's *In-Service Training Record* with the same

1 date. (See attached document)
2

3 **ADDITIONAL INVESTIGATION: SERGEANT PARIN**

4 On Friday, December 5, 2014, and Saturday, December 6, 2014, I reviewed the
5 digital documents stored on Detective Sollenberger's and Captain Flanders' Sheriff's
6 Office profiles and Sheriff's Office e-mail accounts. I did not find any e-mail
7 messages, electronic files, photos or videos of a derogatory nature based on race,
8 ethnicity, creed or gender. All files were professional and related to their individual
9 work assignments.

10
11 On Tuesday, December 9, 2014, I served Captain Flanders, Sergeant Lewis, Detective
12 Sollenberger, Detective Daugherty, Deputy Horton and Deputy Connelly with *Notice*
13 *of Investigation* and *Notice and Order to Appear* forms, along with copies of the text
14 messages each reportedly sent.

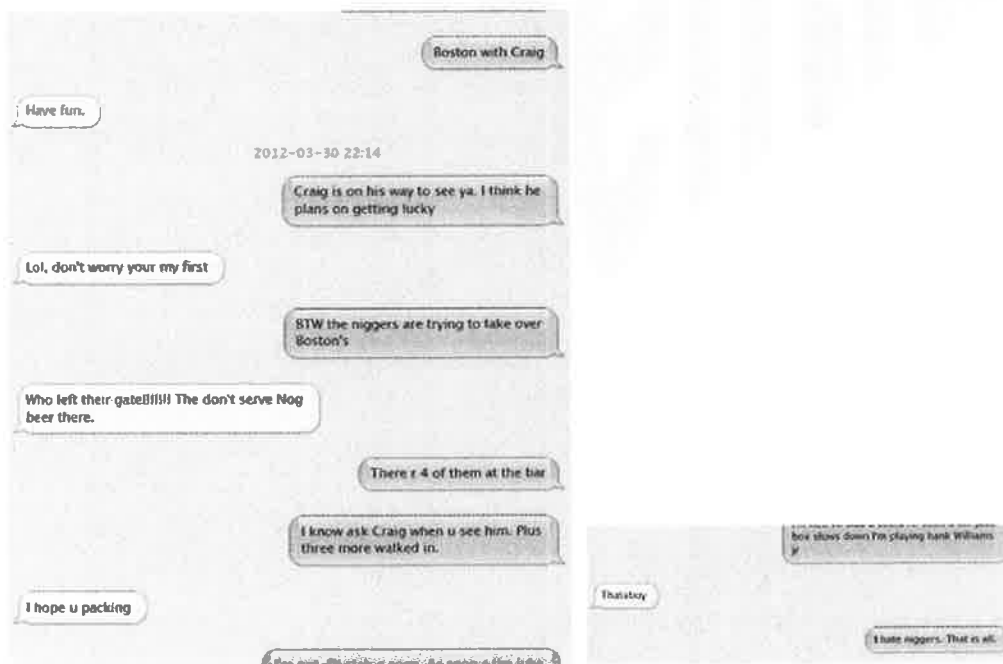
15
16 On Monday, December 15, 2014, Mr. Foward provided Major Wilson with five
17 digital PDF files representing the entire text messages provided to Mr. Foward by his
18 complainant. I reviewed all of the documents, which include all of the documents
19 Mr. Foward originally provided on Tuesday, December 2, 2014. I reviewed the new
20 documents and compared them to the original documents I received. Due to the
21 service of the original "complaint" documents, the focus of this investigation will
22 remain on the original text messages highlighted by Mr. Foward. I made the
23 following observations based on the review of those documents:

24
25 The text message conversations Detective Daugherty reportedly had with Detective
26 Sollenberger occurred between the dates of September 20, 2011, and December 23,
27 2013. The original documents provided by Mr. Foward contain 14 messages written
28 by Detective Daugherty and 14 messages written by Detective Sollenberger. In the
29 full documents, there are 31 messages written by Detective Daugherty and 31
30 messages written by Detective Sollenberger. Of the messages sent between the two,
31 there was one message Mr. Foward was concerned with, due to a racially derogatory
32 comment. Detective Sollenberger's comments are in blue and Detective Daugherty's

1 response is gray:
2

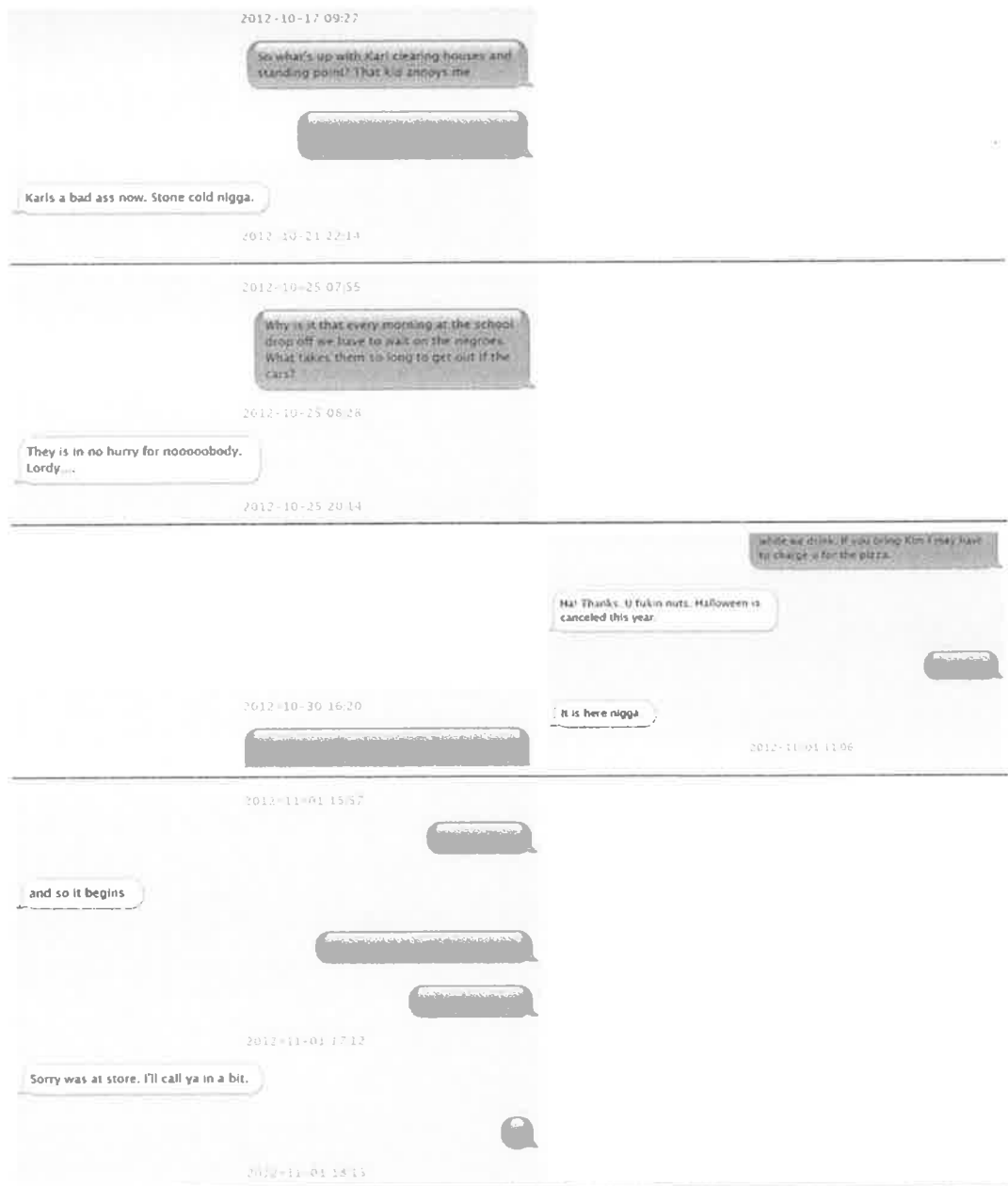


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4
5 The text message conversations Sergeant Lewis reportedly had with Detective
6 Sollenberger occurred between the dates of December 28, 2011, and January 23,
7 2013. The original documents provided by Mr. Foward contain 37 messages written
8 by Sergeant Lewis and 30 messages written by Detective Sollenberger. In the full
9 documents, there are 104 messages written by Sergeant Lewis and 80 written by
10 Detective Sollenberger. Of the messages sent between the two, there was one series
11 of messages Mr. Foward was concerned with, due to racially derogatory comments.
12 Detective Sollenberger's comments are in blue and Sergeant Lewis' comments are
13 gray:



14
15
16 The text message conversations Deputy Horton reportedly had with Detective
17 Sollenberger occurred between the dates of September 21, 2012, and January 29,
18 2013. The original documents provided by Mr. Foward contain 36 messages written

1 by Deputy Horton and 44 messages written by Detective Sollenberger. In the full
2 documents, there are 122 messages written by Deputy Horton and 143 written by
3 Detective Sollenberger. Of the messages sent between the two, there was a series of
4 seven messages Mr. Foward was concerned with, due to potentially racially
5 derogatory comments. Detective Sollenberger's comments are in green and Deputy
6 Horton's comments are gray:

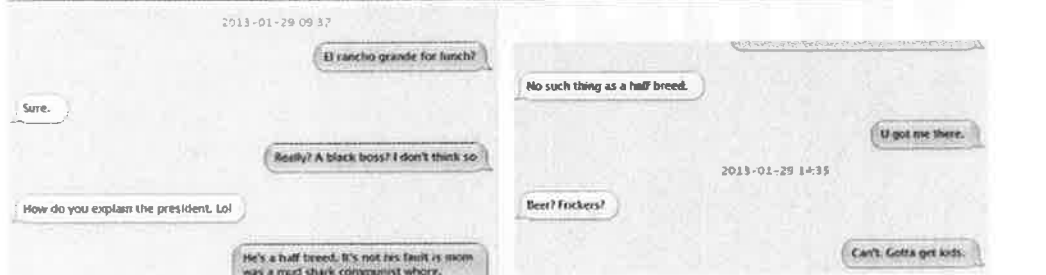
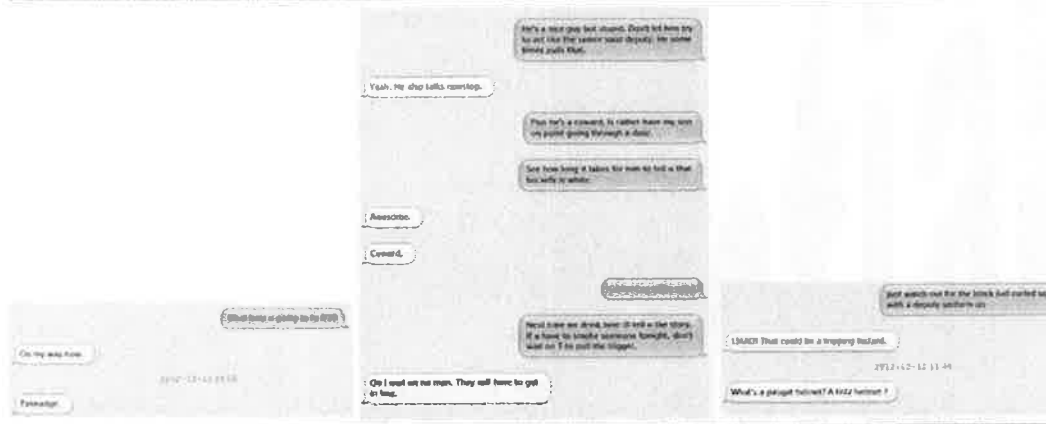
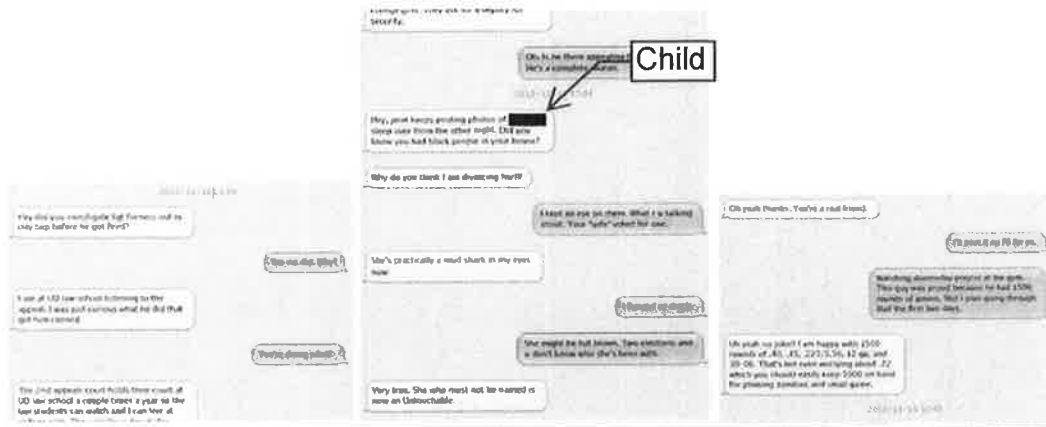


2012-12-07 21:04
Pass it on to all you know. No more dots!
2012-12-09 14:44
just because a nigger scammed the election and is pres. It does not give the G-damn right to kip at DLM
2012-12-11 16:18

2012-12-18 07:56
It's way to early for my nigrimeter to be at 90%
2012-12-16 08:58
You defnately would not like my arraignment docket then
2012-12-21 11:08
This place is unbelievable. jeff long just stopped me and said hey you hear about Schwartz?
That means Schwartz contacted the union. Those a--holes run their mouth.

Hello!
Nope. You got anything sweet?
Dear Schwartz is a moron!
Not exactly new info
Other than that I've got nothing. I seen they had a couple more deputies.
I heard one is a giant black guy.
Great. Don't get him mixed in when you're running prisoners back.
2013-01-24 15:45
Africa!
2013-01-25 08:01

The text message conversations Deputy Connelly reportedly had with Detective Sollenberger occurred between the dates of September 20, 2012, and January 30, 2013. The original documents provided by Mr. Foward contain 86 messages written by Deputy Connelly and 82 messages written by Detective Sollenberger. In the full documents, there are 369 messages written by Deputy Connelly and 353 written by Detective Sollenberger. Of the messages sent between the two, there was a series of six messages Mr. Foward was concerned with, due to potentially racially derogatory



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 5 The text message conversations Captain Flanders reportedly had with Detective
 6 Sollenberger occurred between the dates of November 7, 2011, and January 31, 2013.
 7 The original documents provided by Mr. Foward contain 293 messages written by
 8 Captain Flanders and 291 messages written by Detective Sollenberger. In the full
 9 documents, there are approximately 1,641 messages written by Captain Flanders and
 10 approximately 1,637 written by Detective Sollenberger. Of the messages sent
 11 between the two, there was a series of twenty-nine messages Mr. Foward was
 12 concerned with due, to potentially racially derogatory comments or conversations that
 13 are inappropriate. Detective Sollenberger's comments are in green and ~~Deputy~~ *Deputy Captain Flanders'*
 14 ~~Connelly's~~ *SAP 198* comments are gray:

1

2011-11-20 12:48

[Redacted]

To Gerald P Diddy Parker?

[Redacted]

That's beautiful

2

All I'd have to do is ask Sheriff Giv or Mac. I mean u were to much of a dick to allow me to do that

You should have been a firefighter...you tool bag!

At least my connection to the fire side is by marriage... it actually runs through the Flinders blood line

2011-12-10 12:29

You missed it. Hnt is coming to shoot our guns.

That's ok. I have access to do that when ever I want. Besides I'm at a fire fighter graduation.

Lo!... it be like he's a firefighter when I see it. But now firefighter blood runs thru yer kids... oh yes I did!

When can you that whenever you want?

2011-12-13 10:07

3

Nope! Nailed her right in the parking lot.

2011-12-20 18:31

Just saw Kelly Coots at Speedway

Joined in

She didn't see me. Actually she walked out naked and made me screw her.

Just kidding... she video taped it

2011-12-21 13:00


4

One dead... one in prison for 2 cts of murder...catching the other one would just be a bonus.

This should be a death penalty case

2011-12-23 13:09

Pw



I think so...hopefully that guy died slowly and had that really scared look on his face as he died.

Hope he was screaming as he died and his negro friends were freakin out.

Are we enjoying this too much?

I thought it was funny that they propped him up like he was sleeping.

2011-12-23 13:51

5

2011-12-30 17:32

Some guy on TV just said "Her baby's daddy other baby's momma"

Thought u were smarter than that

2011-12-30 17:34

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2012-01-16 14:20

Watching history channel on M&A. Showing old films of restaurants in the south. It would have been fun to have up colored people they came into your restaurant.

I think they got beat up for just about anything.

2012-01-16 16:33

Eating a big fat ché. fill a sandwich and waffle fries. Just sayin.

to fuck i had paninis (which i made part of my lunch) (which i made and he'd like).

Your meal was a lot more cultured. By mine rocks!

I represent yo!

2012-01-16 19:59

Child

Child

2012-01-22 17:00

asked why black people are meaner than white people and why they talk different

Nice. U could explain it or do it best me to do it. Well. He come into his class and explain it.

Either that or I can have my dad do it. I told him they can't help it. Its just the way they are.

LoL. Nice

2012-01-22 19:17

Child

just told me a joke. what is long and black? Answer: the line at KFC. I wept.

2012-01-28 09:56

Child

2012-02-03 20:16

Wanna here another joke told me?

What do apples and black people have in common? They both hang from trees.

2012-02-04 10:23

2012-02-26 14:16

On watching a movie with the lady and the little black boy's name is Jasper.

All these black boys names should be Jasper.

Mccoy and I left not long after and drama didn't start for a while.

I cooked

2012-02-27 16:11

1

2012-03-28 09:41
 2012-03-28 17:19
 I tried calling u
 2012-03-28/20:49
 Wanna do moston stoker this morning?

2

2012-03-30 17:17
 Can u let brad know its safe for him to travel thru Birmingham... there's an O Charleys)
 2012-03-30 18:02
 But... sure they have an upscale steak house like Logan's
 Haha... funny. There's one right next to it I think u r allowed to wear stupid looking hats inside too.
 We stopped at a wal mart in Birmingham. goes there's a lot of black people in Alabama. its all martin luther kings fault.
 Yeah... he's obviously a future leader of this country!
 2012-03-31 14:02

Child

3

2012-04-05 05:27
 What did he and killed a woman last night?
 Did u get called out?
 Nope, I don't find out till I read the news.
 What?? That's crazy!
 2012-04-05 10:42
 What's the deal with that?
 Maybe Ben and large just handled it.
 2012-04-05 10:42
 Ben... could you tell me what's that about?
 I don't know... I just saw it on the news... he was at the top of a tree.

4

2012-05-02 18:38
 Now they are saying the Central St fight was between 2 fraternalites. So much for the uninvited guests story.
 Think I'm gonna leave early tomorrow and open my pool. Therefore, we have some govt work in the am
 Around then. Not sure yet. Its supposed to be 35 deg tomorrow.
 2012-05-02 19:35

5

2012-05-04 15:29
 I think Benjamin Franklin might not be the...
 Creative... don't let the kids...
 But no LAR's eh??
 I don't know... I just saw it on the news...
 Throw a football on the ground and yell FUMBLE if he jumps on the ball at him
 2012-05-04 15:29

1

2012-05-05 11:17

10:11 AM

[Redacted]

Can u post it on the sidewalk like I did?

[Redacted]

And right on a "rest in peace Tee Tee"

2012-05-05 14:13

2

2012-05-07 19:25

Did u see the signs that made the news in Texas because they refused to pay the penalty on a patch of land

No... That's ridiculous

2012-05-06 07:20

3

2012-05-16 21:14

Which invest does Moebius have administrative invest

your money. It's important that he stopped a guy because he was black. Who?

Cool. Landis was asking.

It would give him a case

I know... but it makes him happy

[Redacted]

LOL!!! True THAT too!!!

2012-04-17 09:53

4

2012-05-19 21:36

Landis is fucking listening to the news again. He wants to know why someone left the gun in the car and die.

Did he call you or text?

[Redacted]

Called and it costed 20 dollars

He needs to relax. Glad I went to the SWAT callout.

Landis never made contact with the family he just called them. The family and the SWAT showed up at the job.

I will mention calling Harshbarger monday.

I don't know why you are for someone to chemically neutralize these people

That is kind of crazy

They don't all the time.

Napcare is a joke!

I know.

2012-05-20 11:57

5

2012-06-07 18:03

We have to drive by hoover and gburg tomorrow and check out the teddy bears.

2012-06-01 16:21

2012-06-10 14:02

what the judge demands are. Only who he says then I'll heading him as you have the attacking that certain strategy. He will have his hands and it looking after a case.

2012-06-10 14:02

Guarantee he fell off a foot!

2012-06-10 14:02

Either way I'm sure he's getting workmans comp Was he buying Mtn Dew and Pepsi?

2012-07-02 16:34

Sw.

U guessed it!

2012-07-02 08:18

2012-07-08 19:52

They are releasing a lot of English and that security guard shooting videos on Sunday.

2012-07-08 19:52

Good! Root tony!

2012-07-08 18:58

Child

2012-08-12 19:13

Remind me to tell ya the white Hooper story too lolc me

Haha. Ok [redacted] spill some kid in half today during our game. I will try and bring it in the show u. The kid was black... and was down on the field forever. :)

Child

Did [redacted] punch him when he was done thrashing him?

