



OFFICE OF THE MAYOR

January 4, 2023

Dear Member Aragon,

A special meeting of the Civilian Police Review Board (CPRB) was held on December 19, 2022 to consider a number of concerns raised regarding your fitness or ability to discharge the duties of a board member in light of comments made by you both on social media and during the December 6, 2022 CPRB regular meeting. At the conclusion of the special meeting, the CPRB voted (8-1) to recommend to me that you be removed from the Board for neglect of duty due to your actions.

During the December 19th meeting, the CPRB considered a number of public posts made by you pertaining to the cancelation of the Holi-drag Storytime event hosted by the Red Oak Community School which was to take place on December 3, 2022. Copies of these postings were distributed to you and to the Board prior to the special meeting and they are incorporated herein as Exhibit A. Additionally, Board members either participated in or had access to the video recording of the December 6, 2022 CPRB regular meeting wherein you made additional comments pertaining to the event. Comments were also made by members of the Board in open session at the special meeting on December 19th pertaining to the recommendation for your removal for neglect of duty; you also made a statement during that meeting regarding your actions. Links to the December 6th CPRB regular meeting and December 19th CPRB special meeting are attached as Exhibit B and incorporated herein. Finally, the CPRB is governed not only by the City Charter and provisions of the Columbus City Codes but also by the CPRB Bylaws (adopted October 5, 2021); the CPRB Rules and Regulations (adopted May 10, 2022), the CPRB Standards of Professional Conduct (adopted May 10, 2022) and the Columbus Civilian Review Board Pledge of Ethical Conduct. Provisions of these various published laws and regulations are incorporated, as applicable, by reference. A copy of the Pledge of Ethical Conduct, signed by you on December 7, 2021, is attached as Exhibit C.

Based upon my review of the evidence presented, I do find that you have engaged in conduct constituting a neglect of your duties as a member of the CPRB. As such, I accept the recommendation of the CPRB that you be removed from office and I will be seeking the concurrence of the Columbus City Council to do so. Pursuant to Columbus City Code Section 235.01, you are entitled to a copy of the charges and an opportunity to be heard in person or by defense counsel before the City Council. **Be advised that this letter constitutes your formal notification of my intention to remove you from office and the supporting charges.** Formal notification of your opportunity to be heard on this matter by City Council, should you so choose, will be forthcoming from the City Clerk.

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR



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Charges:

1. **Member Aragon did neglect his duties as a Member of the Civilian Police Review Board by failing to maintain a professional level of objectivity and impartiality in his Board activities by commenting publicly in a manner indicating bias against the Columbus Division of Police on a matter likely to be heard by the Board.**

○ *Authority for Board Duties.*

- Members of the CPRB are required to adhere to Standards of Professional Conduct developed by the Board pursuant to the authority conferred upon them by CCC 235.01(C).
- The Board, pursuant to the requirements of CCC 235.02(B), has adopted By-Laws and these By-Laws further obligate members to “act in a professional manner while discharging their duties as Board members.” Art. IV, Sec. 5.
- The CPRB Pledge of Ethical Conduct constitutes the written acknowledgement of Member Aragon that he must abide by the By-Laws and that he must “[m]aintain a professional level of ... objectivity in Board... activity.”
- The Board adopted Standards of Professional Conduct that expand upon these member duties as they pertain to objectivity and impartiality.

○ *Neglect of Duty.*

- Failure to maintain objectivity and impartiality. On December 3, 2022, Member Aragon, in response to events involving the cancelation of the Holi-drag Storytime event hosted by Red Oak Community School, posted on his public-facing Facebook and Twitter accounts the following comments pertaining to the actions of the Columbus Division of Police (CPD), over whom the CPRB has oversight authority:
 - On Twitter on December 3, 2022, in response to a video posted by The Rooster depicting CPD Officers at the event and captioned “In case you’re wondering who the cops came to protect”:
 - “Not here for us. #fuck12 #ohio #ProudBoys #lovers”
 - On Facebook on December 3, 2022, in response to the event cancelation:
 - “We protect our people cause they don’t give a fuck about us (CPD, city council, and the Majors [sic] office).”



OFFICE OF THE MAYOR

- On Facebook and Twitter on December 8, 2022, in response to request for resignation by Mayor Ginther and article in the *Columbus Dispatch*:
 - “The Mayor believes that the board members need to ‘maintain objectivity’ to be effective. I wholeheartedly disagree.”

