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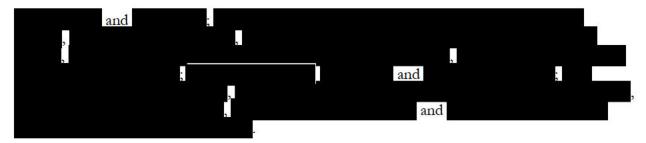
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FACT FINDING REPORT

Department of Corrections/Kelly

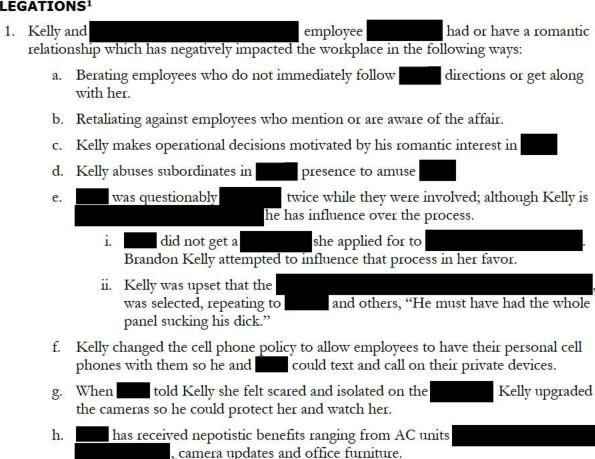
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BACKGROUND	
was retained by the DOJ on behalf of its client, the Oregon Department of Corrections (DOC) to eview allegations made by two anonymous complainants and by employee, about the conduct of Brandon Kelly, Superintendent of the Oregon State Prison OSP).	Name of the last o
in the course of this process, I interviewed Kelly,	
and; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;	
and ; DOC Command staff , , , ,	



All witnesses were admonished to keep our conversation confidential and were admonished that they were protected from retaliation for speaking to me in good faith on the subjects we discussed. I admonished Kelly to refrain from any activities, speech or behavior which could be interpreted as retaliatory including coordinating retaliation with associates or colleagues of his. I informed all witnesses I could not keep our conversation confidential as I needed to make a report.

ALLEGATIONS¹



have been publicly ridiculed, professionally dismissed, quit or are no longer willing to

i. A few staff who have spoken out against the nepotism displayed for

dispute the nepotism.

Kelly attends meetings with and sways those in the meeting to accept her ideas.

¹ There were some other issues alleged which are not within my scope; specifically, an allegedly inappropriate shoe program and COVID implementation improprieties.

- k. Staff at all levels are aware of the uncomfortable amount of sexualized tension when these two are present.
- 2. Kelly isolates OSP executive leadership by telling them that they cannot trust others in the chain of command, including and anyone from the specifically naming; and .
 - a. Kelly told OSP executive leadership that these leaders are "incompetent" and "lacking real leadership" and "just figureheads" that rely on him for decision making. Kelly told his staff that he was leading the agency from his office.
 - b. Kelly told his subordinates that they should only trust him, and he would take care of them if they "were worthy."
 - c. Kelly has told his staff, "Never forget those who have wronged you, make sure they get what's coming."
- 3. Kelly verbally abuses and exercises control over his subordinates:
 - a. Kelly told "You need to work out more. Just face it, your wife would rather fuck me than you."
 - b. Kelly berates employees with personal derogatory insults such as fat, dumb, or otherwise incompetent.
 - c. Kelly's executive team is so accustomed to the abuse by him they are unaware of their own coping mechanisms (which include shutting down, silently absorbing his behavior, supporting each other behind the scenes).
 - d. OSP executive staff are not empowered to make decisions but must ask Kelly if their decisions are acceptable to him. This causes trust to be lost because it is clear they have no real authority.

4.

- a. has been berated threatened for speaking or showing emotion by Kelly.
- b. Some of _____ duties as the _____ have been removed and assigned to _____ .
- c. Kelly has said to "Just put a and ."
- d. Kelly has also made comments about including telling to "wipe that be here and for " the Director's going to ."