Haha. It was sick. The kid laid on the ground, ripped his helmet off and was trying to breathe. He was panicked. Haha... negros :)

They all get that same panicked look. I use

Haha!! No doubt! Or when u choke their thug asses out. That was funny. That's exactly how he looked

I forgot to tell ya Brock came by Friday afternoon. He was excited with him seeing her dragging his feet!

I kind of agree. The sheriff has a hard on for this one.

2012-08-15 06:47

This message was not highlighted by Mr. Foward.

2012-08-17 15:00

Sw.

Pornography

2012-08-18 14:24

Sw.

Lo!!! Yeah!!

I think he was going to attack that white buttz

U know he had a single black and mild in his pocket

1

2012-05-20 20:14

I'm rigging up a BBQ chicken ranch salad.

Don't copy me fool!

I'm not gonna be too many more mufuckers!

LO!! Word!!

2012-05-21 04:10

2

2012-09-10 16:43

Never seen that nigga reporter for Fox-40. The only thing he's wearing is a shirt and a tan bag.

No. lol.

You never seen a ghetto reporter before. It was funny.

2012-09-11 12:59

Cotta love showing up for surgery at NY south and they tell o the Dr is running behind and wants me at 5:15M instead. Can anything every run smoothly??

3

2012-09-12 16:13

I forgot to tell ya. Hate that a white woman got hunk that wasn't his wife.

Black guys do that

2012-09-17 16:58

It was funny cause he got a little flustered when he said it.

That's awesome. I don't know who she is!

2012-09-12 17:58

I don't know who she is!

That's funny

This message was not highlighted by Mr. Foward.

4

2012-10-23 15:42

Y'all weren't even back up in HO today is it because they said they looking for that...

2012-09-12 17:58

Dotche.

A few things but nothing that can't wait til the morning. Did u see president Barry?

2012-09-12 17:58

Mr. Sen. For France. He's still banging his gun to the colored folk. Wanting to sweep the room clean.

5

2012-10-29 20:34

After the interview tomorrow I have to leave for the Romney detail. U-Care if I just wear my bomb squad uniform instead of a suit.

No...but I aint signin off on yer OT form or any stuth like that.

It was funny, when Sen said land is needin' something to do. He has zero he's responsible for.

And making \$120k

Unreal, Romney just touched down.

2012-10-29 20:34

Daryl said nope.

Did they ask for meat and Daryl said yes?

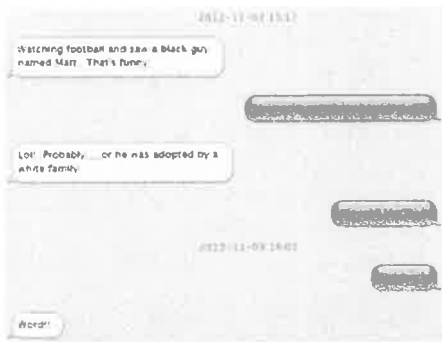
I don't know that. I just asked if some would be there and he said No. Not sure what happened.

Romney has a bigger motorcycle than POTUS.

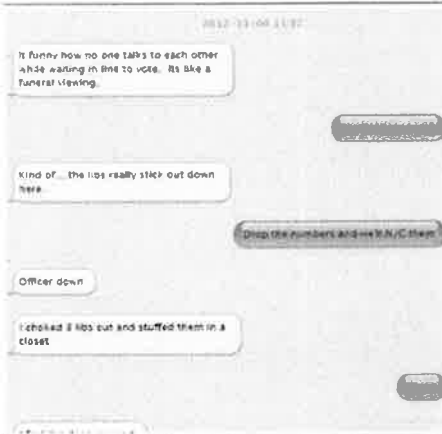
Is because he more important.

And his entourage actually shows up and is trust worthy and doesn't steal stuff.

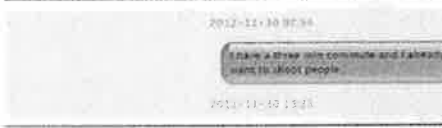
2012-10-30 04:13



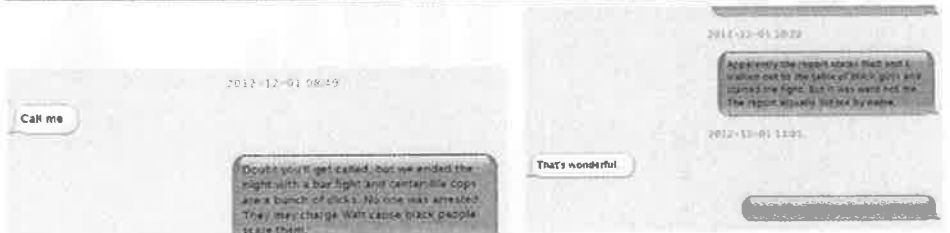
This message was not highlighted by Mr. Foward.



This message was not highlighted by Mr. Foward.



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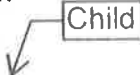




INTERVIEW WITH MS. JENNIFER SOLLENBERGER

On Tuesday, December 16, 2014, at approximately 1055 hours, Ms. Jennifer (Jenn) Sollenberger appeared at the Inspectional Services Unit for an administrative interview. Ms. Sollenberger, Detective Bryan Cavender and I were present for the recorded interview.


Ms. Sollenberger was married to Detective Michael Sollenberger at the time of the interview. Ms. Sollenberger advised they were currently awaiting final results of their divorce trial from the Montgomery County Domestic Relations Court.

1 Ms. Sollenberger advised she provided a series of text messages to the Dayton
2 Chapter of the National Association for the Advancement of Colored People
3 (NAACP) in early August of 2014. Ms. Sollenberger reviewed the documents I
4 received from Mr. Derrick Foward on December 2, 2014, and advised they
5 represented the same documents she gave Mr. Foward.
6

7 Ms. Sollenberger said she discovered the text messages the first week of May 2014.

8 Ms. Sollenberger said during the first week of May, her daughter and son were
9 staying with her, and while they were watching television, she noticed her son, [REDACTED] 
10 had left the room for several minutes. Ms. Sollenberger said she looked for [REDACTED] 
11 and found him in her room looking through her dresser drawers. Ms. Sollenberger
12 said she questioned her son about what he was doing, and after some time, he told her
13 he was looking for his dad's, Detective Michael Sollenberger's, old cellular 
14 telephone. Ms. Sollenberger said [REDACTED]  told her Detective Sollenberger would
15 activate the phone for him [REDACTED]  if he found it and brought it to him.

16
17 Ms. Sollenberger said she knew where the phone was when [REDACTED] was looking for it
18 because she had put it away after Detective Sollenberger moved out of the house.

19 Ms. Sollenberger said she had two of her friends stop in to check on her later that
20 night and, after a while, she told them about [REDACTED]  trying to find Detective
21 Sollenberger's old phone. Ms. Sollenberger said she was upset Detective
22 Sollenberger had their son searching through her room trying to find an old phone.

23 Ms. Sollenberger said as she spoke to her friends, they thought there might be
24 something on the phone Detective Sollenberger did not want her to see. Ms.
25 Sollenberger said one of her friends, Dani, took the phone that night and called her
26 the next day to tell her what she found on the phone.
27

28 Ms. Sollenberger said Dani brought a computer with her and showed Ms.
29 Sollenberger what was on the telephone. Ms. Sollenberger said there were nude
30 pictures of Detective Sollenberger and Detective Sollenberger's girlfriend. Ms.
31 Sollenberger said it appeared some of the photographs were taken inside the house
32 she and Detective Sollenberger lived in before they separated, and some appeared to

1 have been taken in a hotel.

2
3 Ms. Sollenberger said the next day her friend started reading the text messages on the
4 telephone. Ms. Sollenberger said she did not read all of the messages but found a
5 number of them to be disturbing.

6
7 Ms. Sollenberger said she was particularly disturbed by the text messages where there
8 appeared to be enjoyment talking about someone who was murdered, beating up
9 coloreds, and stabbing a coon. Ms. Sollenberger said she had no doubt Detective
10 Sollenberger sent the text messages. Ms. Sollenberger said she knows all of the
11 individuals Detective Sollenberger was texting back and forth with. Ms. Sollenberger
12 said the text messages were between Detective Sollenberger and Captain Thomas
13 Flanders, Sergeant Brian Lewis, Detective Brad Daugherty, Deputy Jayme Horton,
14 and Deputy Joseph Connelly. Ms. Sollenberger said she had no doubts the messages
15 were actually text messages sent between Detective Sollenberger and the other
16 Sheriff's Office employees.

17
18 Ms. Sollenberger said the telephone was Detective Sollenberger's personal phone
19 which he used for work purposes, and he claimed the costs of the phone on his taxes
20 as a work expenditure.

21
22 Ms. Sollenberger said she gave the NAACP five PDFs containing the text messages
23 on a flash drive. Ms. Sollenberger said she spoke to an investigator with the NAACP,
24 who told her the NAACP would file a complaint with the Department of Justice on
25 her behalf. Ms. Sollenberger said she did not influence or request when the NAACP
26 released the information to the Sheriff's Office.

27
28 I asked Ms. Sollenberger who downloaded the information from Detective
29 Sollenberger's phone for her. Ms. Sollenberger said she wanted to speak to the
30 individual before she provided us with the information. Ms. Sollenberger said she
31 would contact the individual and then speak to us again.

32

1 Ms. Sollenberger said she did not have any additional information regarding this
2 investigation. I ended the interview at 1113 hours.

3
4 **INTERVIEW WITH DETECTIVE BRAD DAUGHERTY**

5 On Thursday, December 18, 2014, at 0928 hours, Detective Brad Daugherty appeared
6 at 345 West Second Street, Sheriff's Headquarters Building as a focus in an
7 administrative investigation. Detective Daugherty, his representative Mr. Mark
8 Scranton, Detective Bryan Cavender and I were present for the interview. I reviewed
9 the *Policy/Waiver* form and the *Administrative Investigation Pre-Interview* form with
10 Detective Daugherty. Detective Daugherty said he understood the forms and signed
11 both. Mr. Scranton and I witnessed his signature on the forms.

12
13 Detective Daugherty has been employed by the Montgomery County Sheriff's Office
14 for over sixteen years. Detective Daugherty has been a detective for ten years.
15 Detective Daugherty is currently assigned to the Dayton Police Department's
16 Homicide Squad.

17
18 Before starting the interview, Detective Daugherty and Mr. Scranton had the
19 opportunity to review the text messages provided to the Montgomery County
20 Sheriff's Office, which are reported as being a series of text conversations between
21 Detective Daugherty and Detective Sollenberger. I asked Detective Daugherty, after
22 reviewing the text messages between him and Detective Sollenberger, if they were in
23 fact conversations he had with Detective Sollenberger. Detective Daugherty said
24 after reviewing the messages, he is sure they were actual text messages sent between
25 him and Detective Sollenberger, based on the content of the messages.

26
27 Detective Daugherty said he does not recall sending or receiving the specific
28 messages but the content, for instance the messages talking about a robbery occurring
29 at the Drexel Drive Thru, could only have been between him and Detective
30 Sollenberger. Detective Daugherty explained he was assigned the case of the robbery
31 at that time. Additionally, Detective Daugherty said there is a conversation about a
32 cold case homicide where he and Detective Rick Ward (Detective Ward at the time of

1 the investigation was an employee of the Montgomery County Sheriff's Office and
2 has since resigned to take a job as an investigator with the Ohio Bureau of Criminal
3 Identification and Investigation BCI) interviewed an individual in St. Louis, Missouri
4 regarding the homicide.

5
6 Detective Daugherty said the text messages in this investigation were sent and
7 received on his personal cell phone. Detective Daugherty explained he had a personal
8 iPhone at the time, which he carried with him, as well as the "flip phone" that was
9 issued to him by the Sheriff's Office to use during the course of his duties. Detective
10 Daugherty said he typically texted with his personal phone because the phone issued
11 by the Sheriff's Office was difficult to send text messages on, due to the number only
12 keypad.

13
14 Detective Daugherty said he believed the messages were sent to Detective
15 Sollenberger's personal cell phone also because he believed Detective Sollenberger
16 did not use the cellular telephone issued by the Sheriff's Office, but he had the calls
17 forwarded to his personal cell phone.

18
19 I reviewed the text messages with Detective Daugherty. Detective Daugherty
20 identified the text messages printed on the left side of the pages as being messages he
21 texted and the messages printed on the right side of the page as being messages
22 created by Detective Sollenberger.

23
24 I reviewed with Detective Daugherty the message:



26 I asked Detective Daugherty if this was the Drexel robbery he was assigned to
27 investigate. Deceptive Daugherty said, "Yeah, we had a, a drive-thru robbed in
28 Drexel around that time, and the clerk actually pulled a gun on the robber, and the
29 robber shot the clerk in the arm." Detective Daugherty said he was sure this is the

1 case the text is referring to. Detective Daugherty said he does not remember sending
2 or receiving these messages but has no doubt that these are actual messages based on
3 the specific content. Detective Daugherty said his response to the message saying he
4 spoke with Detective Meeker, is a reference to Detective Brad Meeker of the Dayton
5 Police Department who was assigned to investigate robberies at the time for the City
6 of Dayton Police Department.

7
8 I reviewed Detective Sollenberger's response to the message:



9
10 I asked Detective Daugherty if he responded to Detective Sollenberger's follow-up
11 message and Detective Daugherty said he did not. I asked Detective Daugherty if he
12 knew what Detective Sollenberger was referring to in the message regarding
13 Detective Meeker being a "mud shark." Detective Daugherty said, "I, I don't. You
14 know I, I Googled that word, um, you know, um, and the context doesn't make sense.
15 I know that Sollenberger is friends with Detective Meeker. Um, you know, um,
16 based upon the context of, at least what the Urban Dictionary says that word means, it
17 does not make any sense to me why he would text that. So I don't know what, when
18 he says, 'for being a mud shark,' I don't really know what he means by that."

19
20 Detective Daugherty said the printout of text messages appear to be a running total of
21 the text conversations he would have had with Detective Sollenberger at the time,
22 approximately one conversation every week or two.

23
24 I asked Detective Daugherty when he receives text messages with objectionable
25 content, if he typically responds to the sender advising he did not agree or if he
26 ignores the message. Detective Daugherty said he would probably ignore the
27 message.

1 I asked Detective Daugherty if he recognized the photograph Sergeant Thomas
2 Flanders sent to Detective Sollenberger on December 23, 2011, at 1309 hours.



3
4 Detective Daugherty said he did recognize the photograph and explained, "This is a
5 homicide suspect that was shot during a pawn shop robbery and dumped in an alley in
6 Detroit (Michigan). Um, I don't recall, uh, Wayne, Wayne McClain was his name."

7 Detective Daugherty said he went to Detroit to investigate this case and sent this
8 photograph to Sergeant Melvin Hutchison, Detective Walt Steele and Detective Mike
9 Clymer who were in Dayton working the homicide case while Detective Chris
10 Plummer and he were in Detroit working the case.

11
12 Detective Daugherty said he recalls sending the photograph to the Special
13 Investigation's Detective's because the suspect was wearing the same clothing as he
14 was wearing when the robbery and shooting at the pawn store occurred and was
15 captured on video surveillance. Detective Daugherty said he does not recall sending
16 the photo to Sergeant Flanders but said he could have, based on the text where
17 Sergeant Flanders said he was going to talk to Detective Daugherty. Detective
18 Daugherty said if he sent the photo to Sergeant Flanders it would have been in
19 furtherance of his investigation because of the matching clothing he was wearing
20 when found in Detroit and on the surveillance video. Detective Daugherty said this
21 case was unique because the suspects in this case drove from Detroit to Dayton to rob
22 a specific pawn shop, which resulted in the murder of the owner of the pawn shop and
23 one of the suspects.
24

1 Detective Daugherty said he did not have any further information regarding this
2 investigation. I ended the interview at 0941 hours.

3
4 **INTERVIEW WITH DEPUTY JAYME HORTON**

5 On Thursday, December 18, 2014, at 1036 hours, Deputy Jayme Horton appeared at
6 345 West Second Street, Sheriff's Headquarters Building as a **focus** in an
7 administrative investigation. Deputy Horton, his representative Mr. Mark Scranton,
8 Detective Bryan Cavender and I were present for the interview. I reviewed the
9 *Policy/Waiver* form and the *Administrative Investigation Pre-Interview* form with
10 Deputy Horton. Deputy Horton said he understood the forms and signed both. Mr.
11 Scranton and I witnessed his signature on the forms.

12
13 Deputy Horton has been employed by the Montgomery County Sheriff's Office for
14 over twenty years. Deputy Horton is currently assigned to the Jail Division working
15 second watch.

16
17 Before starting the interview, Deputy Horton and Mr. Scranton had the opportunity to
18 review the text messages provided to the Montgomery County Sheriff's Office, which
19 are reported as being a series of text conversations between Deputy Horton and
20 Detective Sollenberger. I asked Deputy Horton, after reviewing the text messages
21 between him and Detective Sollenberger, if they were in fact conversations he had
22 with Detective Sollenberger. Deputy Horton said after reviewing the messages, he
23 recalls the incidents being talked about in the messages as being things that happened
24 to him and his family and believes they are actual text messages. Deputy Horton said
25 he does not recall typing each message but believes them to all be actual messages.

26
27 Deputy Horton said the messages were sent and received on his personal cellular
28 telephone because he was not issued a Sheriff's Office cellular telephone at that time.
29 Deputy Horton said he believes the messages were sent to Detective Sollenberger's
30 personal cellular telephone.

31

1 I asked Deputy Horton about the series of three messages starting with “So what’s up
2 with Karl clearing houses and standing point? That kid annoys me.” Deputy Horton
3 said that was a text from Detective Sollenberger to him about the television show *The*
4 *Walking Dead*. Deputy Horton explained the text messages on the left side of the
5 page are messages he wrote and sent and the messages on the right side of the page
6 are messages Detective Sollenberger sent.

7
8 Deputy Horton confirmed he sent the text, “Karls a bad ass now. Stone cold nigga.”
9 I asked Deputy Horton if the term “nigga” was a term he would use at work. He said,
10 “No. Um, I, ah, I mean it’s, I probably heard that word twenty times last week.
11 Transporting inmates back and forth. I think an inmate even called me that last week.
12 Talking about, I mean it’s like urban slang I guess I would say. Would I go around
13 and saying it to people, uh, no. I, I wouldn’t because, yeah it could be offensive.” I
14 asked Deputy Horton what he meant by using the slang word in the context of his
15 message. Deputy Horton said, “I would mean it like. I don’t know, like tough guy,
16 like uh. Could I have chosen a better word? Yeah, obviously I could have said
17 gangsta, maybe replaced it with something like that. Um, I didn’t mean to hurt
18 anybody’s feelings or to offend anyone. I was actually talking about a, an eleven year
19 old white kid on a TV show.” Deputy Horton said he was not using the slang term to
20 describe or offend a group of people.

21
22 I asked Deputy Horton about the text sent from Detective Sollenberger saying, “Why
23 is it that every morning at the school drop off we have to wait on the negroes. What
24 takes them so long to get out if (sic) the cars?” Deputy Horton explained at that time,
25 0755 hours, Detective Sollenberger was probably dropping his kids off at school,
26 which is where Deputy Horton said his son also attends. Deputy Horton confirmed
27 he responded to the text about thirty minutes later saying, “They is in no hurry for
28 noooooobody. (Sic) Lordy....” Deputy Horton said he could not explain Detective
29 Sollenberger’s message other than what it says, and he felt Detective Sollenberger
30 was upset regarding the time it takes to drop kids off at the school. Deputy Horton
31 said the school drop off is typically a slow process and his response was not a
32 response to Detective Sollenberger’s use of the word “negroes” but would be his

1 typically response for anyone one taking a long time to drop off their kids at the
2 school.

3
4 Deputy Horton said the terms “nigger, negro and nigga” are terms that are used
5 throughout some of the conversations he had with Detective Sollenberger. I asked
6 Deputy Horton about the comment Detective Sollenberger sent him saying, “Just
7 because a nigger scammed the election and is pres. It does not give the G-damn right
8 to shop at DLM.” Deputy Horton said DLM is a reference to Dorothy Lane Market
9 and the comment is obviously Detective Sollenberger expressing his displeasure that
10 people of color are shopping there.

11
12 I asked Deputy Horton about the text Detective Sollenberger sent saying, “It’s way to
13 (sic) early for my nigrometer to be at 96%.” Deputy Horton said on review it appears
14 that was a weekday and sent just before eight o’clock and could be another reference
15 to dropping kids off at school. Deputy Horton said he responded to the message with,
16 “You definitely would not like my arraignment docket then” Deputy Horton said his
17 response was to tell Detective Sollenberger there were a lot of people of color on his
18 docket so Detective Sollenberger would not like it.

19
20 I asked Deputy Horton if he was using an iPhone during these conversations or an
21 Android device. Deputy Horton said it would have been an Android device because
22 he has never owned or used an iPhone. I asked Deputy Horton about the photograph
23 he sent on January 9, 2014, to Detective Sollenberger. Deputy Horton said it appears
24 to be a photograph of somebody’s feet wearing shower shoes and an Administrative
25 Segregation yellow Jail Uniform.



1 Deputy Horton said he did not have any further information regarding this
2 investigation. I ended the interview at 1055 hours.

3
4 **INTERVIEW WITH SERGEANT BRIAN LEWIS**

5 On Thursday, December 18, 2014, at 1140 hours, Sergeant Brian Lewis appeared at
6 345 West Second Street, Sheriff's Headquarters Building as a **focus** in an
7 administrative investigation. Sergeant Lewis, his representative Mr. Joe Hegedus,
8 Detective Bryan Cavender and I were present for the interview. I reviewed the
9 *Policy/Waiver* form and the *Administrative Investigation Pre-Interview* form with
10 Sergeant Lewis. Sergeant Lewis said he understood the forms and signed both. Mr.
11 Hegedus and I witnessed his signature on the forms.