Aragon’s failure to maintain a professional level of objectivity and impartiality in his Board activities by commenting publicly in a manner indicating bias against the Division of Police on a matter likely to be heard by the Board constitutes a neglect of the duties imposed by Paragraphs 1, 3, & 5 of the CPRB Pledge of Ethical Conduct, CPRB By-Laws Art. IV, Sec. 5, and Standards of Professional Conduct pertaining to:

- Primary Obligation to the Community
- Personal Integrity and External Influences
- Independent and Thorough Oversight
- Transparency and Confidentiality
- Respectful and Unbiased Treatment

2. Member Aragon did neglect his duties as a Member of the Civilian Police Review Board by failing to disclose an actual conflict of interest on a matter likely to be heard by the Board and failing to recuse himself from participation in discussions on whether to cause the Inspector General (IG) to open an investigation into the matter over which he had a conflict of interest.

- **Authority for Board Duties.**
 - Members of the CPRB are required to adhere to Standards of Professional Conduct developed by the Board pursuant to the authority conferred upon them by CCC 235.01(C).
 - The Board, pursuant to the requirements of CCC 235.02(B), has adopted By-Laws and these By-Laws further obligate members to “disclose potential conflicts of interest, particularly with respect to individual investigations reviewed by the Board. A Board member with a potential conflict of interest must recuse himself/herself from hearing or participating in discussions on the matter. A Board member with a potential conflict of interest shall notify the chairperson and the Administrative Coordinator as soon as practicable.” Art. IV, Sec. 4.
 - The CPRB Pledge of Ethical Conduct constitutes the written acknowledgement of Member Aragon that he must abide by the By-Laws

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and that he must “[a]void any interest or activity that conflicts with, and any financial gain or personal benefit for myself, family, or business associates, or even the appearance of impropriety from the performance of Board... duties.” Further, the Pledge requires Board members to “[f]ully disclose to other members of the Board... at the earliest opportunity, information that may result in perceived or actual conflict of interest; and recusal from participation upon the determination of an actual conflict of interest.”

- The Board adopted Standards of Professional Conduct that expand upon these member duties as they pertain to disclosure of and recusal from conflicts of interest.
- *Neglect of Duty.*
 - **Failure to Disclose.** On December 3, 2022, in response to the cancellation of the Holi-drag Storytime event, Member Aragon posted on his Facebook that he was “a proud member of the Community Safety and Security team *for this event.*” (emphasis added). Member Aragon attended the December 6, 2022 CPRB regular meeting and, during that meeting, sought to determine if there were any investigations regarding the matter pending with the IG’s office and, if not, asked if one could be initiated by the Board “if my fellow board members feels that this merits a second.” Member Aragon then proceeded to continue to comment on the event and to advocate for an investigation.
 - While Member Aragon did identify himself as a member of the community that he felt had been targeted and subject to “callous” treatment by the Division of Police, **at no time either before, during or after the meeting did Member Aragon disclose that he was a member of the Community Safety and Security team for the event which in fact constitutes an actual and direct conflict of interest.** To the contrary, throughout his extended comments before the Board, Aragon referred to himself as merely “representative of that community” (2:24) and “just a community member” (2:31) and “it is my community... I’m by myself on this because maybe this is just how I am, that’s my niche, who I am here to try to elevate.” (2:44). **Aragon’s failure to disclose his actual conflict of interest constitutes a neglect of the duties imposed by Paragraphs 1, 3, & 4 of the CPRB Pledge of Ethical Conduct, CPRB By-Laws Art IV, Sec. 4, and Standards of Professional Conduct pertaining to:**
 - Personal Integrity and External Influences