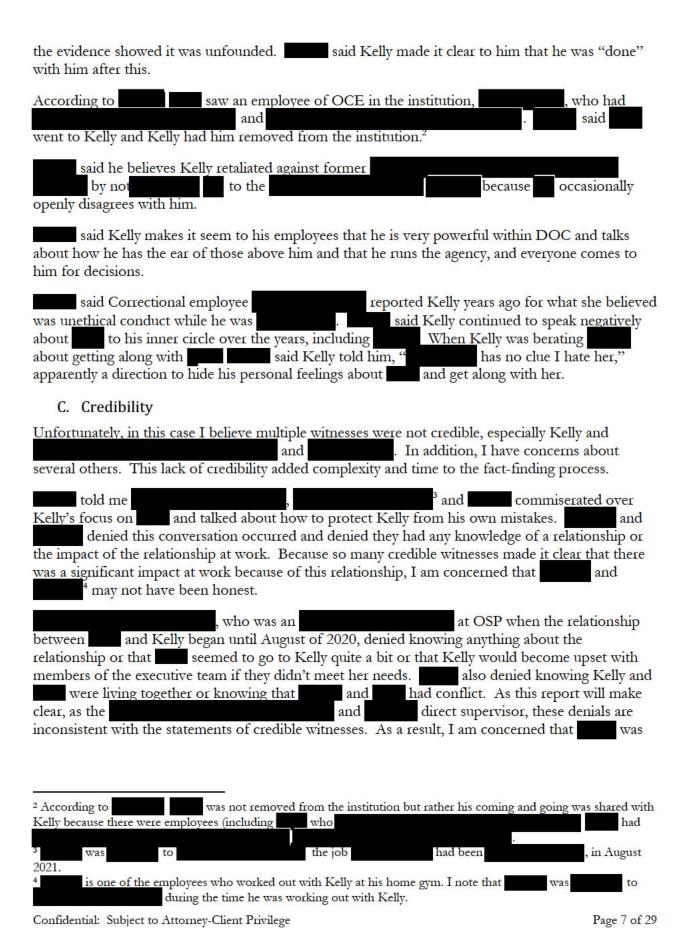
FACTUAL FINDINGS

A. Background

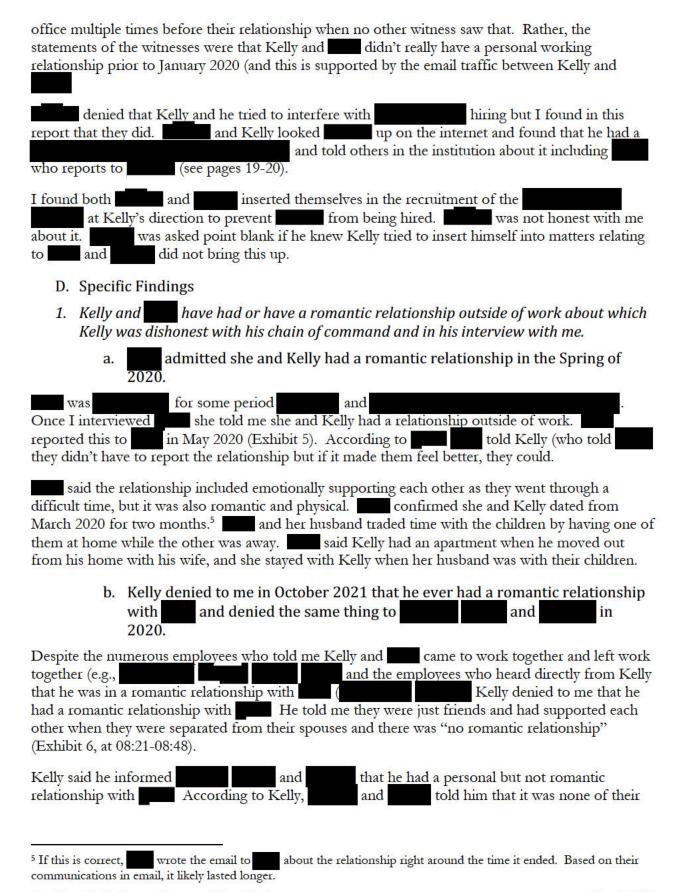
The Oregon State Penitentiary (OSP) operates like a small town. It has medical services, food, laundry, housing, library, activities, physical plant and maintenance activities, counseling, legal

services and more. Brandon Kelly, the superintendent, is the head of all of these services with the
exception of . However, the OSP and so must coordinate and work with the superintendent and his staff.
Within OSP, there is a who have issues and live separately from the general population. One of those is , managed by . started out in OSP as a , who reports to the chain of command.
Kelly has been the Superintendent for five years. He is a cross fit enthusiast and has built a gym at his home. Several employees of OSP work out with him at his home, including and
B. Statement
1. Background
The Inspector General in the DOC received two anonymous complaints about Brandon Kelly in August 2021 (Exhibits 1 & 2). Around the same time, spoke on condition of anonymity to and also made a written complaint (Exhibit 3). had worked with Kelly for years and me.
was a at OSP until
2. and Kelly's Connection in the Workplace
When Kelly began a relationship with said Kelly and also began going to each other's offices every day. It told Kelly he was getting too much attention from employees by going to office every day. It also cautioned not to go to Kelly for everything because Kelly would do what she wanted. According to after that, started going to Kelly for everything she didn't think was done fast enough. Said she would contact Kelly and Kelly would aggressively address the issue with the leadership team.
said Kelly gave everything she asked for, including air conditioning, furniture and cameras. Once, said he walked into Kelly's office when Kelly was removing his computer and monitor from the sit/stand desk on his desk. According to Kelly told him boss wouldn't order her a sit/stand desk, so he was giving her his and ordering another one for himself.
said he and others tried to protect each other from "wants." said whatever wanted, if he didn't get it to her fast enough, he would hear from Kelly about how he hadn't gotten something done.