12
13 Sergeant Lewis has been employed with the Montgomery County Sheriff's Office for
14 over nine years. Sergeant Lewis has been a supervisor for over three years. Sergeant
15 Lewis is currently assigned as the Administrative Sergeant for the Regional Dispatch
16 Center on second watch.

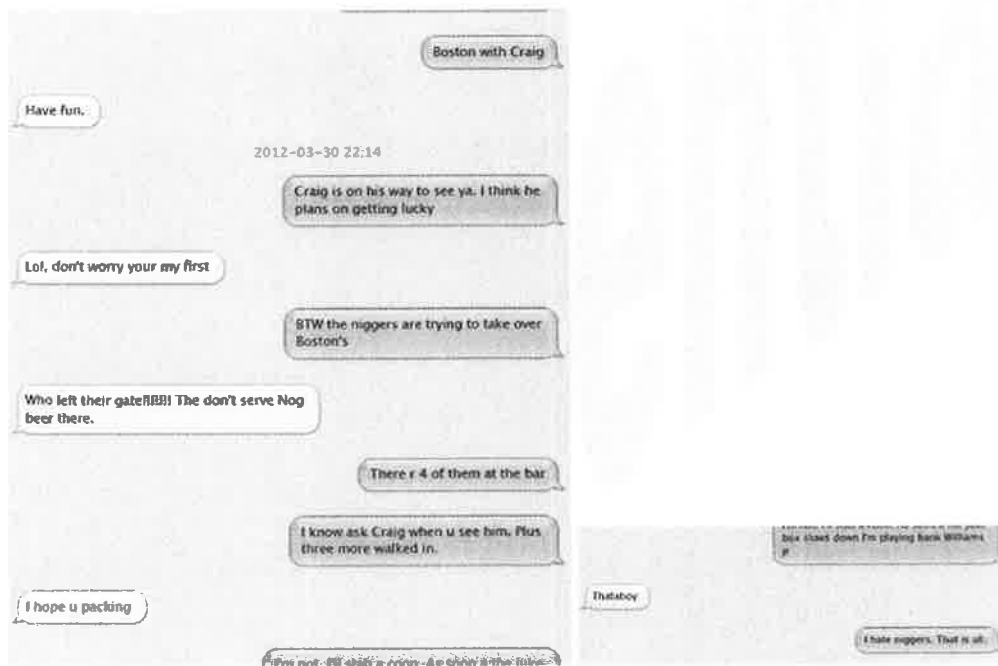
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18 I reviewed the allegation and documents I provided to Sergeant Lewis when I served
19 him with notice of the investigation. Sergeant Lewis said he understood the
20 allegation and had reviewed the documents I provided him. Sergeant Lewis said the
21 documents appeared to be text messages between himself and Detective Sollenberger
22 with the left side of the pages being text messages from him (Lewis) and the right
23 side being messages from Detective Sollenberger. Sergeant Lewis said he did not
24 recall individual text message,s due to the length of time since the conversations
25 occurred. Sergeant Lewis said he did not recall any of the conversations specifically
26 but said many of them were consistent with things he would have known.

27
28 I asked Sergeant Lewis about the series of messages with a photograph. Sergeant
29 Lewis said he took the photograph of Sergeant Terry Ables. Sergeant Lewis said he
30 may have sent the photograph to Detective Sollenberger. I asked Sergeant Lewis
31 where the phone number 225-4034 went to. Sergeant Lewis said it went to the
32 Booking Sergeant's office in the Montgomery County Jail where he was assigned as a

1 sergeant with Sergeant Ables in October of 2012, when the text was sent. Sergeant
2 Lewis said the photograph was taken with his personal phone while he was at work.

3
4 I asked Sergeant Lewis about a message that appeared before the photograph which
5 he wrote saying, "Congrats bomb boy." Sergeant Lewis said that text was sent to
6 Detective Sollenberger when he was assigned to the Dayton Bomb Squad. Sergeant
7 Lewis said Detective Sollenberger was the only person he would have sent that
8 message to.

9
10 I asked Sergeant Lewis about the text messages from March 30, 2012, that make
11 reference to Boston's:



13 Sergeant Lewis said it is Boston's Bistro which serves pizza and alcoholic beverages.
14 I asked Sergeant Lewis who Detective Sollenberger was with who is referred to as
15 Craig. Sergeant Lewis said Craig Stivers who is a mutual friend of his and Detective
16 Sollenberger. I asked Sergeant Lewis what "Nog beer" was. He said, "Uh, thu, Nog
17 means thug." I asked Sergeant Lewis what he meant when he sent "Hope u packing."
18 Sergeant Lewis said, "So I'm referring if, if there's thugs and your around a bunch of
19 thugs, I hope you're packing." I asked Sergeant Lewis when Detective Sollenberger
20
21

1 used the term “niggers” if he (Lewis) took Detective Sollenberger to mean criminal
2 thugs, which is why he referred to “Nog beer.” Sergeant Lewis said, “I don’t use. I
3 don’t use that word. Um, I guess. I’ve heard that word, we all know what it means to
4 society. It can mean, it means a few things, I guess. Um, it can mean a term of
5 endearment, depending on the people having the conversation. Um, it can mean a
6 derogatory comment. Um, so it’s all going to be, depending on who the people are
7 having the conversation. Uh, so if somebody, ahh, in this case, I took it as a they’re
8 meaning thugs, I just don’t mean, or ah you could call it whatever you want, uh, uh,
9 less than desirable people. Uh, ah, you could call it all kinds of things. It’s just a
10 word I’ve used for as long as I can remember for the word thug. Um, never really
11 thought much about it.”

12
13 At this point Mr. Hegedus clarified that Sergeant Lewis was talking about the term
14 “Nog.”

15
16 Sergeant Lewis said when he asks Detective Sollenberger if he was “packing” he is
17 asking if he is carrying a gun, because he thought Detective Sollenberger was at a
18 place where there were criminal “thugs.” Sergeant Lewis said the text was made
19 partially in jest and is a common bravado joke among law enforcement officers.

20
21 I asked Sergeant Lewis what he thought Detective Sollenberger meant by the texts.
22 Sergeant Lewis said, “No, I mean I think he’s still, No. I just still think he’s just
23 talking about a black thug. I think he’s talking about a thug who is of color.”

24
25 Sergeant Lewis said in reviewing the rest of the text messages, the majority of the
26 texts are joking or work related. Sergeant Lewis said although he does not
27 specifically recall all of the messages, there is no doubt the messages are from him to
28 Detective Sollenberger. Sergeant Lewis said the messages were personal
29 conversations and were not intended to be made public. Sergeant Lewis said some of
30 the messages were sent while he was on duty and some were when he was off-duty.
31 Sergeant Lewis said the text conversations with Detective Sollenberger about
32 Boston’s Bistro occurred while he was off-duty.

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Sergeant Lewis explained the comments look bad on paper and he cannot speak to Detective Sollenberger’s mindset or meaning at the time. Sergeant Lewis said he has known Detective Sollenberger and worked directly with him for years and has never seen Detective Sollenberger mistreat or unfairly treat anyone as part of his job with the Montgomery County Sheriff’s Office. Sergeant Lewis continued saying he personally has never treated anyone differently based upon a racial, ethnic background, religion, or belief either in his personal or professional life.

Sergeant Lewis said he did not have any further information regarding this investigation. I ended the interview at 1203 hours.

INTERVIEW WITH DEPUTY JOSEPH CONNELLY

On Thursday, December 18, 2014, at 1502 hours, Deputy Joseph Connelly appeared at 345 West Second Street, Sheriff’s Headquarters Building as a **focus** in an administrative investigation. Deputy Connelly, his representative Mr. Mark Scranton, Detective Bryan Cavender and I were present for the interview. I reviewed the *Policy/Waiver* form and the *Administrative Investigation Pre-Interview* form with Deputy Connelly. Deputy Connelly said he understood the forms and signed both. Mr. Scranton and I witnessed his signature on the forms.

Deputy Connelly has been employed by the Montgomery County Sheriff’s Office for over three years. Deputy Connelly is currently assigned to the Washington Township Substation on third watch.

I asked Deputy Connelly if the text messages we were investigating were text messages between him and Detective Sollenberger. Deputy Connelly said he did not remember each specific text message, but after reviewing them, he believes them to be text conversations between himself and Detective Sollenberger. Deputy Connelly said in reviewing the printed text messages the messages on the left side of the page in the white balloons were his (Connelly’s) messages and the messages on the right side of the page in blue would have been Detective Sollenberger’s messages. Deputy

1 Connelly said the messages were sent from his personal iPhone to Detective
2 Sollenberger's personal iPhone.

3
4 I asked Deputy Connelly about a series of text messages from October 31, 2012:



5
6
7 Deputy Connelly said he recalled this incident saying, "I remember Mike that, uh, he,
8 Jen had run a, run the bathtub and had put a washcloth, if I remember correctly, in the
9 uh, overflow opening. And, uh, and then, left, left the bathroom, forgot that she left
10 the bathtub running and it overflowed and flooded his basement." Deputy Connelly
11 said Jen is Detective Sollenberger's estranged wife.

12
13 Deputy Connelly said he eventually asked Detective Sollenberger if he needed a shop
14 vac. Deputy Connelly said Detective Sollenberger did not immediately reply, but
15 sent a short time later "No, I'm good. I need a shovel and bag of lime." I asked
16 Deputy Connelly what he thought the statement meant. Deputy Connelly said, "Uh,
17 ah humorous statement that he was upset with his wife. That she had done
18 something, um, poor judgment, and that he was going to kill her." Deputy Connelly
19 said this statement was clearly a joke, and he responded by carrying on the joke when
20 he texted, "Ok, my family owns 120 acres in Indy if you need it."

21
22 I asked Deputy Connelly about the texts from November 2, 2012, following the
23 bathtub texts:

1
2 Deputy Connelly said his response to Detective Sollenberger was “Lol...” (laugh out
3 loud) “...stuck at Csb again.” Deputy Connelly said “Csb” was a reference to
4 Montgomery County Children’s Services Bureau (CSB), which was a common
5 assignment for him while he worked in the Courts Section.
6

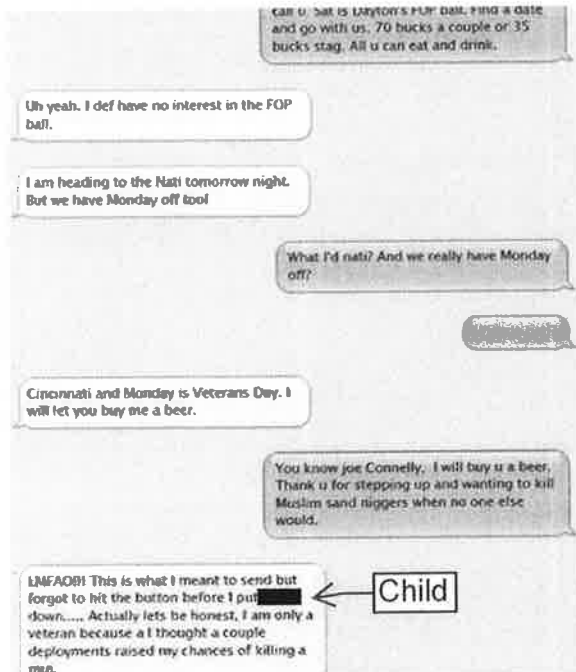
7 I asked Deputy Connelly what he took Detective Sollenberger’s response “Of course
8 there will be no visitation cause they were out late partying.” Deputy Connelly said,
9 “Yeah, that, um, African Americas were excited that President Obama was re-elected,
10 and so they were out late celebrating.” I asked Deputy Connelly about the visitation
11 portion of the comment. Detective Connelly said, “Um, well, and that, it would be
12 interrupted. Because any African Americans who had visitation on that particular day
13 would probably not be able to make it.” Deputy Connelly said CSB has set visitation
14 times for family members to visit with their children who have been placed into the
15 custody of CSB.
16

17 I reviewed the next four comments with Deputy Connelly. Deputy Connelly
18 explained his ex-wife’s name is Emily who voted for President Obama in both
19 presidential elections. I asked Detective Connelly what he took Detective
20 Sollenberger’s next comment, “That makes her a mud shark.” to mean. Deputy
21 Connelly said, “Well I’ve heard a bottom feeder or a woman, a Caucasian woman
22 who um engages in relationships with African American male, males.” Detective
23 Connelly said he took the meaning of Detective Sollenberger’s comment to be his ex-
24 wife was someone who engages in relations with African American males “mud
25 shark” because she voted for President Obama. Deputy Connelly said he responded
26 with the abbreviation “LMFAO” which means “laughing my fucking ass off.”
27

28 I asked Deputy Connelly about Detective Sollenberger’s next text referring to a
29 Facebook Post Deputy Connelly made concerning the debt his son was going to incur.
30 Deputy Connelly said he recalled making a Facebook comment about the impact on
31 his son due to an economic policy that was enacted.
32

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I asked Deputy Connelly about the following series of text messages, particularly the three messages about Veteran’s Day:

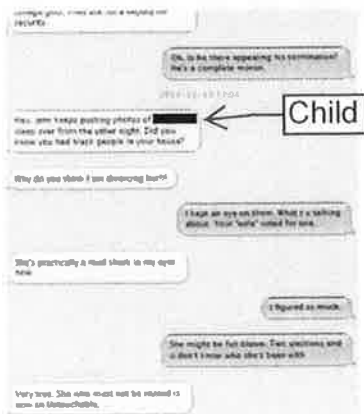


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Deputy Connelly explained the messages saying, “Uh, I was in the Marines, I did two deployments in Iraq. I’m assuming that was what that was referring to.” Deputy Connelly said “sand nigger” would be a derogatory term for a person of Middle Eastern descent. Deputy Connelly said in his response he used the term “muj” which means Mujahideen. Deputy Connelly said his comment was made in jest, as a form of bravado. Deputy Connelly said the majority of the text messages were jokes between two guys, often times trying to “one up” each other.

12

I asked Deputy Connelly about this series of text messages:



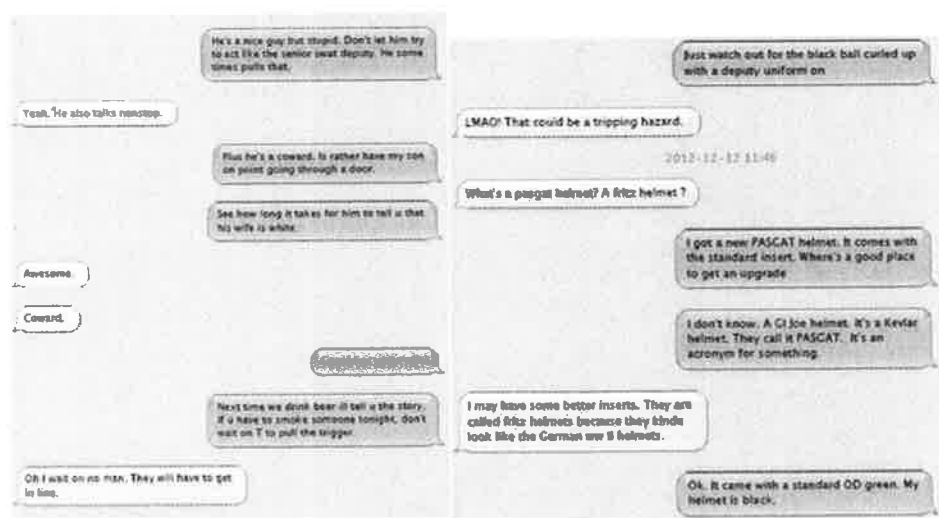
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Deputy Connelly said he does not recall this conversation with Detective Sollenberger. When asked, Deputy Connelly said it looked like he was telling Detective Sollenberger his wife, Jenn Sollenberger, was posting photos from his (Sollenberger's) daughter's [REDACTED] sleep over where there were "black" people in his house. Deputy Connelly said Detective Sollenberger replied he kept an eye on them and said Deputy Connelly's wife voted for one. Deputy Connelly said that would be another reference to his ex-wife voting for President Obama. Deputy Connelly said his response was to refer to his ex-wife as, "...practically a mud shark in my eyes now." Deputy Connelly said the meaning would be, "A Caucasian woman who engages in a relationship with an African American male."

Child

I asked Deputy Connelly about the series of text messages from December 11, 2012, when he worked overtime at District 10:



14
15
16
17

Deputy Connelly said he did not recall this conversation and said he has only worked two or three shifts at District 10. I asked Deputy Connelly if he ever recalled having a conversation with Detective Sollenberger about Deputy Talmadge Crosby. Deputy

1 Connelly said he did recall a conversation he had with Detective Sollenberger similar
2 to these text messages. Deputy Connelly said Detective Sollenberger has referred to
3 Deputy Crosby, who is an African American, as a coward and as someone who has
4 dated and is married to Caucasian women. Deputy Connelly said during the
5 conversation Detective Sollenberger told him to not wait for Deputy Crosby to, “pull
6 the trigger.” Deputy Connelly said he took the comment in a joking matter and
7 responded with bravado by saying, “I wait on no man. They will have to get in line.”
8

9 Deputy Connelly clarified the comment by explaining he does not work his job with
10 the idea he is going to shoot someone when he works. Deputy Connelly said he is
11 trained to respond to each incident based on the unique circumstances presented and
12 reacts according to the incident. Deputy Connelly said his comment, although
13 bravado and joking, is a true statement meaning he has the ability to see each
14 situation and make decisions without influence from other deputies or individuals.
15 Deputy Connelly said he believed Detective Sollenberger’s response was to further
16 joke by saying, “Just watch out for the black ball curled up with a deputy uniform
17 on.” Deputy Connelly said he continued the joke by saying “LMFAO! That would be
18 a tripping hazard.”
19

20 I asked Deputy Connelly if he recalled the text messages immediately following the
21 conversation about Deputy Crosby. Deputy Connelly said he did recall having a
22 conversation with Detective Sollenberger about a helmet Detective Sollenberger was
23 issued as part of the Dayton Bomb Squad that did not fit properly.
24

25 Deputy Connelly said the conversations captured in the text messages presented to
26 him were an accurate reflection of conversations he has had with Detective
27 Sollenberger since they have known each other.
28

29 Deputy Connelly said the text messages were intended to be private conversations
30 between him and Detective Sollenberger. Deputy Connelly said they were never
31 intended to be public and are not appropriate conversations for a public setting.
32 Deputy Connelly said the slang terms used do not reflect his professional opinion of

1 people and he intended them as a way of joking with Detective Sollenberger. Deputy
2 Connelly said his work performance or decisions have never been influenced or
3 affected by the race, religion or background of any individual he has dealt with.
4

5 Deputy Connelly said he did not have any further information regarding this
6 investigation. I ended the interview at 1529 hours.
7

8 **INTERVIEW WITH CAPTAIN THOMAS FLANDERS**

9 On Friday, December 19, 2014, at approximately 0932 hours, Captain Thomas
10 Flanders appeared at 345 West Second Street, Sheriff's Headquarters Building as a
11 **focus** in an administrative investigation. Captain Flanders, his representative Mr.
12 Doug Brannon, Sergeant Dave Parin and I were present for the interview. Sergeant
13 Parin reviewed the *Policy/Waiver* form and the *Administrative Investigation Pre-*
14 *Interview* form with Captain Flanders. Captain Flanders said he understood the forms
15 and signed both. Sergeant Parin and Mr. Brannon witnessed his signature on the
16 forms.
17

18 *Note: This interview was reviewed and summarized by Detective Bryan Cavender.*
19

20 Captain Flanders has been employed with the Montgomery County Sheriff's Office
21 for nineteen and a half years. Captain Flanders is currently assigned to the Jail
22 Division. Captain Flanders has been a captain for approximately two years and was a
23 sergeant for approximately five years prior to being promoted to captain.
24

25 Sergeant Parin asked Captain Flanders if he reviewed the text messages he was
26 provided when he was served his notice of investigation. Captain Flanders stated he
27 did review the texts. Sergeant Parin asked Captain Flanders if the texts appeared to
28 be between him and Detective Sollenberger, Captain Flanders replied "some" but
29 believed Jenn Sollenberger took actual text messages and did some "cutting and
30 pasting and added text to actual conversations." Sergeant Parin asked Captain
31 Flanders if he believed that some of the texts were authentic and some were
32 fabricated to which Captain Flanders stated "they could be."

1
2 Sergeant Parin asked Captain Flanders if it appeared that the texts on the left side of
3 the page were his and the texts on the right side of the page were those of Detective
4 Sollenberger. Captain Flanders stated he was told his texts are on the left side and
5 Detective Sollenberger's were on the right side when he was given the copy of the
6 texts for review. Sergeant Parin asked Captain Flanders if, based on what he read and
7 the type of format the texts are in, the text messages on the left appear to come from
8 him and the text on the right appear to be Detective Sollenberger's, Captain Flanders
9 replied, "that's the way I read them".

10
11 Sergeant Parin had Captain Flanders review the first text dated November 18, 2012,
12 "Any fartbox sightings," and asked if this was a common comment between him and
13 Detective Sollenberger during that period of time. Captain Flanders replied, "Yeah,
14 fartbox is a known nickname for Major Landis." Sergeant Parin asked if this was a
15 common term he would use with Detective Sollenberger, Captain Flanders replied
16 "yes." Sergeant Parin asked Captain Flanders if he supervised Detective Sollenberger
17 during the time period of these text messages, Captain Flanders replied, "I did."
18 Sergeant Parin asked Captain Flanders if he was the sergeant of the Inspectional
19 Services Unit during the time of these text messages, Captain Flanders replied
20 "correct." Sergeant Parin asked Captain Flanders if this was a text conversation about
21 work, Captain Flanders stated that it appeared to be.

