

FAULKNER & GRAVES, P.C.

Personal Injury and Wrongful Death Litigation

August 24, 2011

Hand Delivered

Thomas J. Londregan, Esquire
Conway, Londregan, Sheehan & Monaco, PC
38 Huntington Street
PO Box 1351
New London, CT 06320

Re: Chief Margaret Ackley vs. City of New London

Dear Attorney Londregan,

Chief Ackley is 49 years old. She was entitled to remain Chief for another 16 years. She has an employment claim arising from:

- Gender discrimination, harassment and other improper conduct by City Councilman Michael Buscetto, and other city employees acting at his bequest, aimed to impede Chief Ackley's ability to effectively function as police chief and create a hostile working environment; and
- The City's failure to take any action to investigate, address or stop Councilman Buscetto's conduct, despite its knowledge of the discrimination, defamatory remarks, threats, undue influence, improprieties and other systematic interference orchestrated by Councilman Buscetto.

Below is a summary of alleged misconduct. It is not a complete list of incidents/proof. Rather, it provides select examples upon which this claim is based.

In light of your representation that you intend to recommend to the Council this evening that the City hire an independent investigator, certain specific details of Chief Ackley's claims are presently being withheld. Chief Ackley will share those details promptly with the investigator, including names of all witnesses and involved parties, and cooperate fully in that investigation. Given the nature of her allegations against Councilor Buscetto, his refusal to recuse himself from discussion to date, we do not feel providing those details will be in the best interest of a fair and impartial investigation. We would also request at this time that the City consider retaining an independent investigator with law enforcement experience, such as Attorney Andrew Crumie of Hartford.

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Allegations:

Councilor Buscetto publicly endorsed Captain Dittman as his candidate for police chief. The Council of Chiefs recommended Chief Ackley for the police chief position, they did not recommend Captain Dittman thereby disqualifying Captain Dittman for the position. Thereafter, Councilor Buscetto has made numerous public and discriminatory comments (official city meetings, print media and radio) alleging Ackley was unqualified, that there had been a tainted testing process and that she was getting special treatment because she was a woman. It should be noted that prior to becoming the police chief, Chief Ackley had never met or had any direct interaction with Councilor Buscetto.

After her selection for the chief's position, prior to being sworn in, Councilor Buscetto met with other city employees/officials to discuss her appointment and advised that he would make sure she did not get any financial support when presented to council. Over the last two years, he has not supported the requests made by Chief Ackley to Council.

Councilman Buscetto chooses not to professionally interact with Chief Ackley. Rather, Councilman Buscetto continually violates Section 40 of the City Charter by dealing directly with subordinate police officers to gain information (beyond mere inquiry) about the police department. In contrast, Councilman Buscetto deals directly with the other department heads, all of whom are male.

Councilman Buscetto has been the Chair of Public Safety for nearly four years. Historically, public safety meetings were held monthly. During her entire time as Chief, Councilor Buscetto has held only 2 Public Safety meetings, each held due to an emerging crisis. The Chief has notified the last two mayors of Councilor Buscetto's refusal to hold these meetings and requesting they appoint a different chairperson to no avail.

In advance of one of the only two public safety meetings Councilman Buscetto has held, he lobbied to have members of the public/organizations appear and advance publicly they did not have faith in her leadership abilities and that they blamed youth violence on her.

Councilor Buscetto made repeated allegations publicly in print media and radio that Chief Ackley was responsible for youth violence in the city and the murder of Matthew Chu.

Chief Ackley and the school superintendent were requested at a special meeting held by the Council to research and provide recommendations as to a plan for the city. At the next meeting, Councilor Buscetto immediately rejected Chief Ackley's plan indicating he as public safety chair would decide what should be done. Buscetto then did not utilize the public safety committee to deal with issue, instead he created a separate committee (Safe City Commission) and he scheduled the meetings on a night of the week she specifically requested he not do.

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In January 2011, Councilman Buscetto requested Chief Ackley to meet him at his home. Buscetto told Ackley he thought they could both help each other if they work together. He told her that she should get rid of a ranking officer in the department; he made demeaning remarks about a patrolman and that she should restrict him from youth activities/programs and that in exchange he, Captain Dittman and Union Vice President/patrolman Todd Lynch will in the future be supportive of her leadership. He also suggested they find away to publicize their mutual support.

Councilman Buscetto attempts to improperly use his position as a councilman to influence police affairs.

In April 2011, the finance director placed an 18k salary increase for the police chief into the budget Chief Ackley had submitted. Buscetto publicly demeaned Ackley at the finance meeting in rejecting the raise. Despite clarification by the finance director that this line item was placed by him and never requested by the Chief, the Chief was advised that Buscetto was telling subordinates that she was looking for a big raise at their expense. As of 8/23/11, the police union website still states this inaccurate propoganda.

In September 2010, Chief Ackley was contacted directly by several union members to advise her that Councilor Buscetto and two subordinate police officers had strategized the calling for a Union No Confidence Vote against her.

To gain union endorsement of his mayoral candidacy, Chief Ackley has been advised that Buscetto had been telling member of the police union that once elected he will be able to get rid of the Chief and personnel director.

In July, Councilor Buscetto was informed of the confidential Memorandum of Understanding of April 2011 by another city employee and the councilor immediately commenced telling subordinate officers in the police department that Ackley was being pushed out by the city for bad performance.

Councilor Buscetto has been making defamatory remarks to members of the police department about Chief Ackley and another respected member of the community in an attempt to undermine her leadership.

Chief Ackley informed the city manager, personnel director and the law director's office in early 2011 that as a result of misconduct by Buscetto she wanted to retire in August. As the council is now aware, an agreement was reached that she would not retire before January 2012 . The City did nothing thereafter to investigate or address Chief Ackley's allegations of misconduct by Councilor Buscetto.

In addition to the other complaints/notice to the city listed above, Chief Ackley also made complaints to a past city manager about Councilman Buscetto's treatment of her and misconduct wherein she inquired if she could file a complaint against Councilor Buscetto under the Code of Ethics. She was told there was not an active Ethics Board to which a complaint could be filed.

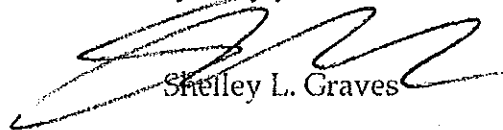
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After her selection for the chief's position, prior to being sworn in, a message was delivered by a police officer who stated he was asked by Buscetto to deliver a message that "you better not take the position of chief, if you do, he will destroy you." That message was delivered in front of other ranking city employees/agents. No action was taken by the City to investigate or address this threat.

Sworn statements from other city employees exist attesting to misconduct and impropriety by Councilor Buscetto towards several women at the Shrine nightclub. Upon information and belief: 1) the City took no action to properly investigate or address these incidents; 2) city employees took actions to redact official police investigative files to protect Councilman Buscetto.

Please let us know when an investigator has been selected. A settlement evaluation will be made after both parties have had the opportunity to review and consider the independent investigator's report.

Very truly yours,



Shelley L. Graves

SLG/

Any statements in this letter are for settlement purposes only, are not and should not be construed as admissions and are without prejudice to any positions which may be taken in further proceedings.