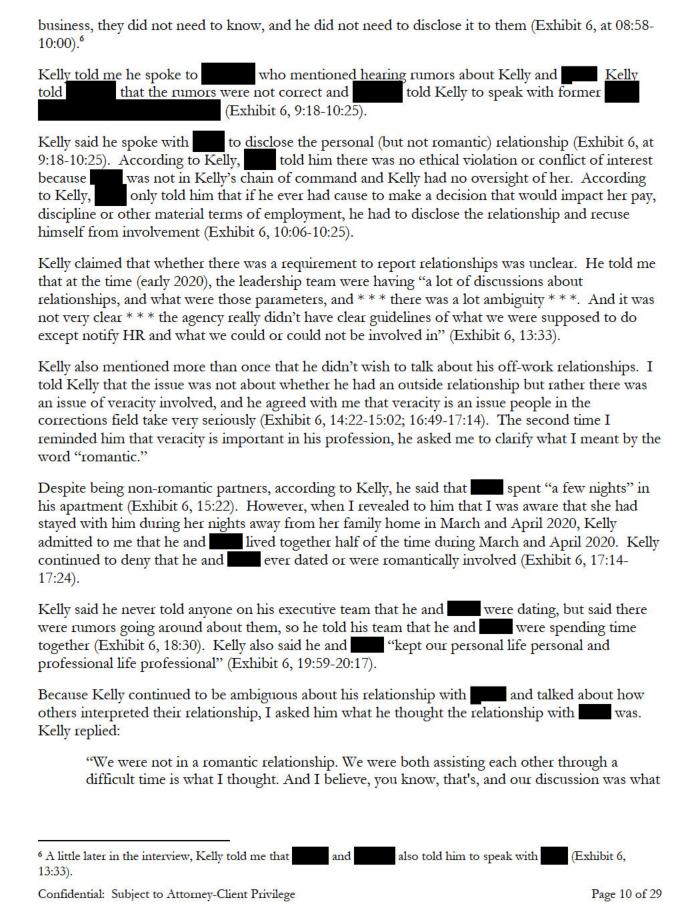
a. Cell Phone Policy
believes Kelly changed the cell phone policy allowing employees to bring their own personal cell phones into the institution in 2020 so he and could text each other on their personal devices. Said Kelly was on his work phone all the time, calling texting her and emailing her. After the policy change, said Kelly shifted to his personal phone.
b. Cameras in Kelly's office
believes Kelly had cameras upgraded so he could watch on the monitor in his office. works in the which is for those with said when he was in Kelly's office, one of the cameras was focused on office. Kelly also told that was afraid and told to check on her (which did not do).
c. Recruitment for
said that when the summer of 2020 for the job he now performs, was on the interview panel. believes Kelly wanted on that panel to ensure got the job. However, struggled in the interview and was not selected. Afterward, said Kelly said to him at least five times (referring to "that guy must have had the whole panel sucking his dick."
d. Retaliation
said after he did not ensure got the job, Kelly said to him, "You need to work out more. Just face it, your wife would rather fuck me than you" (Exhibit 1, page 3). said Kelly began to attack him frequently after this because (believes) it became clear to Kelly that did not support
said there were daily informal 7 am meetings in Kelly's office which typically only the leadership team attended. After Kelly and commenced their relationship, also began attending those meetings. At those meetings, in presence, said Kelly would speak derogatorily about boss and said Kelly would express opinions such as and and the were idiots.
said Kelly was retaliatory towards Correctional Employees and believed Kelly did not like because he was a friend of believed Kelly and moved into an apartment together, Kelly told "fuck that guy, he's a punk" (referring to tried to mediate this, but said Kelly was only listening to and would not leave alone.
said came under scrutiny because Kelly believed he was gossiping about Kelly and recalls Kelly was angry because he thought either did not shut down gossip or was gossiping himself. said Kelly decided to put on until because of this.
was assigned an investigation of one of employees. said Kelly made it clear to him that he was to substantiate the claim against the employee. said didn't like this employee and behaved like a "mean girl" towards her.



working environment.
Although admitted some facts, including that her relationship with Kelly was physical and romantic, there were other areas where I have concerns about her credibility. One of the things I asked her was whether she knew Kelly remonstrated directly with when she complained about to Kelly. It denied knowing that Kelly said anything to when went to Kelly about However, multiple witnesses in the heard Kelly berating and then calling to tell her what he said to Furthermore, the email traffic between and make it clear she was aware that Kelly acted against for having conflict with I am concerned that was not fully honest with me.
would not directly answer my questions on multiple occasions and I had to remind him to speak the truth at least once in our first interview. For the second interview, I asked to be present and admonish to tell me the truth. Even with there, persisted in answering different questions than those I asked. For example, when I asked him if there was a special relationship between and Kelly, talked for over five minutes about other things entirely, and then concluded by saying:
"Well, he was clearly invested in future. Now, whether that was from purely business reasons, or persI don't, I don't tend to try to judge because at the end of the day, it gets in the way of my ability, ultimately, to navigate the situation, which is, here's a person that he's invested in, here's person, I also see a future in. I'm not gonna waste my time getting trying [sic] to figure out outthey can do whatever they want to do or not do. That's between him and his wife and her and her husband or not. And then I just go on. And I can tell you that Brandon never asked me to do anything inappropriate or unethical or illegal, as it comes down to witnessed him asking anybody to do anything that I would have considered illegal or unethical (Exhibit 4, 16:54-22:50).
continued to obfuscate and talk about other things aside from the questions I asked and argued with me when I tried to focus him on answering the questions I asked, until intervened and told him to answer the questions (Exhibit 4 at 34:10). I asked him if there was a point at which was in conflict with Kelly over and it took almost 15 minutes to answer the question (Exhibit 4, 25:13-39:44). Finally, admitted that might have been concerned about appealing operational decisions to Kelly, who then overturned them (Exhibit 4, at 38:53).
said his experience of and Kelly's relationship mirrored what they told him which was that there was no special relationship (Exhibit 4 at 29:15). The credible witness statements make it clear that this is not true. For example, told me she overheard telling she had to "play nice" with
unlike admitted that Kelly and were dating, but denied he knew they were living together. As Kelly's told me he told he was living with
denied that there was any impact at work from this relationship or that Kelly and texted and called each other a great deal. denied that jumped the chain of command and went straight to Kelly to get her needs met. also claimed had been in Kelly's