22
23 Sergeant Parin reviewed a text about Jana Huber and asked Captain Flanders if he
24 knew who she was. Captain Flanders stated she used to be a prosecutor. Sergeant
25 Parin asked Captain Flanders who Jana Huber became engaged to, he replied that he
26 honestly did not know his name until he read the text. Captain Flanders stated he did
27 not type, "Ger'ald P Diddy Parker?" Captain Flanders stated, "I don't type that way,
28 I've, there are no quotes, there's an apostrophe out of place, and I don't know Gerald
29 Parker well enough to write something like that." Sergeant Parin asked Captain
30 Flanders if he thought the entire conversation about Jana Huber was fabricated.
31 Captain Flanders stated things were added but does not remember having the
32 conversation with Detective Sollenberger. Captain Flanders stated he never read the

1 responding text, “Yep. They can make mud babies” from Detective Sollenberger.
2 Sergeant Parin asked Captain Flanders if he knew Gerald Parker, he replied “no”.
3 Sergeant Parin asked Captain Flanders if he had ever seen Gerald Parker, to which he
4 replied “not that I know of.”



5
6 Sergeant Parin asked Captain Flanders if he knew what mud babies referred to; he
7 replied “no.” Sergeant Parin asked if he had ever heard the term. Captain Flanders
8 replied, “A mud baby? No, I’ve never heard that term until I read that.”

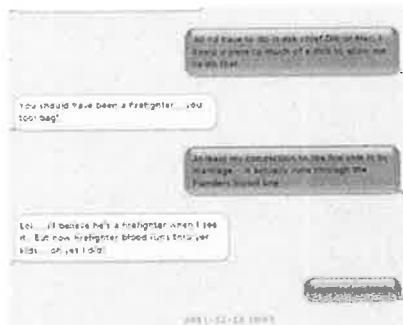
9
10 Sergeant Parin asked Captain Flanders to review the next page of text and asked if it
11 appeared to be typical text between him and Detective Sollenberger; he replied,
12 “Yeah.”

13
14 At this point in the interview, Mr. Brannon asked if we planned to go through all the
15 text conversations between Captain Flanders and Detective Sollenberger. Sergeant
16 Parin responded by pointing out that Captain Flanders believed some of the texts have
17 been altered or made up, and in order to find out what is false and what is true, we
18 will have to go through all the text conversations line by line.

19
20 Sergeant Parin asked Captain Flanders if he was familiar with the format of the texts
21 that were being reviewed. Captain Flanders stated he was not and was told that the
22 texts were screen shots.

1 Sergeant Parin asked Captain Flanders if he thought someone typed the messages and
2 placed them in this format to represent his (Flanders) text messages, or did he think
3 these were actual text messages that were copied by the operating system and then
4 saved to the phone. Captain Flanders responded, "I think that she probably took
5 actual conversations and was able to alter them. Whether it was on a phone, or on an
6 app, or a computer program, or what she did, I don't know."

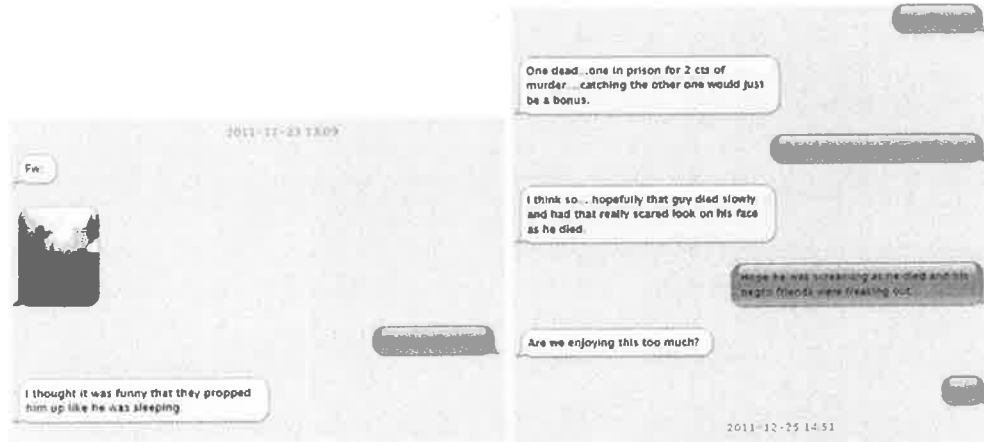
7
8 Sergeant Parin asked Captain Flanders to show him which text messages have been
9 altered by Jennifer Sollenberger. Captain Flanders referred to the following text:



10
11 "All I'd have to do is ask the chief DW or Mac. I knew u were to (sic) much of a
12 dick to allow me to do that," stating he did not remember the conversations on this
13 page but it could be a conversation between him and Detective Sollenberger. Sergeant
14 Parin asked if he thought any of the conversations on this page with date were altered.
15 Captain Flanders stated that he did not believe that any of the text conversations on
16 this page were altered.

17
18 Sergeant Parin asked Captain Flanders if he could identify the texts he thought had
19 been altered or added. Captain Flanders turned to a page of text that included a
20 picture of a deceased person. Captain Flanders stated that he had not seen that picture
21 before. Sergeant Parin explained to him that the photo was a suspect that had
22 attempted to rob a pawn shop in Harrison Township. The suspect was shot by the
23 pawn shop owner and later died of his wounds. His accomplice placed his body
24 against a wall and was later discovered by the Detroit Police Department. The photo
25 was taken by the Detroit police, and Detective Daugherty took a picture of the photo
26 and sent it to other detectives so it could be compared to video evidence of the
27 robbery. The photo had been sent to him by Detective Daugherty. Captain Flanders

1 stated he did not remember receiving the picture from Detective Daugherty and does
2 not remember ever seeing the picture.
3

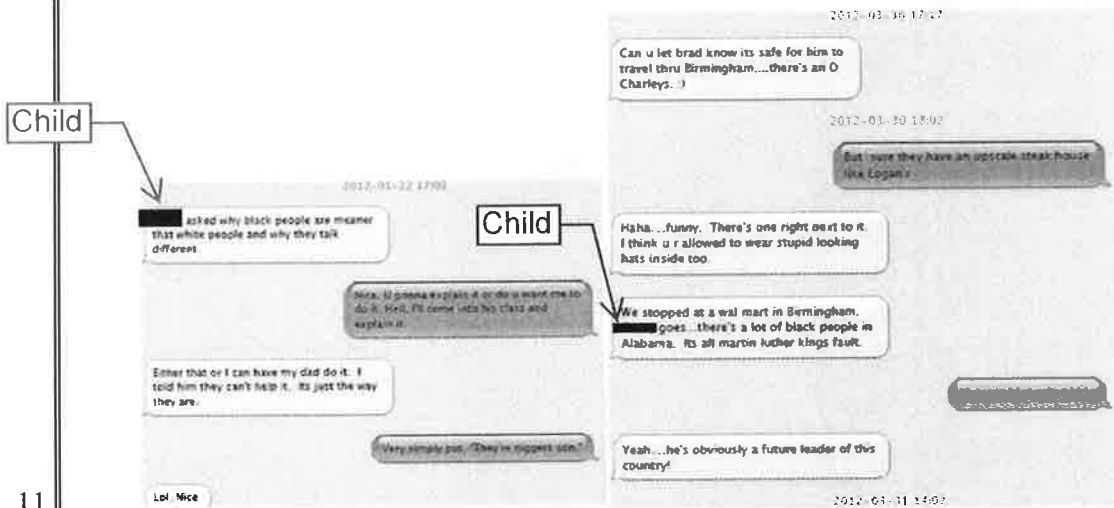


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6 Sergeant Parin asked Captain Flanders although he did not remember having seen the
7 photo and text conversation about the photo, if he believed the conversation was
8 made up by Ms. Sollenberger. Captain Flanders replied he did not know and really
9 does not remember seeing the picture. Captain Flanders stated if he had seen the
10 photo before he would say so. Sergeant Parin asked Captain Flanders, if Detective
11 Daugherty stated he sent the picture to him, does he believe the photo was sent.
12 Captain Flanders stated “I have a hard time believing Brad sent me that picture. I
13 think I would remember it.” Sergeant Parin asked Captain Flanders if he ever called
14 Detective Brad Daugherty on a case; he stated he has discussed cases with Detective
15 Daugherty.

16
17 Sergeant Parin asked Captain Flanders what other texts were not part of his
18 conversations. Captain Flanders stated he found it weird that Detective Sollenberger
19 would refer to him as “Tom” because his friends call him “Tommy.” Captain
20 Flanders stated that every time Detective Sollenberger refers to him as “Tom” it
21 seems weird to him.

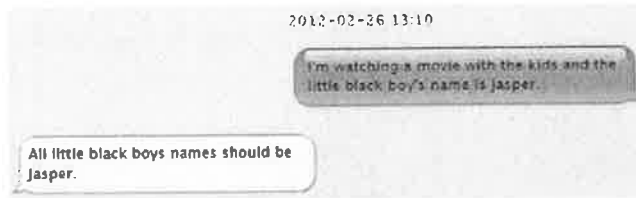
1 Captain Flanders was unsure how those texts are contributed to him, whether Ms.
2 Sollenberger cut and pasted them in, he did not know.

3
4 Captain Flanders went to the text with the date January 22, 2012, where he allegedly
5 repeated a question he was asked by his son. Captain Flanders stated this question,
6 “Why are black people meaner than white people,” seems very juvenile. Then the
7 text on March 30, 2012, “There’s a lot of black people in Alabama. It’s all Martin
8 Luther King’s fault,” is a more mature question in only a few short weeks. Captain
9 Flanders stated he did not remember those questions being asked or the responses.
10 Captain Flanders stated that this conversation did not occur.



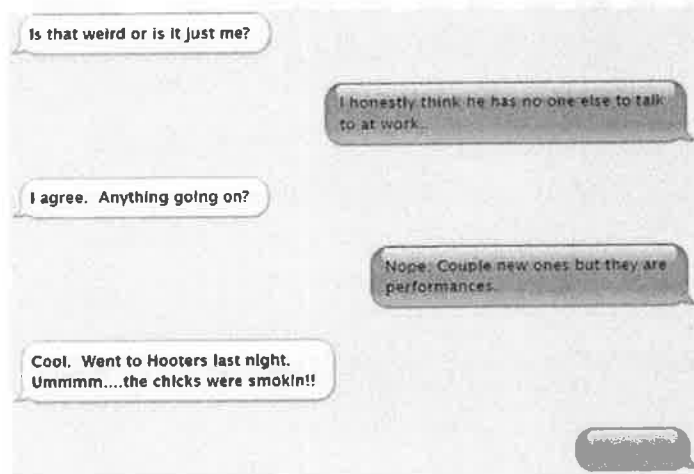
11
12 Captain Flanders skipped ahead to the texts referring to a joke contributed to one of
13 his children. Captain Flanders stated this conversation never occurred. Captain
14 Flanders stated that the child to whom this joke was attributed to was the “liberal” of
15 the house and the joke did not happen because of that. Captain Flanders stated no one
16 could convince him his child told that joke or that he typed it.

1 Flanders did not know and said he does not know what was being talked about in the
2 text messages.



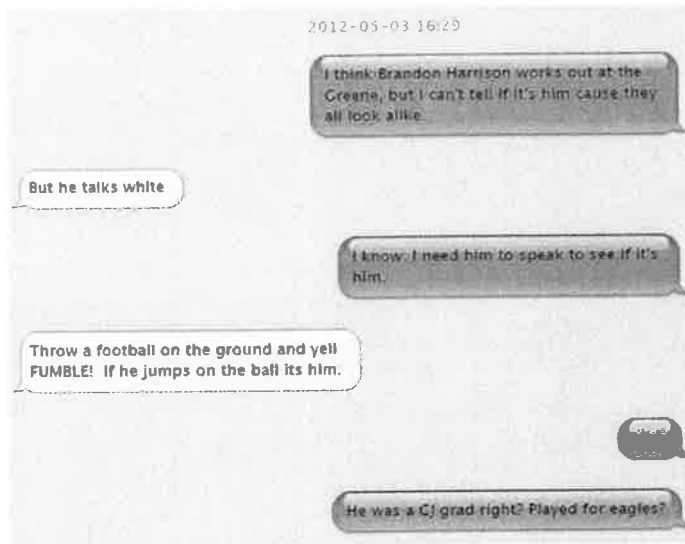
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5 Captain Flanders reviewed a text about Detective Daugherty traveling through
6 Birmingham and O'Charleys. Captain Flanders was sure that this text was something
7 he texted because he gives Detective Daugherty a hard time about eating at
8 O'Charleys. Captain Flanders believes every other text on this page was inserted.
9 Captain Flanders stated that the conversation talking about his son and his comment
10 on Alabama and black people never happened.

11
12 Captain Flanders reviewed more texts and stated that he believed a text referring to
13 him having gone to Hooters was inserted. He stated that Hooters is located on Miller
14 Lane, he resides south of town and would not travel that far to go to Hooters.
15 Sergeant Parin asked him if he thought he could have been on vacation in Florida at
16 the time. Captain Flanders stated that could be possible.



17
18
19 Captain Flanders reviewed a few more pages and stated that the conversation
20 appeared normal but does not recall the conversations.
21

1 Captain Flanders came to a page of texts referring to Deputy Brandon Harrison.
2 Captain Flanders stated that Brandon Harrison is a friend. Captain Flanders believes
3 this conversation was inserted or was someone else's conversation. Sergeant Parin
4 asked Captain Flanders if Ms. Sollenberger knows Brandon Harrison, he replied no.
5 Captain Flanders thinks that Detective Sollenberger asked a genuine question
6 regarding Brandon Harrison but Ms. Sollenberger "doctored it" or added to the
7 conversation.



8
9
10 Captain Flanders then reviewed a text that mentioned Major Wilson pulling him aside
11 and asking him if he wanted to quit SWAT. He said he did not ever remember having
12 that conversation with Major Wilson. Sergeant Parin asked if the conversation could
13 have been about back problems he was having at the time. Captain Flanders stated
14 that he has had three back surgeries and does remember how he was feeling at the
15 time of this text conversation. Sergeant Parin asked Captain Flanders based on the
16 text with Daryl being misspelled and not remembering the conversation about him
17 leaving SWAT, did Captain Flanders believe the conversation was inserted or altered.
18 After looking at the text for a moment, Captain Flanders stated it looked like a real
19 conversation he could have had and did not see a problem with the text.
20

21 Sergeant Parin asked if the text "Can u poor it on the sidewalk like I died?" was
22 inserted. Captain Flanders said he did not recall sending that text and does not know
23 what it refers to.

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Captain Flanders reviewed more texts until he came to a text referring to a committee that classified employees could not take part in. Captain Flanders stated he does not recall that conversation and does not know to what the text is referring. Captain Flanders stated he does not know what Detective Sollenberger is referring to in the text about the “N’s” in Texas.



Sergeant Parin asked him about the text referring to “Dee’s son,” if it could be about Captain Dee Osterfeld’s son’s death. Captain Flanders stated that it could be because he remembers a lot of people were looking up the report for no reason.

Sergeant Parin reviewed a page of text that appeared to be normal conversation but Captain Flanders did not recall any of the conversation. Captain Flanders stated it all looked normal until the last text on the page, “Lo! True that fool!” Captain Flanders stated he did not talk or type that way.



Sergeant Parin and Captain Flanders reviewed several text messages that Captain Flanders thought were normal conversation but did not remember the conversations. Captain Flanders read a text, “We have to drive by hoover (sic) and gburg (sic)

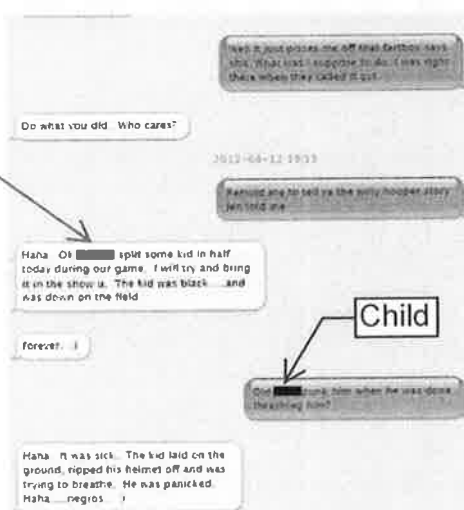
1 tomorrow and check out the teddy bears.” and stated it was random.

2
3 Captain Flanders reviewed several more texts that appeared normal until he came to a
4 text that allegedly came from Detective Sollenberger. Captain Flanders found it odd
5 that Detective Sollenberger would refer to him using his first and last name. He also
6 thought it was odd Detective Sollenberger referred to him as Tom and not Tommy.

7 Captain Flanders went on reviewing more texts that appeared normal but did not
8 recall the conversation or sending the pictures associated with the text conversations.
9 Captain Flanders did not deny sending the texts or pictures associated with the texts.
10 Captain Flanders referred to a text in which he was drinking beer with Mayor Litezel.
11 Captain Flanders stated he did not recall ever drinking a beer with Mayor Litezel.

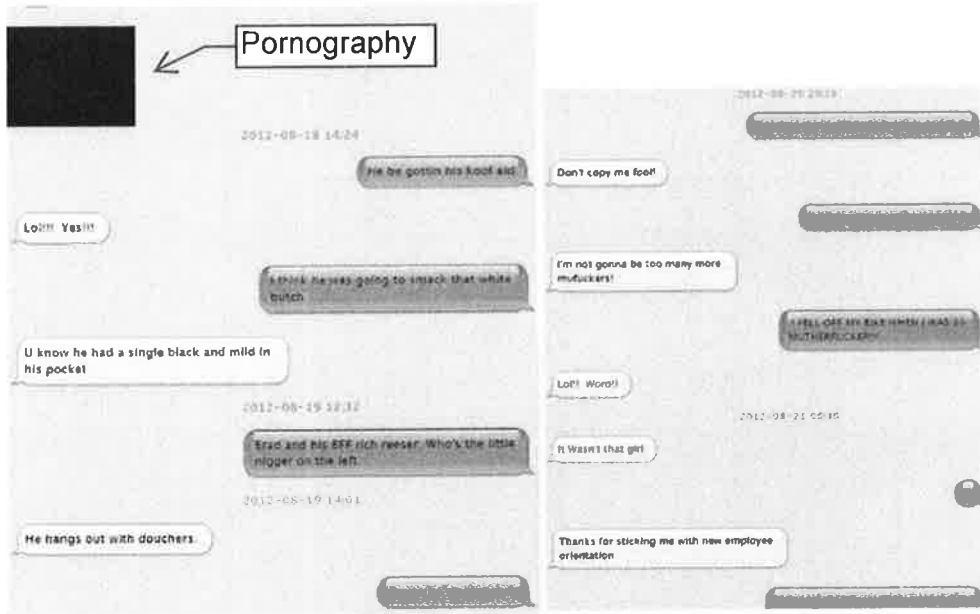
12
13 Captain Flanders said he had a problem with a text that he allegedly sent about one of
14 his children playing football. The text refers to a “black kid” being hit by his son and
15 was down on the field. Captain Flanders believed that some of this text was inserted.
16 Captain Flanders also took issue with the text, “Haha. It was sick. The kid laid on
17 the ground, ripped his helmet off and was trying to breathe. He was panicked.
18 Haha.....negros. :)” Captain Flanders stated that it did not make any sense. Captain
19 Flanders further said he thought the last two sentences were altered in each of the
20 texts.

Child

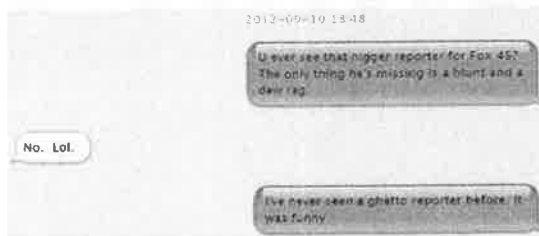


21
22
23 Captain Flanders came to a page of text that started with a picture. Captain Flanders

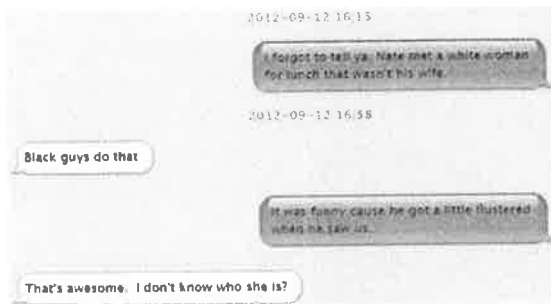
1 stated he did not know what that picture represented and stated the whole
2 conversation on this page and the next was inserted. Captain Flanders stated that
3 several of the texts attributed to him on the second page were not his because he did
4 not talk that way. Captain Flanders stated the last text on the second page could have
5 been a text he sent.



6
7
8 Captain Flanders went on to the next page, stating the text from Detective
9 Sollenberger talking about a Fox 45 reporter was inserted and he did not reply to
10 Detective Sollenberger's comments. All of the rest of the text on this page appeared
11 to be normal conversations between him and Detective Sollenberger.