OFFICE OF THE MAYOR

- Independent and Thorough Oversight
- Transparency and Confidentiality
- **Failure to Recuse.** With an appropriate disclosure of an actual conflict of interest, the CPRB Rules and Regulations do allow a Board member to file a complaint with the IG on their own behalf or on behalf of someone for whom they have standing but such complaints are not attributable to the Board as whole without an affirmative Board vote (CPRB Rules and Regulations, Section III). However, Member Aragon did not assert that he was raising the issue either on his own behalf or on behalf of someone for whom he had standing as he failed to disclose his personal connection to the event – rather, as referenced above, Member Aragon purported to raise the issue of behalf of the LGBTQIA+ community as a whole. **But Member Aragon had an actual, undisclosed conflict of interest and despite this fact, Member Aragon continued to participate in the Board discussions regarding the potential for an investigation, speaking an additional five times on the matter during the meeting. Aragon's failure to recuse himself from participating in a matter where he had an actual conflict of interest constitutes a neglect of the duties imposed by Paragraphs 1, 3, & 4 of the CPRB Pledge of Ethical Conduct, CPRB By-Laws Art. IV, Sec. 4, and Standards of Professional Conduct pertaining to:**
 - Personal Integrity and External Influences
 - Independent and Thorough Oversight
 - Transparency and Confidentiality

If you would like to be heard on my decision to remove you from the Board, please contact, in writing, Rena Shak, In-House Counsel to the Office of the Mayor, by January 20, 2023, stating your reasons for your appeal. On receipt of your communication, a hearing will be scheduled before the City Council and you will receive notification of the date and time of said hearing by the City Clerk.

I would like to take this opportunity to thank you for your contributions to the work of the CPRB during your time as a member.

Best regards,

Mayor Andrew J. Ginther

THE CITY OF
COLUMBUS
ANDREW J. GINTHER, MAYOR

Response on Facebook, to Mayor Ginther's call for resignation

10:47 🌙



<  **Gambit S Aragón III** ...
3h · 🌐

This statement is in response to Mayor Ginther's request for my resignation and the The Columbus Dispatch article.

I was shocked to read about this ask from the mayor via Facebook. I imagined that as a board member appointed by him, he might want to sit down and discuss this matter. That would be the respectful thing to do. He could have explained to me why now he feels differently about my minority identities when they aren't being used as props to make him look diverse. He states my "actions are inconsistent" except I didn't make my Facebook or Twitter public this week. Similar posts were on my page when I was appointed to the Civillian Police Review Board, and Mayor Ginther, you still offered me the position.

At that point, I almost believed that your office was trying to be inclusive. It showed growth and dare I say progress.

10:47 🌙



Gambit S Aragón III



3h · 🌐

The Mayor believes that the board members need to "maintain objectivity" to be effective. I wholeheartedly disagree. We all have biases. Mayor Ginther's bias is for the police. That's one of the reasons why this board exists. I am aware of my bias and more importantly where it comes from. My bias is rooted in my lived experience, just like his. My bias is my reality and the reality of many in our community.

When I started organizing and working in my communities, I was looking for who I wanted to be representative of on that committee. I knew I had a voice, a good goal, and the persistence to see it through. I wanted to take this opportunity to step up and be visible for marginalized people.

10:47 🌙



Gambit S Aragón III



3h · 🌐

The mayor was tasked with creating a board representative of the community, to provide oversight and guidance for a police force with a clear history of violence. The board was supposed to be a balance to the FOP, not another mouthpiece. The board can only be strong and effective when we are free to share our different lived experiences, struggles, and education.

I sought out this opportunity and took on these responsibilities with optimism. I still have hope that at the end of my term I can look back at this experience and say that my time on the board had a positive impact.

10:48 🌙



Gambit S Aragón III



3h · 🌐

The residents of this city granted us the right to request an investigation if one is not already started by the IG office and that is what I did. It appears that the Mayor's objection isn't aimed at the various hate groups and groups classified as domestic terrorist organizations calling for violence against a school and the lgbtqia+ community. Or with the chummy display CPD put on for the nation to see. CPD and your office have lost the faith of the community and that is why I was and will continue to passionately speak out against things that threaten the people of my community.

Mayor Andrew J. Ginther your desire to remove the brown, queer, nonbinary, immigrant that spoke up against hate groups and those who support them, solidifies why I and people like me will continue to use our voice. I still believe I can do some good in this position.

Short answer: No.

Facebook from shortly after the event



Gambit S Aragón III



Dec 3 · 🌐

👁️ I am a proud member of the Community Safety and Security team for this event.