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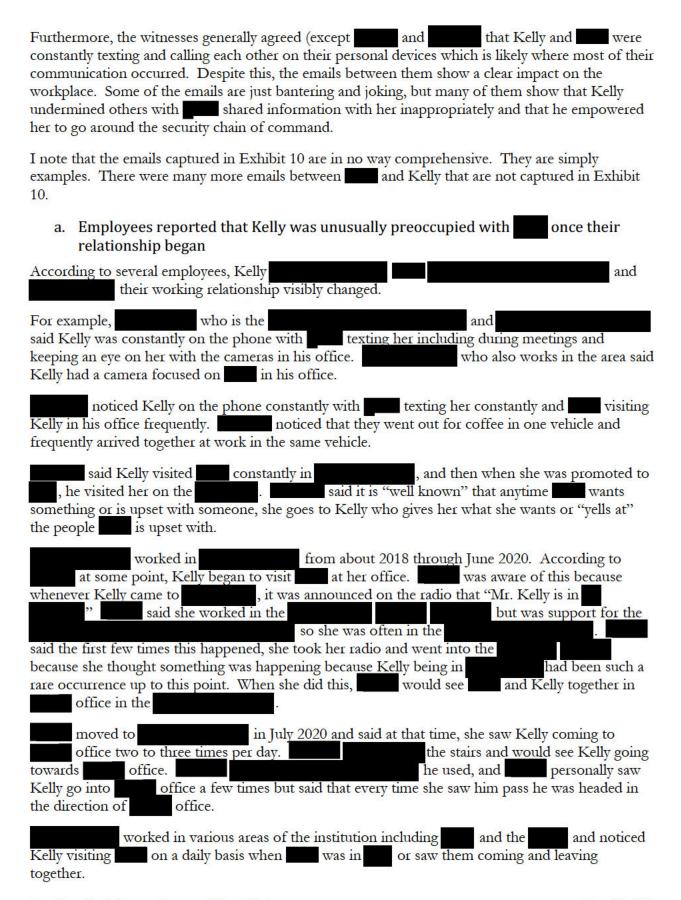
because it wasn't anybody's business ***" (Exhibit 6, 19:28-19:48) However, Kelly said he did tell his Executive Team that was staying at his apartment a number of days per week, specifically and (Exhibit 6, 20:20-21:19). Kelly also told that was living with him part time (Exhibit 6, 22:43-22:53). However, Kelly never disclosed to that he was living part time with or (Exhibit 6, 23:19-23:40). c. Kelly denied to his chain of command that he had a romantic relationship with and all said they had spoken to Kelly and heard from him that there was no truth to the rumors about Kelly and being in a romantic relationship, and all believed he had a duty to inform them if the relationship changed. said Kelly told him that there were rumors about him and but that it "wasn't a relationship, he said they were just hanging out." said he and told Kelly that if the status of that relationship changed, he had to let them know. recalled that Kelly was "adamant" that it was a friendship only, and that they were supporting each other through their divorces. said and Kelly were close and talked all the time and if had said to them that Kelly was in a romantic relationship, they would have spoken to Kelly about it. that even if is not in Kelly's direct chain of command she is in his "house" (meaning the prison) and there would be an effect in the working environment because Kelly controls the working environment as superintendent and has influence over said the perception of the superintendent dating an employee in the penitentiary would be "terrible." recollection was similar: Kelly reported to and that he was separating from his wife and that he was friends with but there was no sexual relationship. there is an expectation to inform them if the situation changed. told me she also had a conversation with Kelly with respect to the rumors about him and and he told her he and his wife separated and that the rumors about were just rumors and their relationship was purely platonic. recalled telling Kelly to make good choices and he said that he would. 2. Kelly's Report to currently works for the but was the for DOC until told me Kelly called him at some point that Kelly had separated from his wife and he was in a relationship with before he left and told could not recall the name of the person, but he did recall that she was a someone at work. in June 2020 and was promoted to the (replacing

I mean, I guess in hindsight, what we're trying to do is not let that come into the workplace