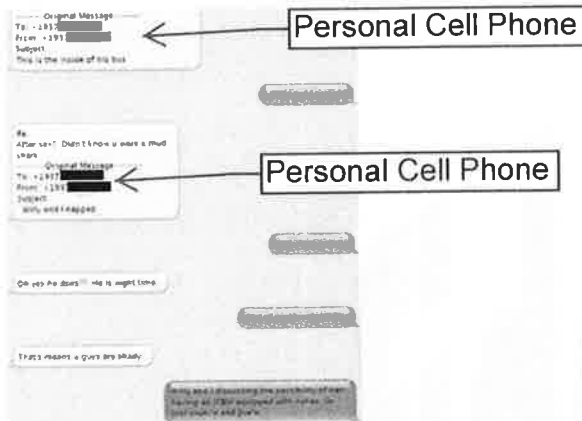


12
13
14 Captain Flanders referred to page and text talking about Deputy Nate Wilson; he did
15 not remember having that conversation.



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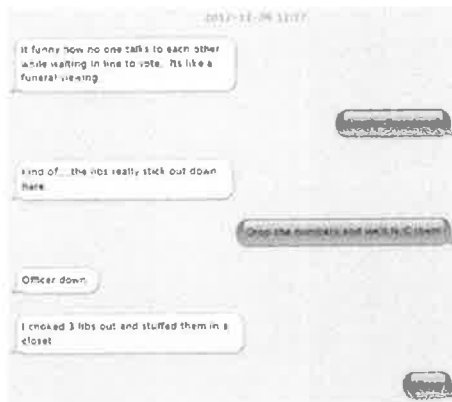
Captain Flanders had Sergeant Parin turn to the page with the text “Willy and I napped” stating that this whole conversation on this page had been inserted.



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Sergeant Parin reviewed the next page with Captain Flanders and asked if this was a normal conversation between him and Detective Sollenberger, or if it was inserted. Captain Flanders stated he did not remember this conversation and does not know what is being talked about in the text conversation.

The next page of texts that were reviewed starting on November 6, 2012. Captain Flanders stated he had a hard time believing he sent these texts and does not recall the conversation. Sergeant Parin asked if he believed this conversation was made up and inserted or if he could just not recall the conversation. Captain Flanders stated he did not think it was made up; he just does not recall having that conversation.



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Sergeant Parin and Captain Flanders reviewed the rest of the text messages and it was determined that the rest of the text conversations appeared to be normal conversations.

Sergeant Parin asked Captain Flanders why he deleted all the files from the Sheriff's Office issued iPhone and iPad he turned in after being placed on administrative leave. Captain Flanders explained he used the phone as his primary phone and paid the Sheriff's Office when he made personal calls. Captain Flanders said the iPad only had personal information on the device. Captain Flanders said there were not any files from the Sheriff's Office on either device.

Sergeant Parin asked Captain Flanders if he had any other information regarding this investigation. Captain Flanders stated in his nineteen year career he has had no complaints against him. Since this incident, the most support he has received has come from his black friends in the Centerville community. Captain Flanders stated the texts that are being investigated do not represent him.

Sergeant Parin asked Captain Flanders if he had any knowledge of how the texts were altered or added to the text conversations that are being investigated. Mr. Brannon then spoke and provided results from a polygraph examination Captain Flanders took regarding this investigation. Mr. Brannon also provided a deposition and trial testimony from Ms. Sollenberger, which appeared to contradict each other. Mr. Brannon also provided paperwork from his specialist that questioned the authenticity

1 of the text messages.

2
3 The interview was concluded at 1124 hours.

4
5 **INTERVIEW WITH DETECTIVE MICHAEL SOLLENBERGER**

6 On Friday, December 19, 2014, at approximately 1507 hours, Detective Michael
7 Sollenberger appeared at 345 West Second Street, Sheriff's Headquarters Building as
8 a **focus** in an administrative investigation. Detective Sollenberger, his representative
9 Mr. Mark Scranton, Sergeant Dave Parin and I were present for the interview.
10 Sergeant Parin reviewed the *Policy/Waiver* form and the *Administrative Investigation*
11 *Pre-Interview* form with Detective Sollenberger. Detective Sollenberger said he
12 understood the forms and signed both. Mr. Scranton and I witnessed his signature on
13 the forms.

14
15 *Note: This interview was reviewed and summarized by Detective Bryan Cavender.*

16
17 Detective Sollenberger has been employed with the Montgomery County Sheriff's
18 Office for eighteen years. Detective Sollenberger is currently assigned as a detective
19 in the Inspectional Services Unit (ISU) and has been in ISU for approximately five
20 years.

21
22 Sergeant Parin asked Detective Sollenberger if the documents that were given to him
23 for his review appeared to be text messages between him and other Sheriff's Office
24 employees, he replied that it did appear to be text messages between him and other
25 Sheriff's Office employees.

26
27 Sergeant Parin reviewed a set of text messages that were reported to be between
28 Detective Daugherty and Detective Sollenberger. Sergeant Parin offered Detective
29 Sollenberger multiple pages of text messages that were printed out and explained
30 Detective Daugherty's text messages appeared on the left side of the page and
31 Detective Sollenberger's texts/replies were on the right side of the pages. Detective
32 Sollenberger agreed that was correct. Sergeant Parin asked Detective Sollenberger if

1 the text messages were an actual conversation between him and Detective Daugherty.
2 Detective Sollenberger stated they appeared to be a conversation between him and
3 Detective Daugherty. Sergeant Parin stated he did not expect him to remember exact
4 conversation with Detective Daugherty, but asked if this was typical language and an
5 accurate representation of his text messages with Detective Daugherty. Detective
6 Sollenberger stated it was not an accurate representation of his text messages, and he
7 did not recall sending the text to Detective Daugherty.

8
9 Detective Sollenberger read one of the text messages that referred to Detective
10 Meeker as a “mud shark.” He stated that he does not know why Detective Meeker
11 would be referred to as a “mud shark” because he was friends with Detective Meeker.
12 Detective Sollenberger stated he does not recall sending that text message to
13 Detective Daugherty.

14
15 Sergeant Parin asked if the rest of the text messages were conversations between him
16 and Detective Daugherty. Detective Sollenberger stated he does not recall having
17 sent any of the text messages to Detective Daugherty.

18
19 Sergeant Parin asked Detective Sollenberger about a text which referred to Detective
20 Daugherty being in St. Louis. Detective Sollenberger stated he assumed Detective
21 Daugherty was in St. Louis for a baseball game, but now that he was able to see the
22 date of the text, he did not believe Daugherty was in St. Louis for a baseball game.
23 Sergeant Parin informed Detective Sollenberger that Detective Daugherty was in St.
24 Louis to interview a possible homicide suspect and provided Detective Sollenberger a
25 supplemental report that Detective Daugherty completed reference his interview with
26 the suspect. Detective Sollenberger reviewed the report and stated he did not recall
27 having the text conversation with Detective Daugherty. When Sergeant Parin asked
28 him if it appears that it was a conversation between him and Detective Daugherty he
29 stated that it did appear to be a conversation with Detective Daugherty.

30
31 Detective Sollenberger stated he could not recall any of the text conversations with
32 Detective Daugherty. When asked by Sergeant Parin if the comment about Detective

1 Meeker being a “mud shark” could be fabricated, Detective Sollenberger stated
2 anything is possible and he did not recall sending the text about Detective Meeker and
3 did not understand why he would refer to Detective Meeker as a “mud shark.”
4

5 Sergeant Parin reviewed the text messages between Detective Sollenberger and
6 Sergeant Lewis. Sergeant Parin asked if the text messages appeared to be between
7 him and Sergeant Lewis, he replied, “they appeared to be.” Sergeant Parin asked him
8 if this was a type of text conversation he would have had with Sergeant Lewis.
9 Detective Sollenberger stated it appears to be; however, he does not recall because the
10 conversation occurred in 2011.
11

12 Sergeant Parin questioned Detective Sollenberger about Boston’s and if he
13 remembered the text conversation with Sergeant Lewis. Detective Sollenberger said
14 it appears to have been a text conversation with him and Sergeant Lewis, but it was
15 over two years ago, and he does not recall having the text conversation with Sergeant
16 Lewis. Sergeant Parin asked him if the rest of the conversation appears to be with
17 Sergeant Lewis. Detective Sollenberger stated it appeared that way. Sergeant Parin
18 asked Detective Sollenberger if the texts were comments he would have made to
19 Sergeant Lewis. Detective Sollenberger stated no and referred to a message that he
20 appeared to have sent about playing a Hank Williams song. Detective Sollenberger
21 stated he would not have done that and does not like Hank Williams and does not
22 recall having this conversation.
23

24 Sergeant Parin asked Detective Sollenberger about the rest of the conversation with
25 Sergeant Lewis and asked if the text sent by him, “BTW the niggers are trying to take
26 over Boston’s,” which Sergeant Lewis replied, “Who left the gate open!!!!!! They
27 don’t serve Nog beer there.” Detective Sollenberger state he did not recall having
28 that conversation with Sergeant Lewis. Sergeant Parin asked if the text messages
29 between him and Sergeant Lewis were the kind of text messages they had on a
30 regular basis; Detective Sollenberger stated no. When asked if these text messages
31 were out of character for him, he stated that it was. Sergeant Parin asked if he had
32 ever had a text conversation like this, Detective Sollenberger stated, “I do not know.”

1 Sergeant Parin asked if the rest of the conversation appeared to be a conversation
2 between him and Sergeant Lewis, to which Detective Sollenberger replied, "I don't
3 know."

4
5 Sergeant Parin asked Detective Sollenberger, if Sergeant Lewis had identified the
6 conversation between him and Detective Sollenberger as a conversation that they did
7 in fact have, would Sergeant Lewis be correct. Detective Sollenberger stated that
8 Sergeant Lewis would not be correct. When Sergeant Parin asked again whether or
9 not he had the text conversation with Sergeant Lewis, Detective Sollenberger stated
10 he did not remember sending the text to Sergeant Lewis, due to the two plus years
11 that passed since the text conversation took place. Detective Sollenberger stated that
12 he did not recall any of the text messages between him and Sergeant Lewis.

13
14 Sergeant Parin asked Detective Sollenberger if he remembered any of the text
15 messages he was given when served with his notice to appear for an interview.
16 Detective Sollenberger stated he was told the NAACP said these text messages came
17 off of his personal cell phone, and he does not recall the text messages.

18
19 Sergeant Parin asked Detective Sollenberger if he recalled any of the text messages.
20 Detective Sollenberger stated he looked through all of the text messages and some of
21 them do not make any sense, and he thinks things have been altered, changed or
22 deleted. When asked what had been altered, changed or deleted, Detective
23 Sollenberger stated he did not recall sending or receiving any of the derogatory
24 phrases. Detective Sollenberger stated that documents are presented as a PDF file
25 and could be easily altered.

26
27 Detective Sollenberger believes that his estranged wife, Jennifer Sollenberger, sent
28 the text messages that she created to the NAACP to discredit him prior to their
29 divorce trial.

30
31 Sergeant Parin asked Detective Sollenberger if he recalled any of the text messages
32 between him and Deputy Connelly, such as referring to "sand niggers" or "shooting

1 people.” Detective Sollenberger stated he did not recall the text messages. Sergeant
2 Parin asked Detective Sollenberger, if Deputy Connelly recalled the text
3 conversation, would he (Connelly) be inaccurate. Detective Sollenberger replied,
4 “Yeah, I mean, I don’t recall.” When asked if Deputy Connelly was lying and was
5 insubordinate the previous day during his interview regarding this incident, Detective
6 Sollenberger stated Deputy Connelly was mistaken and that he does not recall having
7 that text conversation with Deputy Connelly.

8
9 Sergeant Parin asked whether Detective Sollenberger would be able to recall any of
10 the text conversations that were provided to him when he was served his *Notice of*
11 *Investigation* or would his answers continue to be that he did not recall, in which case
12 we were just going to be taking up time by going through the rest of the text
13 messages. Detective Sollenberger stated he was going to answer his questions.

14
15 Detective Sollenberger stated that while reviewing all the text messages, he did see a
16 text message between him and Deputy Connelly that referred to Ms. Sollenberger
17 overflowing the bathtub. He stated he remembered Ms. Sollenberger overflowing the
18 bathtub but does not recall having a text message conversation with Deputy Connelly
19 about the incident. Sergeant Parin then posed the question, if Deputy Connelly said
20 he had the conversation with Detective Sollenberger and that was an accurate
21 reflection of that conversation, would he (Connelly) be correct. Detective
22 Sollenberger replied, “I suppose.”

23
24 Sergeant Parin asked about the text conversation: “So how many of the niggers are
25 asking the judges to set them free since Barry won,” which was reported as being sent
26 by Detective Sollenberger with the reply by Deputy Connelly, “Lol. I dunno. I am
27 stuck at Csb again.” Detective Sollenberger stated he did not recall sending that text
28 message. Sergeant Parin asked if he would have sent a text message like that, and
29 Detective Sollenberger replied “no.”

30
31 Sergeant Parin asked about the text: “U should be able to file for full custody since
32 Emily voted for him,” and, “That makes her a mud shark.” Detective Sollenberger

1 stated, "I do not recall sending that."
2

3 Sergeant Parin asked, regardless of what Deputy Connelly said, you are saying you
4 did not send the messages, correct? Detective Sollenberger stated "yes." Sergeant
5 Parin asked if Detective Sollenberger had anything else to add and he replied "no."
6

7 The interview was concluded at 1534 hours.
8

9 **INTERVIEW WITH MR. DERRICK FORWARD**

10 On Monday, December 22, 2014, at approximately 1429 hours, Major Daryl Wilson
11 and I met with Mr. Derrick Foward at the Dayton Offices of the National Association
12 for the Advancement of Colored People (NAACP), 1528 West Doctor Martin Luther
13 King Way, Dayton, Ohio, for an administrative interview. Mr. Foward, Major
14 Wilson and I were present for the recorded interview. Mr. Marshall Taylor, legal
15 counsel for the NAACP participated in the interview via telephone.
16

17 *Prior to going on the recorded I advised Mr. Foward we had been contacted by Ms.*
18 *Jennifer Sollenberger regarding the complaint. Mr. Foward advised he would not*
19 *reveal the name of the individual who brought the complaint to him and would only*
20 *refer to them as the complainant during the interview.*
21

22 Mr. Foward is the President of the Dayton Unit of the NAACP. Mr. Foward has been
23 the President of the Dayton Unit of the NAACP since 2007 and was recently elected
24 to his fifth term as president.
25

26 Mr. Foward said in August of 2014, the complainant brought information about text
27 messages that were exchanged between deputies of the Montgomery County Sheriff's
28 Office. Mr. Foward said he asked the complainant about the content of the messages,
29 and as the information was revealed, Mr. Foward became disturbed by the content.
30 Mr. Foward said that as he recalled, the complainant had a laptop computer that
31 displayed the text messages supporting the allegations. Mr. Foward said the second
32 time he met with the complainant, a binder was brought in with the messages printed.

1
2 Mr. Foward said the complainant identified the individuals involved in sending and
3 receiving the text messages for him. Mr. Foward explained the NAACP assists
4 citizens with complaints with racism and law enforcement. Mr. Foward said this
5 complaint involved racism within law enforcement. Mr. Foward said the complainant
6 said the text messages were primarily Mike Sollenberger and Tom Flanders and the
7 Montgomery County Sheriff's Office Internal Affairs. Mr. Foward said the
8 complainant provided him with five Portable Document Format (PDF) computer files
9 of the text messages on a flash drive for the NAACP to file and investigate the
10 complaint. Mr. Foward said the common denominator to all of the messages was
11 Mike Sollenberger was involved in every conversation.
12

13 Mr. Foward said the conversations were reported to be: Mike Sollenberger with Tom
14 Flanders, Mike Sollenberger with Brad Daugherty, Mike Sollenberger and Brian
15 Lewis, Mike Sollenberger and Jayme Horton, and Mike Sollenberger and Joe
16 Connelly.
17

18 I asked Mr. Foward if the complainant told him how the files were found. Mr.
19 Foward said the complainant told him one of their children was going through the
20 house obviously looking for something. Mr. Foward said the complainant questioned
21 the child who was very reluctant to tell what they were looking for. Mr. Foward said
22 the complainant told him that after some questioning, the child said their father
23 wanted them to find the phone and bring it to him, without telling the complainant.
24

25 Mr. Foward reviewed the printed documents (large black binder of the printed PDF
26 files) and said they were the same files the complainant brought to him in August.
27

28 I asked Mr. Foward what he did with the files after receiving them in August. Mr.
29 Foward said the complainant was scared concerning the text messages, and feared
30 reprisals from the individuals involved in the text messages. Mr. Foward explained
31 he received the official complaint on August 4, 2014. Mr. Foward said on August 5,
32 2014, John Crawford III was shot to death by Beavercreek Police Officers and on

1 August 6, 2014, he (Foward) received a written complaint from his (Crawford's)
2 family concerning the actions of police in that shooting. Mr. Foward said because of
3 the fears of the complainant in the investigation concerning the Montgomery County
4 Sheriff's Office deputies and the case of the shooting in Beavercreek going on at the
5 same time, they took their time reviewing all of the documents. Mr. Foward said they
6 contacted a representative of the Criminal Justice Department of the National Office
7 of the NAACP to review the complaint. Mr. Foward said they conducted some
8 research on similar incidents of text messages in which he found a similar case from
9 Baton Rouge, Louisiana. Mr. Foward said he contacted one of the National Board
10 Members of the NAACP to discuss the case from Louisiana and the case here in
11 Dayton.

12
13 Mr. Foward said that after speaking with the board member, he consulted with the
14 legal department of NAACP to decide how they were going to pursue this
15 investigation. Mr. Foward said in light of the incidents that happened in the nation at
16 the time, such as riots in Ferguson, Missouri, in response to police shooting of an
17 African American, he decided to pursue this investigation slowly.

18
19 Mr. Foward said that on November 30, 2014, he contacted Major Daryl Wilson and
20 Sheriff Phil Plummer to advise them of the allegations and allow them to conduct an
21 investigation before releasing the information to the media. Mr. Foward said during
22 the meeting with Sheriff Plummer and Major Wilson, he showed them the documents
23 and pointed out portions of the texts which were offensive and pertinent to the
24 complaint filed with the NAACP. Mr. Foward said he read the highlighted portions
25 to Sheriff Plummer and Major Wilson and told them the text messages represented
26 the focus of their complaint, and said they were part of a larger set of documents,
27 which represented the totality of the text messages between Captain Flanders,
28 Sergeant Lewis, Detective Sollenberger, Detective Daugherty, Deputy Horton, and
29 Deputy Connelly. Mr. Foward explained he did not have authorization from the
30 complainant to release any of the documents at that time, so he reviewed the texts and
31 showed them to Sheriff Plummer and Major Wilson but did not give them the
32 documents.

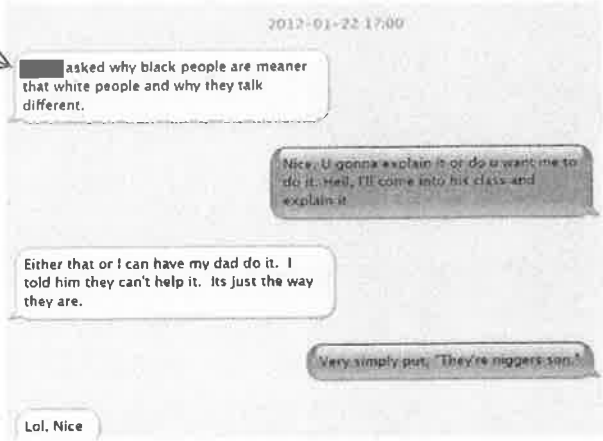
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Mr. Foward said after the meeting with Sheriff Plummer and Major Wilson, he re-contacted the complainant and received permission to release the portion of the documents that were offensive to the Montgomery County Sheriff's Office for investigation. Mr. Foward identified the smaller photocopied binder of text messages, which contain text messages that are highlighted by check mark, as the documents he provided Major Wilson on Tuesday, December 2, 2014. Mr. Foward said he identified the offensive texts by making the highlights or check marks beside. Mr. Foward pointed out the series of text messages where there is a photo of a deceased African American leaning against a building and texts about that photo as an example of the check marks he made throughout the documents.

I asked Mr. Foward if he had any other documents or information he received from the complainant other than the PDF files of the text messages originally provided, and which he provided full copies to Major Wilson on December 15, 2014. Mr. Foward said all of the documents he received have been copied and given to Major Wilson. Mr. Foward said one of the things he wanted to review, which the complainant advised was in their possession, was the phone the messages were sent on. Mr. Foward said the complainant did not allow him to view the phone but said it was available if needed.

Mr. Foward then relayed a story of an individual convicted of ethnic intimidation in Drexel, where he convinced his son to set fire to a neighbor's house to prevent the neighbor from testifying in court. Mr. Foward then read the following texts:

Child



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Child

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Mr. Foward said they discovered [REDACTED] is the son of Captain Flanders. Mr. Foward then read the following texts:

2012-01-27 17:17

Child

[REDACTED] just told me a joke: what is long and black? Answer: the line at KFC. I wept.

Child

Mr. Foward said [REDACTED] is the daughter of Captain Flanders. Mr. Foward said, “So there’s a thing called weed and seed. Weed out the bad, seed in the good. And I know that that’s what a lot of people try to do. Whether that’s on the job, whether or not that’s in the community wherever, whether or not it’s in the Church. Wherever it’s at, people try to weed and seed. But unfortunately there’s a third word. That happened in the case in Drexel. And, apparently, is happening in the case of these detectives, and that is breed. Breeding your kids to be racist.” Mr. Foward then read the following text:

Child 2012-02-03 20:18
Wanna here another joke [REDACTED] told me?
What do apples and black people have in common? They both hang from trees.