Thank you to all the 200 volunteers that helped, and sacrifice their time and money to keep our people safe. We protect our people cause they don't give a fuck about us (CPD, city council, and the Majors office). We stood ready in opposition to white supremacy and these various hate groups. We should be proud of our efforts even if the performers sided with the oppressors in the end. Shame on these Queens. They didn't even take the time to hear from our leadership or even go over our safety plans. They secretly hired a security team unbeknownst, to the church or our leadership. The security company has ties and contracts with CPD and ICE. In the end, they threw a tantrum cause they didn't get their way.

My heart goes out to all the children and their beautiful families that put so much work into this day. They trusted us and knew that our community could take care of our own. 🙏
This fight is far from over for me and my comrades.

youtube.com

www.youtube.com



5 shares

 Like

 Comment

 Share

Twitter - event and in response to resignation request



Gambit S. Aragón III @... · 12/8/22

...

This statement is in response to @MayorGinther's request for resignation and article by the @DispatchAlerts #no #resignation #columbus #ColumbusOH #mayorginther #cpd #LGBTQIA #RepresentationMatters #activism

This statement is in response to Mayor Ginther's request for my resignation.

I was shocked to read about this via the mayor via Facebook. I imagined that as a board member appointed by him, he might want to sit down and discuss this matter. That would be the expected thing to do. He could have explained to me why now he feels differently about my history, especially when they aren't being used to show he would not take offense. He stated my "actions are inconsistent" except I didn't make my Facebook or Twitter public this week. The same post or similar were on my page when I was appointed to the Civitas Public Review Board, and Mayor Ginther, you also offered me the position.

At most points, I cannot believe that your office was trying to be inclusive. It showed growth and care for my progress.

The Mayor believes that the board members need to "maintain objectivity" to be effective. I wholeheartedly disagree. We all have biases. Mayor Ginther's bias is for the police. That's one of the reasons why this board exists. I am aware of my bias and make exponentially aware they come from. My bias is rooted in my lived experience, past life loss. My bias is my reality and the reality of many in our community.

When I started organizing and working in my communities, I was looking for who I wanted to be representative of on that committee. I knew I had a voice, a good goal, and the persistence to see it through. I just wanted to take this opportunity to step up and be visible for marginalized people.

The mayor was tasked with creating a board representative of the community, to provide oversight and guidance for a police force with a clear history of violence. The board was supposed to be a bridge to the CPD, not another mouthpiece. The board can only be strong and effective when we are free to share our different lived experiences, struggles, and opinions.

I sought out this opportunity and took on these responsibilities with optimism. I still have hope that at the end of my term I can look back at this experience and say that my time on the board had a positive impact.

The reciprocity of this city granted us the right to request an investigation if one is not already started by the ID office and that is what I did. It appears that the Mayor's objection was aimed at the various hate groups and groups classified as domestic terrorism organizations calling for violence against a school and the LGBTQIA community. Or with the community alleging CPD put on for the request to see. CPD and your office have lost the faith of the community and that is why I was and will continue to passionately speak out against things that threaten the people of my community.

Mayor Ginther, your desire to remove the current board members that speak up against hate groups and those who support them, solidifies why I and people like me will continue to use our voice. I still believe I can do some good in this position.

Thank you for...

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Tweet



Gambit S. Aragón III
@GSAIII08

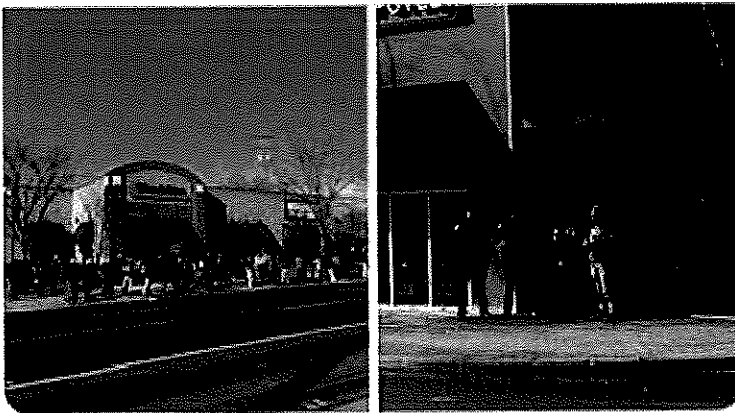
✓ **Current status**

Not here for us. #fuck12 #ohio
#ProudBoys #lovers.

 **The Rooster**  @rooster_ohio · 12/3/22

In case you're wondering who the cops
came to protect.