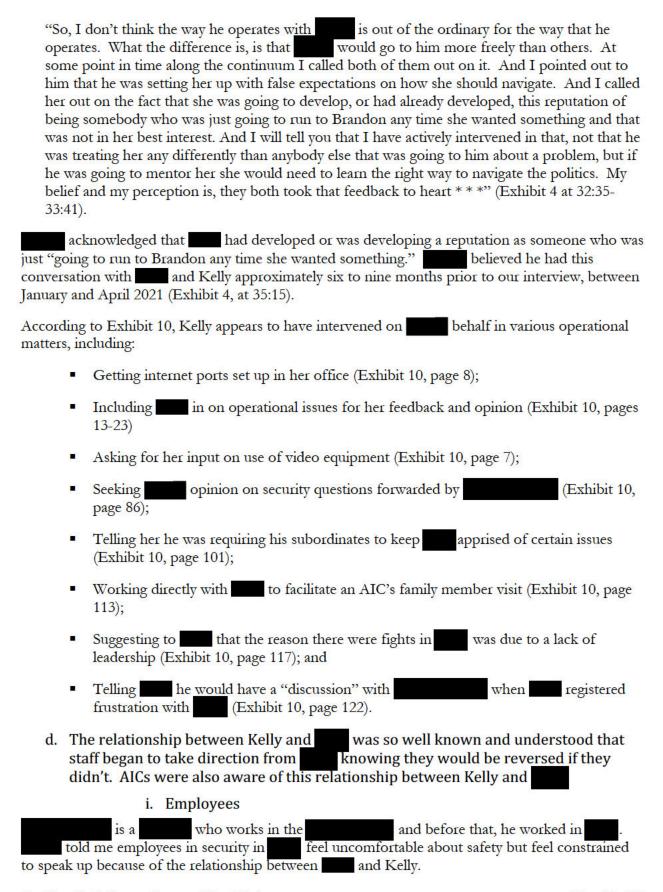
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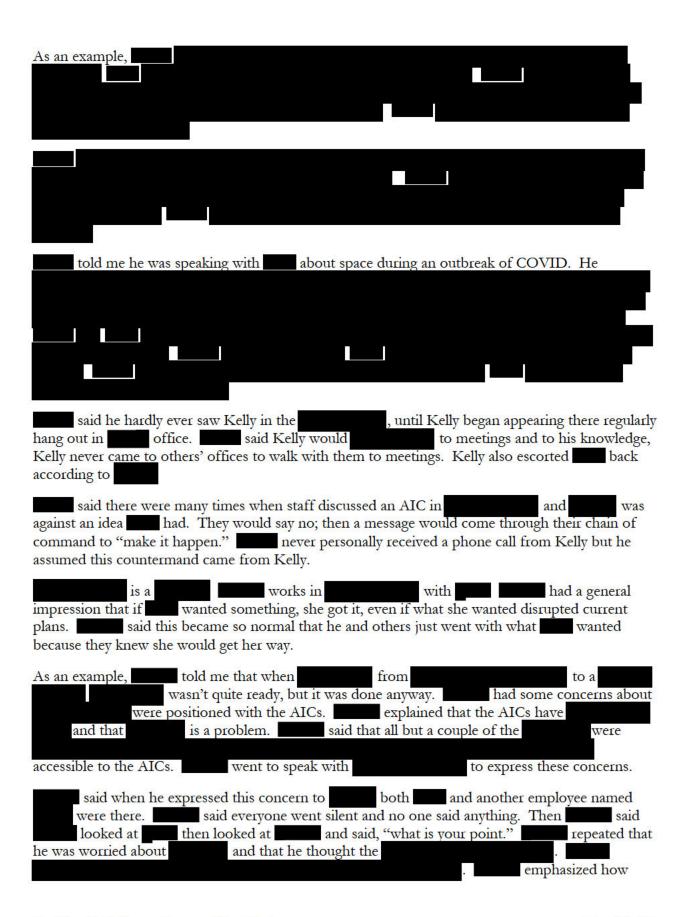
or in the field. presumed Kelly was reporting a romantic relationship because Kelly told him he'd left his wife and was in a relationship with someone at work.
told me he was "almost positive" that he sent some sort of email to someone about this issue. He suggested the might have an email from him. However, I asked the current HR administrator to search for any communication from and there was no email from alerting about the Kelly—relationship. did not recall receiving an email from As Exhibit 5 shows, is also mistaken about this.
said there is no clear rule on reporting a relationship; however, when he was with the DOC, he advised employees to "err on the side of caution and report it". said there was no personal relationship policy, but there is a code of conduct. said there is no question that reporting a romantic relationship is an unwritten expectation.
said he thanked Kelly for the information and told him that he didn't believe the relationship presented a conflict because his romantic partner wasn't in Kelly's direct chain of command. If she had been, said he would have taken further action.
After our interview, sent me an email and told me that he had been thinking about our conversation and he believed he did inform (Exhibit 7). However, as noted, and denied being apprised by about the relationship nor did they receive email from (Exhibit 5). I believe it is more likely than not that did not believe the relationship presented a conflict and so did nothing with the information.
3. Knowledge of those close to Kelly
Kelly told me he informed that he was living partitime with
an who works closely with Kelly, said he was unaware there was any relationship other than platonic friendship. told me Kelly and both told him they do not see each other outside of work, they do not have a romantic relationship and their only relationship is that sees Kelly as a mentor; and Kelly wants to mentor the next generation of leaders (Exhibit 4 at 27:47). said his own observations of their relationship mirrored what they told him.
b. an who works closely with Kelly, said he was aware there was a dating relationship and but denied he knew was living with Kelly. I note that both and Kelly told me they were
is the and and believed there was a romantic relationship and was aware Kelly and were living together and said Kelly mentioned that to her.

d.
was an at OSP until denied knowing Kelly and were romantically involved or living together. denied knowing went to Kelly for operational favors and issues and denied knowing and had conflict of that Kelly and had conflict over As direct supervisor.
worked as for months during said Kelly never admitted their relationship was sexual, but he did tell he had met children and that he was excited about the prospect of getting to raise children again. Kelly talked to about living in house in house in was aware that Kelly and were sharing an apartment.
f.
was also aware Kelly and shared an apartment.
4. Impact of this relationship at work
Kelly told me his relationship with was the same as anyone else at work. According to Kelly, he is approachable and has an open door policy. He said just felt more comfortable coming to him than others. He also said that she and he worked together on concerns were raising in the addition to including , and .
I asked for and received an export of Kelly's IMs from January 2019 to September 2021. There were no individual IMs between and Kelly, and Kelly, and Kelly and Kelly or and Kelly and only a few between and Kelly. Furthermore, a review of his instant messages (preserved as a .pst file) showed that his instant messages with his executive team focused primarily on work issues, and there wasn't very much chatter. However, Kelly's instant messages with were very chatty and sometimes flirtatious and there were many of them. Compare, for example, and IM between and Kelly (Exhibit 8) and an IM between Kelly and (Exhibit 9).
and denied that the relationship had an impact on work, although said he talked to both and Kelly sometime in the beginning of 2021 about how others perceived the relationship and noted was getting or already had a reputation for going to Kelly for everything. Other credible witnesses who worked closely with Kelly were very clear that Kelly and relationship had an impact on the working environment. Specifically, and all noticed an impact on their working environment because of the relationship between Kelly and
I asked for and received an export of Kelly's emails with from January 2019 to September 2021. According to the emails between Kelly and there were no emails solely between them prior to January 9, 2020 which is when they were in Exhibit 10, page 1).
There were clear indications that Kelly and were more careful in their email communication because they were aware that it was a public record. For example, specifically told Kelly she would not communicate something to him about the property in email (Exhibit 10, page 66).