Mr. Foward said, “The NAACP has fought for a hundred and five years nationally and ninety-nine years here in our local community, against lynching laws. In fact, there’s a lady by the name of Mary White Ovington, white lady, who was tired of the lynchings that was happening to people of a darker shade than her. She’s the one, who in the early 1900’s organized a group of people, to found the body known as the NAACP. A ca, A Caucasian lady had the courage to stand up amid opposition, during those early years of segregation, to stand up against things like this. So when we talk about black people hanging from trees, that’s hit, that hits home for a lot of, especially our seniors, who lived through those turbulent times. Their parents, their grandparents, who lived through some of those turbulent times. And in fact, since I

1 have been president of the NAACP ah, there was a, you know, I've still heard of a
2 few lynchings, not that many, but at least two that I can recall myself, here in modern
3 day times. So, so that doesn't sit well with someone of African American descent.”
4

5 Mr. Foward said since he has been president, he has had a good relationship with
6 Sheriff Plummer and the Montgomery County Sheriff's Office. Mr. Foward said he
7 trusted that if he sent a complainant to the Sheriff's Office with a complaint about the
8 actions of a Sheriff's employee the Internal Affairs Section (Inspectional Services
9 Unit) would fairly investigate the complaint. Mr. Foward said since he has seen the
10 apparent racial bias of Captain Flanders, who was the sergeant supervising the
11 Inspectional Services Unit, and Detective Sollenberger, who was the detective in the
12 Inspectional Services Unit, at the time of the text messages, he questioned whether
13 the investigations they conducted were fair.

14
15 Major Wilson asked Mr. Foward how he identified who wrote the texts. Mr. Foward
16 said the complainant identified who each person was who texted each time. Mr.
17 Foward said the sender and receiver then became evident as the conversations
18 continue.

19
20 Mr. Foward said he had one additional text message he wanted to speak about,
21 specifically and then read the texts starting with the second window (I included the
22 first window which was not given as part of the original documents given to us by
23 Mr. Foward for the sake of clarity):



24
25 Mr. Foward said Boston's refers to a neighborhood bar in Englewood. Mr. Foward
26 said he does not know what the term "Nog beer" is. After Mr. Foward read the

1 section ending with “I hope u (sic) packing,” he said, “So why, because, some black
2 men walked in, would you need to be packing? So, that’s the issue with community
3 and police relations right now. Because in your mind, black people are bad, black
4 people are, what, what, whatever the mindset is. But it’s in this particular person’s
5 mindset, that you need to be packing.” Mr. Foward read the rest of the message then
6 said, “So this person is telling you exactly how they feel. So it doesn’t get any better
7 than that. Exactly how they, ‘I hate niggers. That is all.’”
8

9 Major Wilson asked Mr. Foward what the demeanor of the complainant was when he
10 met with them. Mr. Foward said he saw fear as the primary demeanor of the
11 complainant. I asked Mr. Foward if he, based on his experiences of interviewing
12 people, was able to determine the credibility of the complainant who brought this
13 complaint to him. Mr. Foward said based on the interviews and supporting
14 documents, he found the complainant to be credible.
15

16 Mr. Foward said he did not have any further information regarding this investigation.
17 I ended the interview at 1512 hours.
18

19 INTERVIEW WITH DEPUTY JAYME HORTON

20 On Wednesday, January 14, 2015, at 1208 hours, Deputy Jayme Horton appeared at
21 345 West Second Street, Sheriff’s Headquarters Building as a **focus** in an
22 administrative investigation. Deputy Horton, his representative Mr. Mark Scranton,
23 Detective Bryan Cavender and I were present for the interview. I reviewed the
24 *Policy/Waiver* form and the *Administrative Investigation Pre-Interview* form with
25 Deputy Horton. Deputy Horton said he understood the forms and signed both. Mr.
26 Scranton and Detective Cavender witnessed his signature on the forms.
27

28 *This was a second interview with Deputy Horton to clarify and follow-up on some*
29 *questions from his first interview.*
30

31 Deputy Horton has been employed by the Montgomery County Sheriff’s Office for
32 over twenty years. Deputy Horton is currently assigned to the Jail Division working

1 second watch.

2
3 I asked Deputy Horton, as a follow-up to his first interview, in his over twenty years
4 of working for the Montgomery County Sheriff's Office, if he has ever allowed any
5 personal bias or feeling based on race, religion, ethnicity or any other differing view
6 to influence how he treated a member of the community during his job as a deputy
7 sheriff. Deputy Horton said, "No way." I asked Deputy Horton if he has based his
8 job decisions on the facts and circumstances each incident has presented him. Deputy
9 Horton said, "Absolutely. I've worked, probably every district and every shift over
10 the past twenty years, and you'd be hard pressed to find anybody who got an unfair
11 shake from me just because of what they look like or who they go to bed with at night
12 or what sex they are that's, no, absolutely not."

13
14 I asked Deputy Horton if he has any doubt as to the authenticity of the text messages
15 reported to be between himself and Detective Sollenberger. Deputy Horton said he
16 believes the text messages are authentic.

17
18 Deputy Horton said he wanted to expand on the question I asked earlier about bias.
19 Deputy Horton said, "Just my record, or lack thereof, in this case, shows that, you
20 know, I've, I've never, had any citizen complain on me, in twenty years. That they
21 were treated differently because of who they are, or who they are not. Uh, I probably
22 transport a hundred inmates a week, and they're in jail, and not happy already, and I
23 don't think you'd find one of them over the past few years that would say, 'Oh yeah I
24 remember him, he gave me a raw deal because I'm a black person or because I'm a
25 woman or anything.' You're not going to find that."

26
27 Deputy Horton said the text messages were intended to be private and were not
28 intended to become public. Deputy Horton said the intended jokes have never
29 affected his performance as a deputy sheriff.

30
31 Deputy Horton said he did not have any additional information regarding this
32 investigation. I ended the interview at 1214 hours.

1 INTERVIEW WITH DEPUTY JOSEPH CONNELLY

2 On Wednesday, January 14, 2015, at 1419 hours, Deputy Joseph Connelly appeared
3 at 345 West Second Street, Sheriff's Headquarters Building as a **focus** in an
4 administrative investigation. Deputy Connelly, his representative Mr. Mark Scranton,
5 Detective Bryan Cavender and I were present for the interview. I reviewed the
6 *Policy/Waiver* form and the *Administrative Investigation Pre-Interview* form with
7 Deputy Connelly. Deputy Connelly said he understood the forms and signed both.
8 Mr. Scranton and Detective Cavender witnessed his signature on the forms.

9
10 *This was a second interview with Deputy Connelly to clarify and follow-up on some*
11 *questions from his first interview.*

12
13 Deputy Connelly has been employed by the Montgomery County Sheriff's Office for
14 over three years. Deputy Connelly is currently assigned to the Washington Township
15 Substation on third watch.

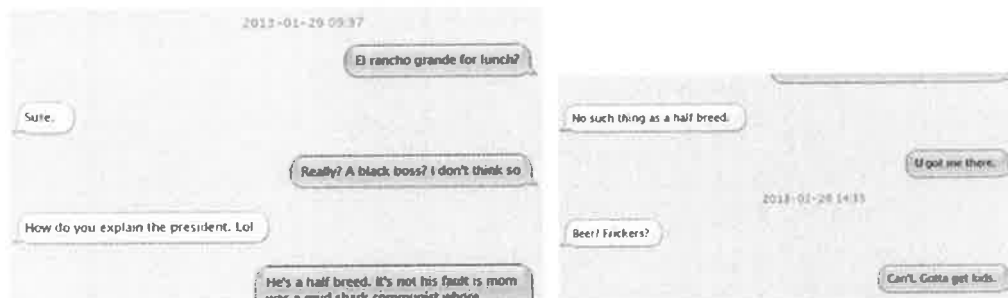
16
17 I asked Deputy Connelly a series of general questions regarding the text messages in
18 this investigation reported to be between him and Detective Michael Sollenberger.
19 Deputy Connelly said he believes the text messages are authentic messages between
20 himself and Detective Sollenberger and does not believe they were fabricated or made
21 up by someone else. Deputy Connelly said based on the information he had and his
22 memory the information he gave during his first interview was truthful.

23
24 I asked Deputy Connelly if he does recall text messages he had with Detective
25 Sollenberger in which either he or Detective Sollenberger used racially derogatory
26 terms for African Americans and Middle Eastern individuals and he answered, "Yes."

27
28 I reviewed with Deputy Connelly the text messages between Detective Sollenberger
29 and myself that Ms. Dani Estridge provided Detective Cavender from when she
30 downloaded the information from Detective Sollenberger's iPhone. Deputy Connelly
31 said the text messages appeared to be from the training session he attended with
32 Detective Sollenberger and me. Deputy Connelly said a group of the students

1 including Detective Sollenberger, me, and himself ate lunch at El Rancho Grande.
2

3 I then asked Deputy Connelly about his text messages with Detective Sollenberger:



4
5 I told Deputy Connelly he did not remember the specifics of the conversation in his
6 first interview and had said he thought it was a continuation from a spoken
7 conversation he had with Detective Sollenberger. I asked if he recalled anything
8 further. Deputy Connelly said he did not further recall the conversation.
9

10 I asked Deputy Connelly about the use of the term “half breed” in this conversation
11 he had with Detective Sollenberger. Detective Connelly said this was a joking
12 conversation in which “half breed” is referring to President Obama and the mixed
13 race of his parents. Deputy Connelly said “half breed” in his response to Detective
14 Sollenberger meant the President could not overcome the African American
15 background from his parentage.
16

17 Deputy Connelly said his work performance at the Montgomery County Sheriff’s
18 Office has never been influenced, positively or negatively, by the race or ethnicity of
19 anyone he has had dealings with. Deputy Connelly said his text messages with
20 Detective Sollenberger were meant as jokes and bravado and not intended to become
21 public.
22

23 Deputy Connelly said he did not have any further information regarding this
24 investigation I ended the interview at 1427 hours.
25

26 **INTERVIEW WITH DETECTIVE MICHAEL SOLLENBERGER**

27 On Wednesday, January 14, 2015, at approximately 1530 hours, Detective Michael

1 Sollenberger appeared at 345 West Second Street, Sheriff's Headquarters Building as
2 a **focus** in an administrative investigation. Detective Sollenberger, his representative
3 Mr. Mark Scranton, Detective Bryan Cavender and I were present for the interview. I
4 reviewed the *Policy/Waiver* form and the *Administrative Investigation Pre-Interview*
5 form with Detective Sollenberger. Detective Sollenberger said he understood the
6 forms and signed both. Mr. Scranton and Detective Cavender witnessed his signature
7 on the forms.

8
9 *This was a second interview with Deputy Sollenberger to clarify and follow-up on*
10 *some questions from his first interview.*

11
12 Detective Sollenberger has been employed with the Montgomery County Sheriff's
13 Office for eighteen years. Detective Sollenberger is currently assigned as a detective
14 in the Inspectional Services Unit where he has been assigned for five years.

15 I summarized the first interview with Detective Sollenberger by pointing out
16 Detective Sollenberger said he did not recall the text messages that are the focus of
17 this investigation and he agreed. I asked Detective Sollenberger if after the benefit of
18 additional time, he was able to recall the text messages further or if recalled having
19 engaged in the conversations. Detective Sollenberger said, "On the previous ones,
20 the ones that, no." I asked Detective Sollenberger after reviewing the text messages if
21 he believed these were copies of text messages between him and other persons from
22 the Montgomery County Sheriff's Office. Detective Sollenberger said, "Uh, I mean
23 having looked at them. I, I never, I guess denied that they weren't text messages
24 between individuals and I. What I don't recall, or don't necessarily remember is the
25 content of some of the text messages."

26
27 I asked Detective Sollenberger to review a series of text messages between himself
28 and Deputy Joseph Connelly from January 29, 2013, beginning at 0716 hours. I
29 asked Detective Sollenberger if that was a conversation he had with Deputy Connelly.
30 Detective Sollenberger, after reviewing the texts said, "Yes, some of it here with, I,
31 I'd assume talking with Ab, about Aby and Mary, so yeah."
32

1 I then asked Detective Sollenberger to review text messages between him and me
2 from the same date and the same training in which we talked about going to lunch.
3 Detective Sollenberger said he did not recall the training session where Deputy Abby
4 Dudley, Deputy Connelly and I attended with Detective Sollenberger.

5
6 I asked Detective Sollenberger if recalled the following text conversation with
7 Deputy Connelly:



8
9 Detective Sollenberger said he did not recall the conversation. I asked Detective
10 Sollenberger if he thought this conversation did happen even though he did not recall
11 it. Detective Sollenberger said, “I think there was a conversation between Joe
12 Connelly and I. Um, as well as a conversation between you and I. Um, I, I just don’t
13 remember the specific content of it. Um.” I asked Detective Sollenberger what the
14 term “half breed” meant in the terms of the conversation. Detective Sollenberger
15 said, “It goes in to talking about beer at Frickers.” I asked Detective Sollenberger the
16 part that talks about “half breed,” what a “half breed” meant. He said, “Well I know
17 what a half breed means. What people refer to them as.” I asked what it was,
18 Detective Sollenberger said, “It means that, somebody, one parent is black and one
19 parent is white.”
20

21 I asked Detective Sollenberger if he thought this was an actual conversation between
22 him and Deputy Connelly. Detective Sollenberger said, “I think we can say that
23 talking about lunch and stuff like that. I mean like I said in my previous
24 conversation, or my previous interview, you know any of the stuff can be
25 manipulated, changed, altered, in any form or fashion, you know. I don’t remember
26 when all of us went to training. I don’t remember all of us going to lunch. Um, it, it
27 appears to be a legitimate conversation, but I don’t necessarily know if all of its
28 legitimate.” I asked Deputy Sollenberger, if Deputy Connelly told me he had the

1 conversation with Detective Sollenberger and used the term “half breed” with him
2 would Deputy Connelly be correct. Detective Sollenberger said, “I don’t think so.”
3

4 I then asked, “So, Joe (Connelly) earlier today when he said, ‘yes, that is a
5 conversation that Mike (Sollenberger) and I had,’ lied to me?” Detective
6 Sollenberger said, “I’m. Who, Joe lied to you? Oh, I don’t know. I don’t know what
7 Joe said. What I’m telling you.” I interrupted Detective Sollenberger saying, “What
8 I’m telling you is Joe (Connelly) said you had that conversation with him.” Detective
9 Sollenberger said, “Ok, well I don’t remember having that conversation with Joe.”
10

11 When I questioned Detective Sollenberger further about Deputy Connelly’s
12 statements about the text conversations, and Detective Sollenberger’s statements
13 about Deputy Connelly being wrong, Detective Sollenberger said, “I, I, I don’t
14 remember sending any of this stuff. You know, it’s been over two years since any of
15 these conversations.”
16

17 I summarized Detective Sollenberger’s memory about the total text message
18 documents by saying, “So of all this information that we have, you don’t remember
19 any of it. But if I can put it together and show you where your talking to Landis
20 (Major Scott Landis) and then you talk to Tommy (Captain Thomas Flanders) on the
21 same day at the same time about the same thing, you’d believe that happened, right?”
22 Detective Sollenberger said, “Yeah. I, I’m saying, these. From looking at these,
23 looking at this on, on face value, these are conversations that I’ve had between
24 friends, co-workers, or whatever. But I don’t necessarily agree exactly with all the
25 content of it.” I asked Detective Sollenberger what content he did not agree with. He
26 said, “As I said, in my previous interview, the derogatory comments. This is all a
27 ploy by my ex-wife because we are in a, in a heated custody battle. You know, and,
28 and this was released, or brought to you guys’ attention the week before my divorce
29 trial starts. Before the custody battle starts.”
30

31 I said to Detective Sollenberger, “So, to clarify your first interview. You believe
32 these text messages, in some respects, to be authenticate, although you don’t

1 remember any of them. And the parts that can be verified as can be talking about
2 specific things that apply to your job would be authenticate, but the part where you
3 talk to Brian Lewis (Sergeant Lewis) about going to Boston's and stabbing a "coon"
4 and listening to Hank Williams Jr. is inaccurate." Detective Sollenberger said, "Yes,
5 'cause I don't even like Hank Williams Jr. And I don't listen to Hank Williams Jr." I
6 asked if it was inaccurate because Detective Sollenberger does not like Hank
7 Williams Jr. He said, "I just think it's inaccurate, I mean I don't remember having
8 that conversation with Brian Lewis." I asked if it was possible he had that
9 conversation with Sergeant Lewis. Detective Sollenberger said, "I don't think so. I,
10 why would I send Brian Lewis a text message saying 'I'm going to stab a coon?' I
11 think that anything within these text messages can be altered, deleted, changed,
12 destroyed. Like for example, apparently I texted, 'That Andy McCoy story made no
13 sense, D-10 has four AD, AEDs so if you're the sixth car there is not one.' I have no
14 idea what that's referring to. I, I, I have no idea what that is." I asked Detective
15 Sollenberger if he thought someone made that up. He said, "I'm not saying
16 somebody made it up. What I, what I'm explaining to you is, I don't recall these text
17 conversations, you know. They were from over two years ago. I've had a lot go on
18 in my life in the past two years, so trying to remember a text message about AEDs in
19 Harrison Township I, I don't."

20
21 I asked Detective Sollenberger if anyone would make up a text message about Andy
22 McCoy and AED's in Harrison Township. Detective Sollenberger said, "No but if
23 you take this (indicating the printed text messages) and scan this in and save it as a
24 Word document you can go in and free type any text in there that you want." I asked
25 Detective Sollenberger what text messages were made that way. He said, "Again, I
26 said, this is, this is all brought to your guys' attention by my ex-wife. This, we are in
27 the, the nastiest custody battle that, you know, anybody could ever imagine. You
28 know, she, she has called and filed police reports against me. Um, you know they
29 were all unfounded, you know. She's filed domestic violence against me, unfounded.
30 She's called Mercer County Sheriff's Office and tried to file burglary reports against
31 me, unfounded. She's called the Archdioceses of Cincinnati and tried to complain on
32 me. She, she has been non-stop tormenting and harassing me, you know. This is not

1 the first time that, you know, she has done anything like this. You know she got a, a,
2 fire lieutenant who she was having an affair with fired from his job. You know it, its
3 constant harassment from her.”
4

5 I asked Detective Sollenberger if he knew Dani Estridge. He said he did. I asked if
6 she held any ill will toward him and why. He said, “Oh yes she does. Well, because
7 she’s friends with Jenn. She doesn’t like me.” Detective Sollenberger continued,
8 “She in fact testified against me to the Guardian Ad Litem report. You know, when it
9 came in, you know for the Guardian Ad Litem, for the, for the uh, for the child
10 custody.”
11

12 I told Detective Sollenberger that Ms. Estridge provided cell phone files she took
13 from his (Sollenberger’s) phone which contained these text messages to us. I told
14 Detective Sollenberger Ms. Estridge told us she did not fabricate any message or alter
15 any file other than to convert them to a PDF file. Detective Sollenberger said, “Do I
16 think she’s lying? Yes. I do. Because throughout all the divorce hearings that I’ve
17 had over two years, Jenn has lied on the stand numerous times about where this phone
18 was. How she came in contact with this phone. In fact in our final divorce hearing,
19 she testified that the phone was out of her possession for, like a couple months. You
20 know, so anything, could have happened to it.”
21

22 I asked Detective Sollenberger if he believed Ms. Estridge fabricated messages on his
23 phone. Detective Sollenberger said, “If Dani was the one that said that she did, then
24 she did.” I asked, “That she did what?” Detective Sollenberger said, “I Dani is the
25 one who extracted this information from the phone, then I say her and Jenn have
26 conspired to fabricate this stuff.”
27

28 I asked Detective Sollenberger what the term “mud shark,” was and if he had heard it
29 before. Detective Sollenberger said, “Yeah I’ve heard it before.” I asked what it
30 means and he said, “I already told you it’s when like when one party’s black and the
31 other party is white.” I asked Detective Sollenberger if that was a term he has used
32 before and he said, “Not that I can recall.” I asked Detective Sollenberger if the

1 conversation he had with Sergeant Lewis about being at Boston's with Craig Stivers
2 was all fabricated? He said, "No, I'm saying. I don't remember having a
3 conversation with Brian Lewis about. Have I been to Boston's Bistro? Yes I have.
4 Have I seen Brian there? Yes I have. Have I seen Craig Stivers there? Yes I have.
5 But I don't remember that specific date, time, texting talking to Brian, doing
6 whatever." I asked Detective Sollenberger if it was possible he had the conversation
7 with Sergeant Lewis. He said, "I could of, but like I said with any of this. It could be
8 altered, changed, deleted, manipulated."
9

10 I asked Detective Sollenberger about the conversations he had with Captain Flanders,
11 if that was the same as the other text conversations and he did not recall any
12 specifically. He said that was correct.
13

14 I asked Detective Sollenberger to review text message with Detective Walt Steele
15 where the term "nig nog" was used. I asked Detective Sollenberger if he knew what
16 that was referring to or if he heard the term before. He said he did not know what
17 Detective Steele was referring to and did not believe he had heard the term before.
18

19 I asked Detective Sollenberger to review text messages reported to be between him
20 and Captain Jeff Papanek. I asked if the messages appeared to be authentic
21 messages between the two of them. Detective Sollenberger said, "I mean it appears
22 to be a conversation between Captain Papanek and I. It appears to be." I asked
23 Detective Sollenberger if Ms. Estridge fabricated messages between him and Captain
24 Flanders, Sergeant Lewis, Detective Daugherty, Deputy Horton and Deputy Connelly
25 why would she not fabricate messages between him and other Sheriff's Office
26 employees. Detective Sollenberger said, "Because, I believe that at the time of my
27 separation, that my wife believed, and she doesn't know any different, and believed
28 that I was working directly with Brian (Lewis), working directly with Tommy
29 (Flanders). Joe (Connelly), testified in the Guardian Ad Litem report. Brad
30 (Daugherty) and I have been friends forever, as well as Jayme Horton. I think she
31 believed that those were people who were going to testify, or lend credibility during
32 the divorce hearing. And I think that's why she targeted those individuals."