Show this thread



6:12 PM · 12/3/22 · Twitter for iPhone



Gambit S. Aragón III @... · 12/3/22

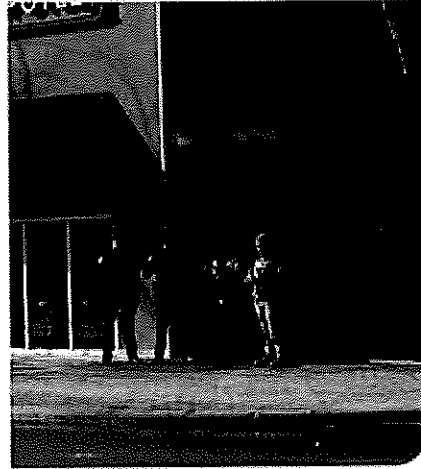
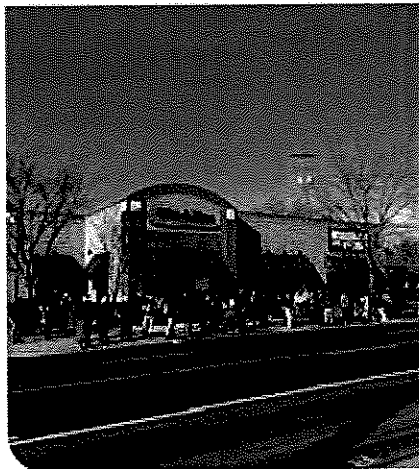
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#ProudBoys #lovers.

 **The Rooster** @ro... · 12/3/22

In case you're wondering who the
cops came to protect.

Show this thread



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EXHIBIT B

Link to December 6th, 2022 CPRB Meeting:

<https://youtu.be/-pnxKHs0tZ0>

Link to December 19th, 2022 CPRB Meeting Part One:

https://youtu.be/BIU_U9yEHxc

Link to December 19th, 2022 CPRB Meeting Part Two:

<https://youtu.be/BWp0qpo9k2l>


COLUMBUS CIVILIAN REVIEW BOARD

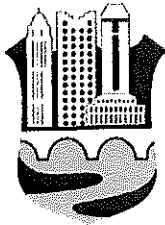
PLEDGE OF ETHICAL CONDUCT

In consideration of my City of Columbus appointment as a member of a Board or Commission, I hereby pledge that I will abide by state ethics laws and engage in the highest standards of ethical conduct, which includes, but is not limited to, the following:

- (1) By-Laws: Faithfully abide by the provisions, conditions, and principles set forth in the Board or Commission's by-laws;
- (2) Duty of Care: Exercise reasonable care, good faith, and due diligence in organizational affairs and fiscal management;
- (3) Conflict of Interest: Avoid any interest or activity that conflicts with, and any financial gain or personal benefit for myself, family, or business associates, or even the appearance of impropriety from the performance of, Board or Commission duties;
- (4) Disclosure/Recusal: Fully disclose to other members of the Board of Commission, at the earliest opportunity, information that may result in a perceived or actual conflict of interest; and recusal from participation upon the determination of an actual conflict of interest;
- (5) Professional Excellence: Maintain a professional level of courtesy, integrity, accountability, diligence, and objectivity in Board or Commission activity;
- (6) Equal Opportunity: Ensure a culture of inclusion, without discrimination on the basis of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status, in accordance with Section 238 of the City Charter;
- (7) Confidentiality: Respect the confidentiality of sensitive or privileged information known due to Board or Commission service;
- (8) Use of City of Columbus Brand: Refrain from using, or authorizing the use of, one's appointment, the City of Columbus, or the city's acronym or logo in any way that suggests endorsement of a product or business, favoritism, bias, or impropriety.

Printed Name: Stuart C Arayn Date: 12/7/2021

Signature: 



CIVILIAN POLICE REVIEW BOARD

MEMORANDUM

To: Mayor Andrew J. Ginther
City Hall 2nd Floor
90 West Broad Street
Columbus, OH 43215

From: Janet E. Jackson, Chair of Civilian Police Review Board

Date: December 22, 2022

Dear Mayor Ginther:

A special meeting of the Civilian Police Review Board was held on December 19, 2022. During our meeting, the Board voted eight to one to recommend to you the removal of board member Gambit Aragon for neglect of duty.

Thank you for your consideration of this matter.