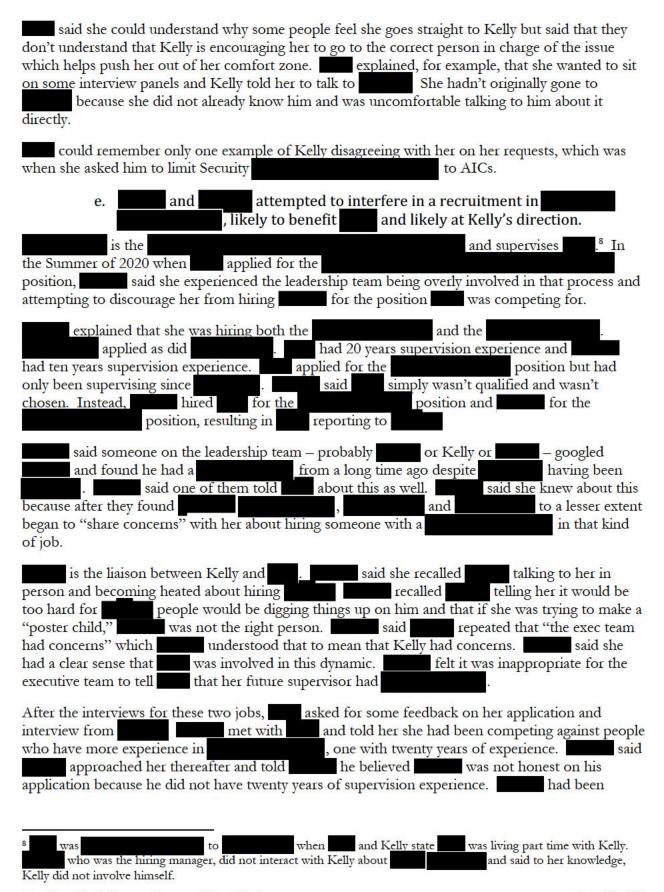


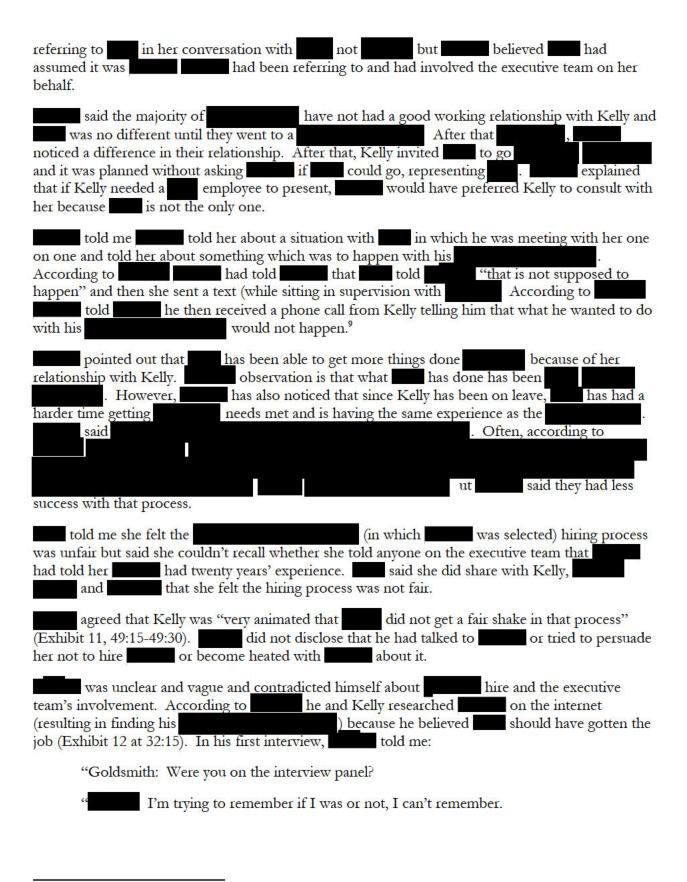
b. Cell phone policy change
According to the phone policy had been discussed well before the spring of 2020, and other institutions are also adopting it. Kelly was not solely in control of this process.
c. Kelly empowered to bypass the chain of command and to bypass employees whose job it was to do the things she was asking Kelly for
said if wanted something, Kelly made sure she got it. For example, once asked her did not approve this request. Approximately an hour later, Kelly came out of his office and directed to
said as the relationship between Kelly and progressed, no longer called but rather by passed her completely, asking Kelly for what she wanted, who would then direct to do what wanted.
said she can see the called Kelly "a lot." said Kelly would talk to then call someone on the phone and yell at them (said Kelly would talk to see the was reporting security employees to Kelly for one thing or another). said Kelly and still called and texted "all day long" up to the time Kelly was put on leave.
is an employee in experience of and Kelly's relationship in the workplace is that has "special access" to Kelly when it does not make sense for to go to Kelly because is in the chain of command whereas Kelly is in the Operations chain of command.
said goes to Kelly "for every little thing" including staff conflicts. said Kelly does have an open door policy for everyone, but takes advantage of it and goes to him more than others do. said this access started after January 2020 after they
said that Kelly and the executive team usually had informal meetings in Kelly's office at 7 am. was the on the also heard make a comment to once about "playing nice" with
said used her connection with Kelly to get her things she could easily get for herself, such as having Kelly ask for that she wanted for her staff.
who works with observed Kelly allowing to have
Kelly denied that was treated differently or that she was able to bypass the chain of command. also denied this as did who was the on and should have been in a position to know. Initially told me that he did not believe was given any special favors, but then he said that Kelly had a tendency to meet her needs whenever she asked. said that Kelly would do that for anyone, but tended to go to him much more freely. gave them both feedback that the situation was unhealthy:





finally said to that if that was want wanted to do, he would.
According to is well aware of the security issues and for him to say "what's your point" meant that inferred it wasn't up to said is well aware that AICs with try to themselves and
had some conflict with because she wanted to said wanted to use with their said he offered several other solutions to accommodate her need, but would not consider them. Ultimately he told her Shortly after that, he said told him to give her impression was that had been ordered to do this by his chain of command.
is a who was a of said he is no longer her experience with at work is that if she doesn't get an answer she likes from him, she goes to someone above him in his chain of command, and he is reversed. Although does not appreciate style, he said he believed she wishes to do well for her AICs.
ii. AICs
works in the works. According to she often noticed Kelly visiting in explained that people passing into have to walk past the from the stairwell to get to that area. estimated Kelly visited once or twice a day until about three months prior to our interview. Sometimes Kelly brought coffee. In the last three months, estimated Kelly visited once or twice a week.
said AICs who visited the often waited in the corridor because they were also aware that Kelly would pass on his way to office and waited for him so they could hand him "kites" (a communication form AICs use to communicate with personnel). AICs told they were waiting to Kelly to pass on his way to visit or to return, because they knew he was down the hall visiting
iii. explanation of her relationship with Kelly at work
said she did not jump the chain of command and go to Kelly for special favors. She said they both kept their personal relationship outside of work. explained that there were times when there was staff conflict and she sought Kelly's advice on how to handle the conflict with people in his chain of command. said the purpose was to ask him what she was not seeing from a security point of view.
said she went to Kelly instead of or because it can be "scary" to express concerns and she was often uncomfortable talking to people directly if she didn't already know them. said she has been comfortable going to since January 2020. agreed has cautioned her about going to Kelly instead of working things out with people in the chain of command.

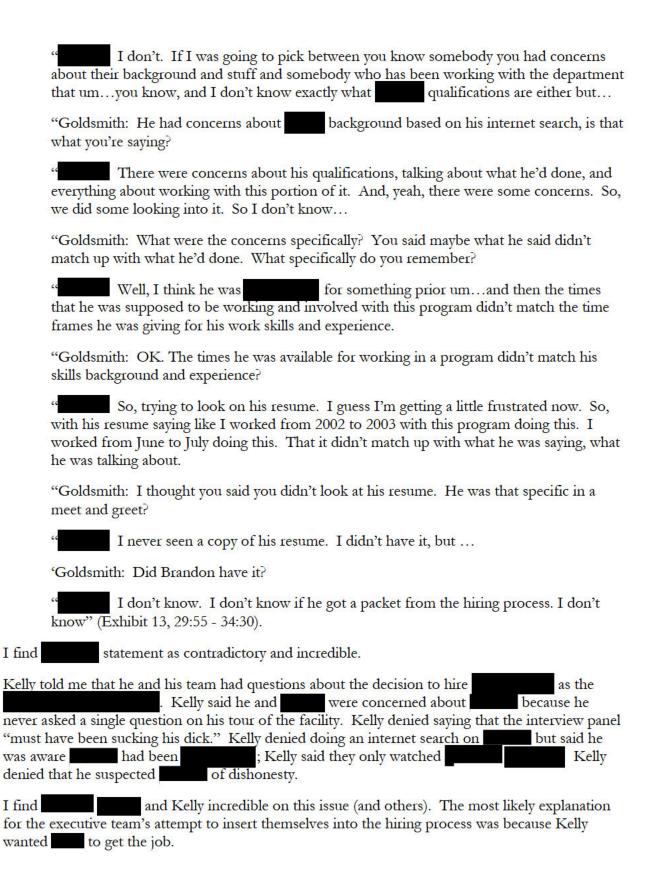




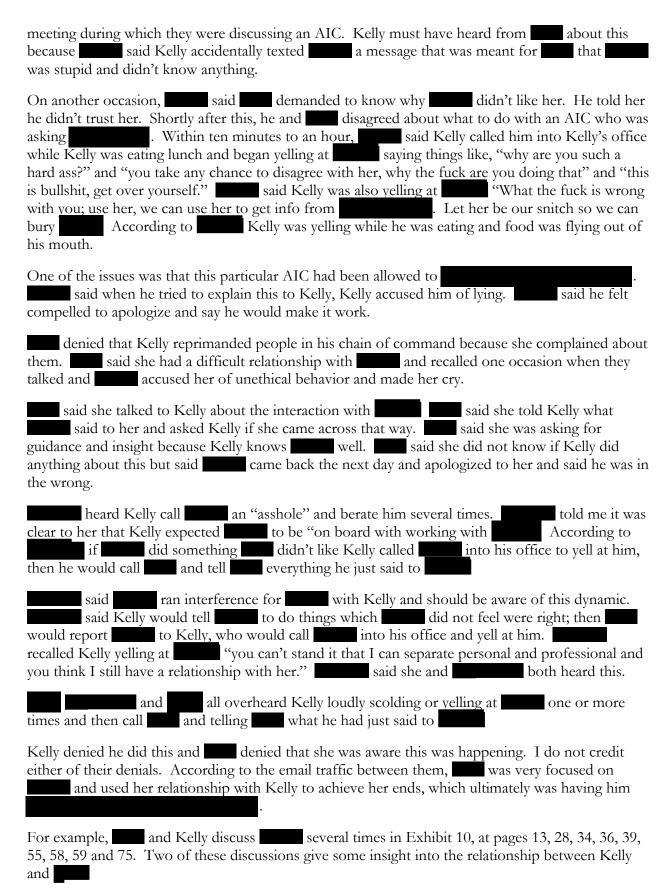
told me he did not recall this happening. I have no reason to discount