1
2 I asked about Sergeant Terry Ables, and why Ms. Sollenberger would not target him
3 as well because he also worked in the Inspectional Services Unit with Detective
4 Sollenberger. He said, "Well, I'm saying because I wasn't working with Terry
5 (Ables) at the time when we split." Detective Sollenberger continued, "And I don't
6 even, I worked with Terry (Ables) for a short time in here and I don't know if her and
7 Terry (Ables) even ever met."
8

9 I asked about Rick Ward, who was a Detective in the Inspectional Services Unit with
10 Sergeant Ables. He said, "I never worked with Rick (Ward) in here. And Rick
11 wouldn't testify in the. He didn't testify in the Guardian Ad Litem report, or he
12 wasn't going to testify in court." Detective Sollenberger said the Guardian Ad Litem
13 report began in January of 2014 when he first met with the guardian, and was
14 completed sometime between April and June of 2014.

15 Detective Sollenberger said he did not have any further information regarding this
16 investigation. I ended the interview at 1555 hours.
17

18 **INTERVIEW WITH DETECTIVE WALTER STEELE**

19 On Wednesday, January 14, 2015, at 1625 hours, Detective Walter Steele appeared at
20 345 West Second Street, Sheriff's Headquarters Building as a **witness** in an
21 administrative investigation. Detective Steele, his representative Mr. Mark Scranton,
22 Detective Bryan Cavender and I were present for the interview. I reviewed the
23 *Policy/Waiver* form and the *Administrative Investigation Pre-Interview* form with
24 Detective Steele. Detective Steele said he understood the forms and signed both. Mr.
25 Scranton and Detective Cavender witnessed his signature on the forms.
26

27 Detective Steele has been employed by the Montgomery County Sheriff's Office for
28 over seventeen years. Detective Steele is currently assigned to the Special
29 Investigations Unit on second watch.
30

31 *Detective Steele reviewed the text messages reported to be between him and Detective*
32 *Sollenberger approximately 10 minutes before the interview.*

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Detective Steele agreed Detective Sollenberger’s text messages appear green on the sheet on the right side of the page and his messages are light gray and on the left side of the page. I asked Detective Steele if the messages appear to be authentic text message between him and Detective Sollenberger. Detective Steele said, “Yeah, I mean it appears, um. Because we’re talking about, there was a, um, his birthday party was at Jenn’s house, and, um. And we’re talking about uh, the ponds, and the boat, so it, it appears, I mean it’s been awhile I can’t say I remember these but it appears as a conversation between both of us.”

I asked Detective Steele about the first text message in the series:



I asked Detective Steele what “nig Nog” meant in his text. Detective Steele said, “It means to me a friend.” Detective Steele continued, “Mike, Mike’s a friend of mine and that’s what it looks like. It’s, to me the, I can’t see what the beginning part is, but it looks like in a response so, what I’m assuming is he called me what I would say friend, I called him friend back. So I, I think probably what I would think is, since I don’t have the beginning part to say. I think I probably repeated back you know, he called me a friend, I called him a friend back.”

I asked Detective Steele if that was a term he used regularly or just with Detective Sollenberger. He said, “No, I wouldn’t say it’s a term I use with him. Um someone, someone calls you something you call them something back, but what I take that as is, is friend. I mean I can’t say. Cause I, that, that word isn’t like in my normal vocabulary. You know that. To me, that isn’t even a bad word, but I’m just saying I can’t, I can’t account for it because he may have said it to me and I just repeated it back to him. But I know that I don’t have any bad feelings towards him, so I would just be calling him a, a friend back.”

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I asked Detective Steele if he has ever used the term “nig Nog,” in a disparaging way. Detective Steele said he has not.

Detective Steele said he did not have any further information regarding this investigation. I ended the interview at 1634 hours.

INTERVIEW WITH MS. JENNIFER SOLLENBERGER

On Monday, January 12, 2015, at approximately 1530 hours, Detective Tony Hudson and I (Detective Bryan Cavender) arrived at Ms. Jennifer Sollenberger’s residence to copy Detective Sollenberger’s personal iPhone. Ms. Sollenberger advised us that we could set up in the basement so she could smoke. Detective Hudson set up the Cellebrite machine to copy Detective Sollenberger’s phone.

When I asked for the phone Ms. Sollenberger said that she did not have the phone, she was keeping it at a secure location. I informed her the reason I wanted to meet with her was to make a copy of the phone. Ms. Sollenberger stated that she did not trust anyone from the Sheriff’s Office and wanted a third party to copy the phone. I attempted to explain to Ms. Sollenberger why it was important to have the original phone and why I need to make a copy. Ms. Sollenberger stated she understood but would not turn the phone over. Ms. Sollenberger attempted to open a file on her computer that contained the files from Detective Sollenberger’s iPhone. Ms. Sollenberger was having difficulty opening the files. I explained to her that her friend Dannielle Estridge had already provided me with the files she was attempting to open. Detective Hudson and I concluded our conversation with Ms. Sollenberger and returned to headquarters.

INTERVIEW WITH MS. DANNIELLE ESTRIDGE

On Tuesday, January 13, 2015, at approximately 1300 hours, Ms. Dannielle Estridge appeared at 345 West Second Street, Sheriff’s Headquarters Building as a **witness** in an administrative investigation. Ms. Estridge and I (Detective Bryan Cavender) were present for the interview.

1 Ms. Estridge said she is a registered nurse, employed by Care Source. Ms. Estridge
2 said she usually works from home by phone. I asked Estridge how she became
3 involved with the text messages from Detective Sollenberger's personal iPhone. Ms.
4 Estridge said she was contacted by Ms. Sollenberger, stating she found her son
5 looking for an old iPhone that Detective Sollenberger had once used. Ms.
6 Sollenberger informed Ms. Estridge her son was told by Detective Sollenberger, if he
7 found the phone he would have it activated for him. Ms. Sollenberger wanted Ms.
8 Estridge to look through the phone to see what was on the phone.

9
10 Ms. Estridge stated that she obtained that phone from Ms. Sollenberger, and on May
11 02, 2014 she used the Wondershare program to extract deleted files from the phone.
12 Ms. Estridge stated while she was extracting the files from the iPhone she obtained
13 from Ms. Sollenberger, she began to review the text messages on the phone. Ms.
14 Estridge said while reviewing text messages she discovered several racially
15 derogatory texts between Detective Sollenberger and other Sheriff Office employees.
16 Ms. Estridge completed the extraction process and backed up the phone on an iTunes
17 account. Ms. Estridge said that she also created backup files of the phone and placed
18 them on a computer for Ms. Sollenberger.

19
20 I asked Ms. Estridge if she returned the phone to Ms. Sollenberger once she
21 completed the extraction and backing the phone up on iTunes. Ms. Estridge said that
22 she kept the phone at a secure location for a couple of months before returning to Ms.
23 Sollenberger.

24
25 I asked Ms. Estridge if she was the one who assisted Ms. Sollenberger with
26 contacting the NAACP concerning the text messages. Ms. Estridge stated it was a
27 group discussion about what should be done with the text messages from Detective
28 Sollenberger's personal phone. Ms. Estridge stated that she was present when Ms.
29 Sollenberger was meeting with her attorney who advised Ms. Sollenberger if she had
30 racially derogatory text messages take them to the NAACP.

31
32 I asked Ms. Estridge if she knew when Ms. Sollenberger provided the text messages

1 to the NAACP, she thought it was sometime in August. Ms. Estridge said that she did
2 not know why the NAACP's investigation took so long. I asked Ms. Estridge if Ms.
3 Sollenberger was updated on the NAACP's investigation. Ms. Estridge said Ms.
4 Sollenberger contacted her a month before the information was released to the public,
5 stating Ms. Sollenberger was informed it was going to be released to the public much
6 earlier than it actually was released.

7
8 Ms. Estridge also brought her computer to the interview with the iTunes file from
9 Detective Sollenberger's personal iPhone. I contacted James Fisher from the
10 Montgomery County Sheriff's Office Information and Technology section who
11 provided an external hard drive to copy the files from Ms. Estridge's computer.

12
13 At approximately 1445 hours all of the files had been copied from Ms. Estridge's
14 computer to the external hard drive and the interview was concluded.

15
16 After the interview I discovered that the audio recording device failed and the
17 interview had not been recorded. I also was unable to open some of the files copied
18 from Ms. Estridge's computer. I contacted Ms. Estridge and informed her of the
19 difficulties and asked her if she would return and assist in retrieving the files and
20 participate in another interview, she agreed.

21
22 **INTERVIEW WITH DANNIELLE ESTRIDGE**

23 On Friday, January 16, 2015, at approximately 1453 hours, Ms. Estridge returned to
24 the 345 West Second Street, Sheriff's Headquarters Building for a second interview.

25
26 I reviewed the first interview with Ms. Estridge to ensure I recalled the information
27 correctly. Ms. Estridge verified the content of the first interview. I asked Ms.
28 Estridge if she knew Thomas Flanders, Brian Lewis, Jayme Horton, Brad Daugherty,
29 or Brian Connelly. She stated that she did not know any of them. I asked if she had any
30 ill will toward any of them that would cause her to create or insert racially derogatory
31 text messages. Ms. Estridge said she would not do that. Ms. Estridge said she is a
32 registered nurse and would not jeopardize losing her license.

1
2 I asked Ms. Estridge if she had ever created any fake or “ghost” text messages, she
3 stated that she has not and would not create fake text messages.
4

5 While the interview was being conducted, Ms. Estridge copied files she obtained
6 from Michael Sollenberger’s personal phone to an iPhone 4 that we provided her.
7

8 Sergeant Parin asked Ms. Estridge if she had ever heard the term “ghost messages”
9 she stated that she had not. Sergeant Parin asked Ms. Estridge if she had programs
10 that could create fake or ghost text, she said no.
11

12 Sergeant Parin asked Ms. Estridge if the phone we provided her with, to copy the files
13 from Detective Sollenberger’s personal iPhone was now an accurate representation of
14 Michael Sollenberger’s personal iPhone she copied on May 02, 2014. Ms. Estridge
15 said the text and pictures are an accurate representation of Detective Sollenberger’s
16 phone. Ms. Estridge stated that the music and apps are held specifically on the
17 computer it was synced with, so those items would not be on the phone we provided
18 her to copy the files to.
19

20 Sergeant Parin asked Ms. Estridge if the deleted photos she was able to extract from
21 Detective Sollenberger’s personal iPhone, were on the phone she copied for us. She
22 stated she did not think the deleted photos would be on the phone we provided her
23 with.
24

25 The deleted photos and additional texts that were extracted by Ms. Estridge were on a
26 flash drive she provided me with on January 12, 2014.
27

28 The interview was concluded at 1507 hours.
29

30 ADDITIONAL INVESTIGATION

31 On Friday, January 15, 2014, Ms. Dani Estridge appeared at the Sheriff’s Office
32 Headquarters building and met with Detective Cavender and me.

1
2 Ms. Estridge brought her Mac Book Pro computer which she synced with the
3 telephone Ms. Sollenberger gave her which belonged to Detective Sollenberger. Ms.
4 Esteridge said she completed syncing the telephone through iTunes on her computer
5 to preserve the files for Ms. Sollenberger for the upcoming divorce on May 2, 2014. I
6 provided Ms. Estridge with a Sheriff's Office iPhone 4, and asked her to restore the
7 device with the synced files from Detective Sollenberger's iPhone. Ms. Estridge
8 synced the files which show all of the text messages she provided in the PDF files.
9 All of the messages point to the contact information for the individuals reported to be
10 texting the information.

11
12 For instance there is a series of text messages between Detective Sollenberger and
13 myself. I recalled many of the text messages upon seeing them and recall the
14 incidents surrounding the text messages.

15
16 On Tuesday, January 20, 2015, Ms. Sollenberger and Ms. Estridge brought the
17 iPhone Ms. Sollenberger reported as belonging to Detective Sollenberger to me. Ms.
18 Sollenberger advised she would allow us to image the phone, but would not allow us
19 to keep it. Detective Tony Hutson imaged the phone with the Montgomery County
20 Sheriff's Office Cellebrite phone imaging devices and software and made a copy of
21 the files contained on the phone for forensic examination. After imaging the phone, it
22 was returned to Ms. Sollenberger.

23
24 After imaging the phone, Detective Hutson provided a thumb drive with the imaged
25 phone files to me. I reviewed an Excel file titled *Apple 3GS 1-20-15 #1*. I reviewed
26 the "SMS Messages" tab. There are a total of 7,744 SMS message files between the
27 dates of November 7, 2011, and February 1, 2013, which appear to be the dates
28 Detective Sollenberger actively used this phone between.

29
30 On Tuesday, December 16, 2014, Ms. Sollenberger brought an iPhone to me and
31 allowed Detective Hutson to image the phone. Ms. Sollenberger reported the phone
32 was the phone which Detective Sollenberger used to send the text messages which

1 she gave to the NAACP. Detective Hutson imaged the phone with the Montgomery
2 County Sheriff's Office Cellebrite phone imaging devices and software and made a
3 copy of the files contained on the phone for forensic examination. After imaging the
4 phone, it was returned to Ms. Sollenberger.

5
6 After imaging the phone, Detective Hutson provided a thumb drive with the imaged
7 phone files to me. I reviewed an Excel file titled *Report*. I reviewed the "SMS
8 Messages" tab. There are a total of 2,464 SMS message files between the dates of
9 July 2, 2009, and November 6, 2011, which appears to be the dates Detective
10 Sollenberger actively used this phone between. After reviewing these files it was
11 obvious the text messages which are the focus of this investigation were not on the
12 telephone. After re-contacting Ms. Sollenberger and contacting Ms. Estridge, in
13 January of 2015, Ms. Sollenberger realized she gave me Detective Sollenberger's first
14 iPhone which he stopped using on November 6, 2011.

15
16 **CONCLUSION OF FACT**

17 On Sunday, November 30, 2014, Sheriff Phil Plummer and Major Daryl Wilson met
18 with Mr. Derrick Foward, President of the Dayton Chapter of the National
19 Association for the Advancement of Colored People (NAACP), at the Dayton offices
20 of the NAACP. Mr. Foward informed Sheriff Plummer he had been given a series of
21 text messages between Detective Michael Sollenberger and several other employees
22 of the Montgomery County Sheriff's Office (Captain Thomas "Tommy" Flanders,
23 Sergeant Brian Lewis, Detective Brad Daugherty, Deputy Jayme Horton and Deputy
24 Joseph Connelly) which contained conversations of a racially derogatory nature. Mr.
25 Foward explained he received the messages in August of 2014, from a complainant
26 who wished to remain anonymous. Mr. Foward said the complainant wanted an
27 investigation to be conducted.

28
29 Mr. Foward provided photocopies of the messages he felt needed investigated to
30 Major Wilson on Tuesday, December 2, 2014. After reviewing the copied
31 documents, it was immediately obvious the messages contained information only the
32 individuals reported to be engaged in the conversations would know. It was also

1 obvious there were a number of messages missing from the text conversations. It was
2 also apparent the complainant who provided the messages to Mr. Foward was
3 Detective Sollenberger's, estranged wife Jennifer Sollenberger.
4

5 On Monday, December 15, 2014, Mr. Foward provided copies of the five Portable
6 Document Files (PDF) he was given by Ms. Sollenberger in August of 2014. The
7 PDF files contained a chronological stream of conversations between Detective
8 Sollenberger and each of the other employees. These files provided a more complete
9 and logical view of the text messages which gave further credibility to the
10 authenticity to the text messages.
11

12 On Tuesday, December 16, 2014, Ms. Sollenberger appeared for an interview. Ms.
13 Sollenberger admitted she found the iPhone belonging to Detective Sollenberger.
14 Ms. Sollenberger said a friend of hers, Dani Estridge, synced the phone to a computer
15 and used a program to convert the text message conversations on the phone to PDF
16 files.
17

18 At the time Ms. Sollenberger appeared for her interview, she brought an iPhone she
19 said was the phone Ms. Estridge found the text messages on. Detective Tony Hutson
20 imaged the phone with the Montgomery County Sheriff's Office Cellebrite phone
21 imaging devices and software and made a copy of the files contained on the phone for
22 forensic examination. Upon reviewing the phone files, I found the phone did not
23 contain any of the text messages from this complaint.
24

25 Throughout the day on Thursday, December 18, 2014, Detective Cavender and I
26 conducted individual interviews with Detective Daugherty, Deputy Horton, Sergeant
27 Lewis and Deputy Connelly. Each employee agreed the text conversations were
28 authentic, based on the specific information contained within or their memories of the
29 events, although they did not specifically recall all of the content or conversations.
30

31 On Friday, December 19, 2014, Detective Cavender and I interviewed Captain
32 Flanders. Captain Flanders admitted the document contained a lot of text messages

1 only he and Detective Sollenberger could have had, and although he could not
2 specifically recall the specific messages agreed many of them were authentic.
3 However, Captain Flanders denied reading or sending any racially derogatory
4 messages or cursing. Captain Flanders theorized during his interview that Ms.
5 Sollenberger created the racially derogatory messages as a way of discrediting
6 Detective Sollenberger during their divorce proceedings.

7
8 Captain Flanders provided a report from a polygraph examiner which he and his
9 attorney, Mr. Doug Brannon contracted as evidence of his truthfulness. Captain
10 Flanders also provided two partial transcripts from Ms. Sollenberger (one from a
11 deposition before her divorce trial and one from her divorce trial) regarding
12 contradictory statements she made about the iPhone and text messages in this
13 investigation. Captain Flanders claimed the documents were proof of Ms.
14 Sollenberger's un-truthfulness.

15
16 Captain Flanders further provided an e-mail from Mr. Jim Swauger of Digital
17 Forensics with an opinion of the authenticity of the copied PDF files I provided to
18 Captain Flanders with his *Notice of Investigation*. Mr. Swauger's opinion was:

19
20 Based on what I've seen so far, I can see no way to authenticate the messages. It is
21 possible that the messages are a complete and accurate representation; however, it
22 is equally possible that the produced messages have been modified, redacted, or
23 even completely fabricated.
24

25 On Friday, December 19, 2014, Detective Cavender and I interviewed Detective
26 Sollenberger. Detective Sollenberger said throughout his interview he could not
27 remember any of the text messages due to the length of time since they were
28 reportedly sent and received. Detective Sollenberger alleged his estranged wife
29 altered and fabricated many of the text messages provided as a way of discrediting
30 him before their divorce trial and child custody battle.

31
32 Following the interviews with the six employee focuses in this investigation, although
33 four of the employees recalled parts of the text messages and believed them to be
34 accurately reported, Detective Sollenberger and Captain Flanders adamantly denied

1 participating in the racially derogatory messages and alleged they were fabricated. It
2 was apparent further authentication of the messages was needed as proof for this
3 investigation.

4
5 Between Monday December 19, 2014, and Monday, January 5, 2015, Detective
6 Cavender and I made repeated attempts to contact Ms. Sollenberger to talk about the
7 discrepancy between the text messages she provided the NAACP and the messages
8 on the phone she provided to us. Ms. Sollenberger scheduled and canceled three
9 different meetings between Tuesday, January 6, 2015, and Monday, January 12,
10 2015.

11
12 On Sunday, January 11, 2015, I contacted Ms. Dani Estridge by telephone, after Ms.
13 Sollenberger provided me with her contact information. Ms. Estridge told me she
14 synched and copied the iPhone which belonged to Detective Sollenberger on May 2,
15 2014, and produced the PDF files using a program she purchased. I explained to Ms.
16 Estridge the phone Ms. Sollenberger brought me on December 16, 2014, did not
17 contain any of the text messages from the PDF files and all of the text messages
18 ended the day before (November 6, 2011) the earliest text message in the files. Ms.
19 Estridge immediately explained she synched two different iPhones Ms. Sollenberger
20 had which belonged to Detective Sollenberger.

21
22 While I spoke to her on the telephone, Ms. Estridge reviewed the iPhone sync and she
23 found all of the files from this investigation starting on November 7, 2011. Ms.
24 Estridge said she would meet with Detective Cavender on Tuesday, January 13, 2015,
25 and provide copies of the files she made.

26
27 On Monday, January 12, 2015, Detectives Cavender and Hutson met with Ms.
28 Sollenberger to image the other phone with the Montgomery County Sheriff's Office
29 Cellebrite phone imaging devices and software for forensic examination. Ms.
30 Sollenberger did not provide access to the phone at that time.

31
32 On Tuesday, January 13, Detective Cavender received copies of the computer files

1 Ms. Estridge copied from Detective Sollenberger's iPhone on May 2, 2014. Ms.
2 Estridge also provided Detective Cavender with copies of the PDF files she created
3 using software to copy text messages to text.
4

5 On Wednesday, January 14, 2015, I conducted second individual interviews with
6 Deputy Horton, Deputy Connelly and Detective Sollenberger. Deputy Horton and
7 Deputy Connelly both reiterated their belief the text messages between themselves
8 and Detective Sollenberger were true and accurate. Detective Sollenberger again
9 reported he could not recall any of the specific text messages. Detective Sollenberger
10 further alleged Ms. Sollenberger and Ms. Estridge conspired to fabricate the
11 derogatory text messages to discredit him.
12

13 On Friday, January 16, 2015, Ms. Estridge returned to my office with her laptop
14 computer and restored a Sheriff's Office iPhone 4 with the back-up from Detective
15 Sollenberger's phone. This placed all of the messages which are the focus of this
16 investigation back onto an iPhone which shows the specific date and time each
17 message was sent and received. The times and dates for the text messages are
18 identical to those from the PDF files indicating the PDF files are authentic copies of
19 the messages sent and received by Detective Sollenberger and not fabricated or
20 altered.
21

22 On Tuesday, January 20, 2015, Ms. Sollenberger and Ms. Estridge appeared at my
23 office with the iPhone Detective Sollenberger used between November 7, 2011, and
24 February 1, 2013. Detective Hutson imaged the phone with the Montgomery County
25 Sheriff's Office Cellebrite phone imaging devices and software for forensic
26 examination. Detective Hutson provided the files created to me. I reviewed the files
27 and found they contained all of the text messages with time and date stamps logged
28 by the phone's operating system (iPhone OS 6.1).
29

30 Based on the entirety of the information I received from Ms. Sollenberger and Ms.
31 Estridge, the PDF files Mr. Foward provided to the Montgomery County Sheriff's
32 Office are true and accurate messages sent between Detective Sollenberger and

1 Detective Daugherty; Detective Sollenberger and Sergeant Lewis; Detective
2 Sollenberger and Deputy Horton; Detective Sollenberger and Deputy Connelly;
3 Detective Sollenberger and Captain Flanders.

4
5 Detective Daugherty received one text message out of 31 messages he received from
6 Detective Sollenberger between the dates of September 20 and January 23, 2013,
7 which contained a racially derogatory reference. Detective Sollenberger referred to
8 Detective Brad Meeker of the Dayton Police Department as a “mud shark.” Detective
9 Daugherty merely received the message from Detective Sollenberger. Detective
10 Daugherty did not acknowledge or respond to the message or reference made by
11 Detective Sollenberger. This equates to receiving an unwanted telephone call, e-mail
12 or text.

13
14 By not acknowledging or responding to the text, Detective Daugherty clearly did not
15 participate in the racially derogatory message with Detective Sollenberger. Therefore,
16 the allegation Detective Daugherty participated or sent racially derogatory text
17 messages with Detective Sollenberger is declared **unfounded**.

18
19 Detective Sollenberger during this conversation referred to Detective Meeker as a
20 “mud shark.” “Mud shark” was defined by Deputy Connelly as a disparaging term
21 used for a Caucasian woman who has sexual relations with an African American man.
22 Detective Sollenberger’s use of the term in the conversation, although in jest, did not
23 reflect favorably on Detective Sollenberger or the Sheriff’s Office when made public.
24 Detective Sollenberger’s use of the term “mud shark,” when referring to Detective
25 Meeker is declared **improper conduct**. Detective Sollenberger violated the
26 following Sheriff’s Office Professional conduct rules:

27
28 **Rule 45 Ethical Conduct**

29
30 Employees must always conduct themselves, both on and off duty, in a way that
31 reflects favorably on the Sheriff’s Office. Employees are forbidden from engaging in
32 conduct that dishonors the Sheriff’s Office, discredits the individual as a law
33 enforcement employee, or impairs the efficient operation of the employee or the
34 Sheriff’s Office. Besides the preceding rules, all employees are accountable and
35 responsible for the Law Enforcement Code of Ethics as a professional guideline.
36

1 Employees shall truthfully answer all questions, specifically directed and narrowly
2 related to the scope of their employment and operations of the Sheriff Office, which
3 may be asked of them. Employees shall be honest and shall not practice
4 deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight,
5 shall be grounds for discipline up to and including termination.
6

7 Sergeant Lewis participated in a conversation via a series of text messages with
8 Detective Sollenberger on March 30, 2012, between 2049 and 1024 hours. Sergeant
9 Lewis admitted during his interview the messages do not look good and do not reflect
10 favorably on him due to the racially derogatory terms he and Detective Sollenberger
11 used. Sergeant Lewis said the messages were meant in jest, and he was responding to
12 Detective Sollenberger's bravado.

13
14 Sergeant Lewis responded to Detective Sollenberger's comment, "BTW the niggers
15 are trying to take over Boston's," by sending, "Who left their gate!!!!!! The (sic)
16 don't serve Nog beer there." Although Sergeant Lewis explained he took the
17 meaning of Detective Sollenberger's use of the word "niggers" to mean thugs and
18 responded with "Nog," the term which Sergeant Lewis said he used to describe thugs;
19 it is evident the term "Nog" was a specific reference to persons of color. Sergeant
20 Lewis continued the conversation with Detective Sollenberger by sending the text, "I
21 hope u (sic) packing," after Detective Sollenberger reported, "There r (sic) 4 of them
22 at the bar," and then, "I know ask Craig when u (sic) see him. Plus three more
23 walked in." Sergeant Lewis continued the conversation by asking Detective
24 Sollenberger if he was "packing", meaning carrying a gun. Detective Sollenberger
25 responded with bravado by saying, "I'm not I'll stab a coon as soon as the juke box
26 slows down I'm playing hank (sic) Williams jr." Sergeant Lewis further responded
27 saying, "Thataboy," and the final text of the conversation from Detective
28 Sollenberger was, "I hate niggers that is all."

29
30 Sergeant Lewis's conduct in using the term, "Nog beer" as a response to Detective
31 Sollenberger use of the word, "Niggers" to describe a group of people at a bar he was
32 at. The term does not reflect favorably on Sergeant Lewis or the Sheriff's Office
33 when made public. Sergeant Lewis' conduct is declared **improper conduct**.
34 Sergeant Lewis violated the following Sheriff's Office Professional Conduct Rule:

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Rule 45 Ethical Conduct

Employees must always conduct themselves, both on and off duty, in a way that reflects favorably on the Sheriff's Office. Employees are forbidden from engaging in conduct that dishonors the Sheriff's Office, discredits the individual as a law enforcement employee, or impairs the efficient operation of the employee or the Sheriff's Office. Besides the preceding rules, all employees are accountable and responsible for the Law Enforcement Code of Ethics as a professional guideline.

Employees shall truthfully answer all questions, specifically directed and narrowly related to the scope of their employment and operations of the Sheriff Office, which may be asked of them. Employees shall be honest and shall not practice deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight, shall be grounds for discipline up to and including termination.

Detective Sollenberger during this incident denied ever having this conversation to the point of implying Sergeant Lewis would be lying if he confirmed the message.

Detective Sollenberger repeatedly said this conversation was untrue, not because of the terms "niggers," and "coons" he was reported as using, but because he does not like Hank Williams Jr. music. Detective Sollenberger accused his estranged wife and her friend of fabricating this series of text messages. This investigation shows the conversation between Sergeant Lewis and Detective Sollenberger did happen on the time and date reported as shown by Detective Sollenberger's iPhone. Additionally during his interviews, Detective Sollenberger purposely lied in an attempt to prevent the facts in this case from being revealed by saying Sergeant Lewis was not correct in verifying the messages.

Detective Sollenberger's conduct is declared **improper conduct**. Detective Sollenberger violated the following Sheriff's Office Professional Conduct rules:

Rule 45 Ethical Conduct

Employees must always conduct themselves, both on and off duty, in a way that reflects favorably on the Sheriff's Office. Employees are forbidden from engaging in conduct that dishonors the Sheriff's Office, discredits the individual as a law enforcement employee, or impairs the efficient operation of the employee or the Sheriff's Office. Besides the preceding rules, all employees are accountable and responsible for the Law Enforcement Code of Ethics as a professional guideline.

Employees shall truthfully answer all questions, specifically directed and narrowly related to the scope of their employment and operations of the Sheriff Office, which may be asked of them. Employees shall be honest and shall not practice deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight, shall be grounds for discipline up to and including termination.

1 **Rule 12 Insubordination**

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3 Employees must promptly obey any lawful orders or directives of a supervisor. This
4 includes orders or directives from a superior that an employee of the same or lesser
5 rank relays.
6

7 Employees must truthfully answer all interview questions a supervisor or an
8 Inspectional Services Unit investigator asks them during a job performance or an
9 administrative investigation. Failure to answer interview questions truthfully is prima
10 facie evidence of insubordination and is proper grounds for termination of
11 employment.
12

13 Deputy Jayme Horton participated in a series of text message conversations with
14 Detective Sollenberger between September 21, 2012, and January 29, 2013. Many of
15 the 265 individual messages exchanged between the two were about their families
16 and are not derogatory in nature. Deputy Horton sent three messages where he used
17 the term “nigga” to describe a character on a television show as a tough guy. Deputy
18 Horton also took one photograph of the feet of an inmate, who was African
19 American, and sent it to Detective Sollenberger who replied, “Gross.”
20 Deputy Horton admitted he hears the terms on a daily basis while working, and has
21 been called those terms from time to time by African American prisoners in court.
22 Deputy Horton admitted his use of the words do not look favorably on him or the
23 Sheriff’s Office when made public and would not talk that way in a public setting.
24 During his interview Deputy Horton apologized for the use of the words. Deputy
25 Horton further said in his interview he has never treated anyone of any race or
26 background any differently while working as a Deputy Sheriff for the citizens of
27 Montgomery County.
28

29 Deputy Horton’s actions in participating in racially derogatory conversations with
30 Detective Sollenberger are declared **improper conduct**. Deputy Horton violated the
31 following Sheriff’s Office Professional Conduct Rule:
32

33 **Rule 45 Ethical Conduct**

34 Employees must always conduct themselves, both on and off duty, in a way that
35 reflects favorably on the Sheriff’s Office. Employees are forbidden from engaging in
36 conduct that dishonors the Sheriff’s Office, discredits the individual as a law
37 enforcement employee, or impairs the efficient operation of the employee or the
38 Sheriff’s Office. Besides the preceding rules, all employees are accountable and
39 responsible for the Law Enforcement Code of Ethics as a professional guideline.
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1 Employees shall truthfully answer all questions, specifically directed and narrowly
2 related to the scope of their employment and operations of the Sheriff Office, which
3 may be asked of them. Employees shall be honest and shall not practice
4 deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight,
5 shall be grounds for discipline up to and including termination.
6

7 During his interviews when asked about the text messages between him and Deputy
8 Horton, Detective Sollenberger said he could not remember the messages and eluded
9 to the ease with which they could be altered or fabricated. This investigation shows
10 Detective Sollenberger did engage in the racially derogatory messages with Deputy
11 Horton particularly on two occasions, October 25, 2012, at 0755 hours, where he
12 complains about having to "...wait on Negroes at school," and then again on
13 December 18, 2012, at 0756 hours, "It's way to early for my nigrometer to be at
14 96%." Detective Sollenberger also went on a rant to Deputy Horton on December 9,
15 2012, at 1444 hours, "Just because a nigger scammed the election and is pres. It does
16 not give the G-damn right to shop at DLM." This is clearly a derogatory rant about
17 African Americans shopping at Dorothy Lane Market following President Obama's
18 re-election.
19

20 Detective Sollenberger's comments to Deputy Horton were racially derogatory and
21 declared **improper conduct**. Detective Sollenberger violated the following Sheriff's
22 Office Professional Conduct Rule:
23

24 **Rule 45 Ethical Conduct**
25

26 Employees must always conduct themselves, both on and off duty, in a way that
27 reflects favorably on the Sheriff's Office. Employees are forbidden from engaging in
28 conduct that dishonors the Sheriff's Office, discredits the individual as a law
29 enforcement employee, or impairs the efficient operation of the employee or the
30 Sheriff's Office. Besides the preceding rules, all employees are accountable and
31 responsible for the Law Enforcement Code of Ethics as a professional guideline.
32

33 Employees shall truthfully answer all questions, specifically directed and narrowly
34 related to the scope of their employment and operations of the Sheriff Office, which
35 may be asked of them. Employees shall be honest and shall not practice
36 deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight,
37 shall be grounds for discipline up to and including termination.
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39 Deputy Connelly participated in a series of text message conversations with Detective
40 Sollenberger between the dates of September 20, 2012, and January 30, 2013, where
41 a total of 722 messages were exchanged during the two. Deputy Connelly in his

1 interviews explained he and Detective Sollenberger talked and associated a lot during
2 the time because Detective Sollenberger was having some marital problems and
3 Deputy Connelly was going through a divorce. Deputy Connelly said the majority of
4 the text messages reflect two guys joking back and forth about wives, girlfriends,
5 politics and going out. Deputy Connelly described many of the conversations as
6 being bravado or one-upmanship, each trying to make a more outrageous comment
7 than the other. For instance on October 31, 2012, Detective Sollenberger said he
8 needed a, "...shovel and bag of lime," when Ms. Sollenberger over filled the bathtub
9 and flooded the basement and Deputy Connelly responded saying, "...My family has
10 120 acres in Indy..."

11
12 During his interview Deputy Connelly admitted he participated in six comments
13 which when viewed public do not reflect favorably on him and are not a
14 representation of his work for the citizens of Montgomery County as a Deputy
15 Sheriff. Deputy Connelly apologized for his comments during the interview.

16
17 Deputy Connelly's actions in participating in a total of six conversations of a racially
18 derogatory nature are declared **improper conduct**. Deputy Connelly violated the
19 following Sheriff's Office Professional Conduct Rule:

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21 **Rule 45 Ethical Conduct**

22 Employees must always conduct themselves, both on and off duty, in a way that
23 reflects favorably on the Sheriff's Office. Employees are forbidden from engaging in
24 conduct that dishonors the Sheriff's Office, discredits the individual as a law
25 enforcement employee, or impairs the efficient operation of the employee or the
26 Sheriff's Office. Besides the preceding rules, all employees are accountable and
27 responsible for the Law Enforcement Code of Ethics as a professional guideline.
28

29 Employees shall truthfully answer all questions, specifically directed and narrowly
30 related to the scope of their employment and operations of the Sheriff Office, which
31 may be asked of them. Employees shall be honest and shall not practice
32 deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight,
33 shall be grounds for discipline up to and including termination.
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36 Detective Sollenberger during his interviews denied any memory of the text messages
37 and claimed they were altered or fabricated by Ms. Soolenberger. Detective
38 Sollenberger further alleged Deputy Connelly was being un-truthful by saying the

1 conversations did occur. This investigation clearly shows Detective Sollenberger
2 participated in the derogatory comments between himself and Deputy Connelly. Not
3 only did Detective Sollenberger engage in conversations which dishonors him and his
4 work at the Montgomery County Sheriff's Office, he repeatedly lied during his
5 interviews about the messages with Deputy Connelly and accused Deputy Connelly
6 of lying.

7
8 Detective Sollenberger's conduct is declared **improper conduct**. Detective
9 Sollenberger violated the following Sheriff's Office Professional Conduct Rule:

10
11 **Rule 12 Insubordination**

12 Employees must promptly obey any lawful orders or directives of a supervisor. This
13 includes orders or directives from a superior that an employee of the same or lesser
14 rank relays.

15
16 Employees must truthfully answer all interview questions a supervisor or an
17 Inspectional Services Unit investigator asks them during a job performance or an
18 administrative investigation. Failure to answer interview questions truthfully is prima
19 facie evidence of insubordination and is proper grounds for termination of
20 employment.
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22
23 Captain Flanders, for the majority of the time of the text message conversations being
24 investigated, was Detective Sollenberger's Sergeant in the Inspectional Services Unit.
25 From November 7, 2011 to January 31, 2013, Captain Flanders and Detective
26 Sollenberger exchanged over 3,200 text messages while on and off duty. Captain
27 Flanders and Detective Sollenberger had 29 conversations of a racially derogatory
28 nature identified by Mr. Foward and confirmed through this investigation in-which
29 they actively participated.

30
31 Captain Flander's actions in participating in 29 racially derogatory messages over the
32 course of fourteen months with Detective Sollenberger are declared **improper**
33 **conduct**. Captain Flanders violated the following Sheriff's Office Professional
34 Conduct Rule:

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36 **Rule 45 Ethical Conduct**

37 Employees must always conduct themselves, both on and off duty, in a way that
38 reflects favorably on the Sheriff's Office. Employees are forbidden from engaging in
39

1 conduct that dishonors the Sheriff's Office, discredits the individual as a law
2 enforcement employee, or impairs the efficient operation of the employee or the
3 Sheriff's Office. Besides the preceding rules, all employees are accountable and
4 responsible for the Law Enforcement Code of Ethics as a professional guideline.
5

6 Employees shall truthfully answer all questions, specifically directed and narrowly
7 related to the scope of their employment and operations of the Sheriff Office, which
8 may be asked of them. Employees shall be honest and shall not practice
9 deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight,
10 shall be grounds for discipline up to and including termination.
11

12 Detective Sollenberger's actions in participating in 29 racially derogatory messages
13 over the course of fourteen months with Captain Flanders are declared **improper**
14 **conduct**. Detective Sollenberger violated the following Sheriff's Office Professional
15 Conduct Rule:
16

17 **Rule 45 Ethical Conduct**
18

19 Employees must always conduct themselves, both on and off duty, in a way that
20 reflects favorably on the Sheriff's Office. Employees are forbidden from engaging in
21 conduct that dishonors the Sheriff's Office, discredits the individual as a law
22 enforcement employee, or impairs the efficient operation of the employee or the
23 Sheriff's Office. Besides the preceding rules, all employees are accountable and
24 responsible for the Law Enforcement Code of Ethics as a professional guideline.
25

26 Employees shall truthfully answer all questions, specifically directed and narrowly
27 related to the scope of their employment and operations of the Sheriff Office, which
28 may be asked of them. Employees shall be honest and shall not practice
29 deceitfulness. Any attempts to hide or evade the truth or fact, no matter how slight,
30 shall be grounds for discipline up to and including termination.
31

32 Throughout the course of his interview, Captain Flanders repeatedly pointed out
33 individual text messages and swore he did not send them or had not seen the response
34 to them. Captain Flanders alleged Ms. Sollenberger fabricated and inserted whole
35 messages or portions of messages to discredit him and Detective Sollenberger.
36 Captain Flanders, with the assistance of his attorney Mr. Brannon, further went to the
37 extent of contracting R. L. Emmons to conduct a polygraph examination of proof that
38 he did not participate in the text conversations. This examination was constructed by
39 Mr. Brannon and Captain Flanders and was not reviewed by any independent
40 Sheriff's Office employee.
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42 The evidence obtained from Detective Sollenberger's phone shows Captain Flanders
43 did participate in and send the derogatory messages attributed to him in this

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investigation which he claimed were fabricated by Ms. Sollenberger. Captain Flanders conduct in purposely lying during an internal investigation interview and attempting to mislead the investigation are declared **improper conduct**. Captain Flanders violated the following Sheriff's Office Professional Conduct Rule:

Rule 12 Insubordination

Employees must promptly obey any lawful orders or directives of a supervisor. This includes orders or directives from a superior that an employee of the same or lesser rank relays.

Employees must truthfully answer all interview questions a supervisor or an Inspectional Services Unit investigator asks them during a job performance or an administrative investigation. Failure to answer interview questions truthfully is prima facie evidence of insubordination and is proper grounds for termination of employment.

On Wednesday, December 10, 2014, Captain Flanders turned his Sheriff's Office issued iPhone and iPad over to me. Captain Flanders restored the devices to factory settings deleting all files from the work devices in the process. When asked why he turn in his issued iPhone and iPad without the work files he had on them he advised he was merely turning them in as they were issued to him so they could be re-issued immediately.

In restoring the iPhone and iPad to factory setting and deleting the files Captain Flanders prevented the ability of Sheriff's Office employees to review the project and work files he had contained on the devices. Captain Flanders' actions are declared **improper conduct**. Captain Flanders violated the following Sheriff's Office Professional Conduct Rule:

Rule 44 Computer Equipment, Software, and Network Systems

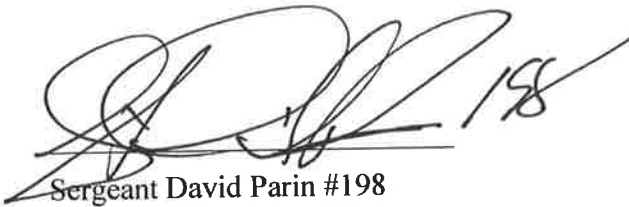
The Sheriff's Office's use of computer software complies with software vendors' specific licensing agreements. The Sheriff's Office does not allow or condone "Computer Software Piracy." Computer Software Piracy is the unlawful duplication of software without specific approval from the software vendor or is contrary to the licensing agreement. Employees committing Computer Software Piracy are subject to disciplinary measures.

Internet and Intranet connections are provided for business purposes and business related activities. Employees are expected to conduct themselves on these networks in a professional manner. Acceptable activities include, but are not limited to, communication with other governmental agencies and private entities engaged in

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activities related to law enforcement and the retrieval of information from the Internet related to professional pursuits. (See the "General Management and Administration" chapter in the *General Orders Manual*).

Employees must never add, alter, copy, delete, install, or download data files, software applications, or programs onto any agency owned computer without proper authorization from the Director of Information Technology. (See the *General Orders Manual* chapter on "General Management and Administration").

A handwritten signature in black ink, appearing to read 'D. Parin 198', is written over a horizontal line. The signature is stylized and cursive.

Sergeant David Parin #198

January 21, 2015