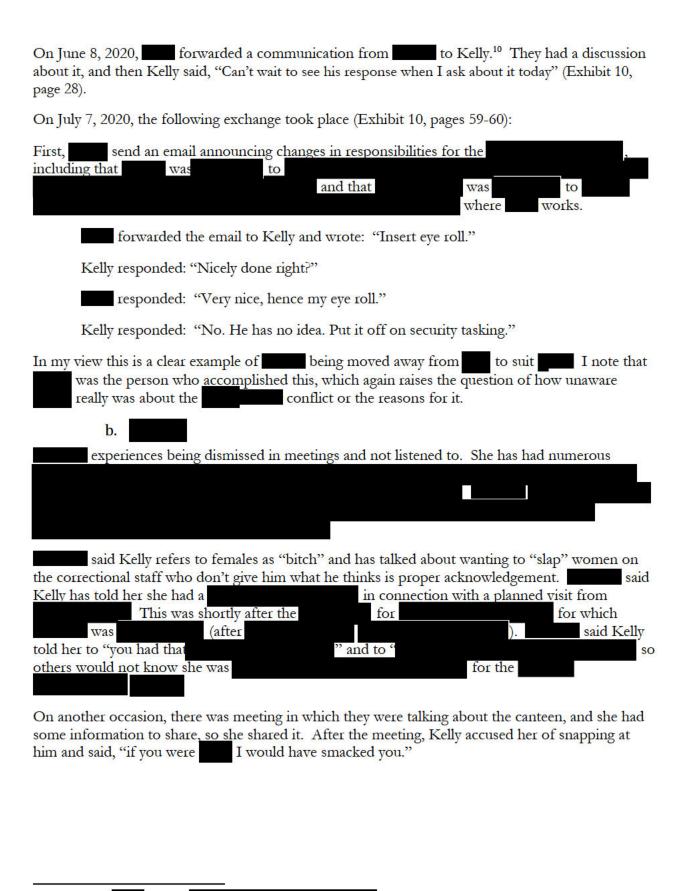
"Goldsmith: If you weren't on the interview panel, and I know that Brandon was not, how would the two of you have a copy of his resume? I don't think we ever had a copy of his resume. "Goldsmith: So, then how come you were talking about his resume not meeting up to his experience? Well, I think it was when he was talking about the stuff he was doing and then...to look [sic] online to verify and fact check some stuff. "Goldsmith: When did you have a conversation with about the stuff he was doing? When...did I have a conversation with about the stuff he was doing? "Goldsmith: You just said that his experience didn't meet up with what he said. * * *. He did like a meet and greet and came in and was talking to us about the things that he had done and was you know part of this and we were trying to figure out exactly how that translated to... "Goldsmith: So, he came in and did a meet and greet and then you and Brandon started looking him up on-line to determine whether or not he was what he said he was? Yeah. We did look on-line. For sure. Yeah. "Goldsmith: Did you do that for any other candidates? Um...if there was something that didn't make sense, that he was going to be, you know, a manager here at the penitentiary. "Goldsmith: But you don't remember Brandon saying anything about how should have gotten that job or he felt that the process was not correct. Or that shouldn't have gotten it. I don't remember that specifically no. "Goldsmith: Do you remember generally whether or not he expressed disappointment that didn't get the job? I would say generally... I don't know how many candidates interviewed, "Goldsmith: That's not my question, let me try again. Do you remember him generally expressing disappointment that she didn't get that job? I would say generally, yes.

"Goldsmith: What did he say that you recall?



f. Undermining employees and undermining the chain of command
It is quite possible that some of the outcomes wanted or even all of them were beneficial for AICs. Certainly expressed that opinion. However, I find that the outcomes were achieved at the expense of individuals in the chain of command, thereby undermining them in their capacity to perform their roles. In addition, Kelly and clearly spoke pejoratively about various people within and outside of the institution. In Kelly's position as superintendent, expressing negative opinions about others carries weight and he did that, often, with For example:
- There were many emails between and Kelly about went to Kelly about her disagreements with and Kelly intervened on her behalf.
o prepared communications to and had Kelly review them in advance of sending them to (Exhibit 10, page 58).
told Kelly she would let know that Kelly was in support of something she wanted to do (thereby creating pressure on to go along with her idea) (Exhibit 8, page 5).
o Kelly and emailed about disagreeing with wait to hear response when he questioned about the matter (Exhibit 10, page 28).
 Kelly promised he would be addressing an issue she raised with (Exhibit 10, page 34).
 Kelly forwarded one on one emails between himself and to and then they discussed them (Exhibit 10, page 36).
 Kelly told he'd talked to about an AIC and she should ask him for context later (Exhibit 10, page 27).
- Kelly and exchanged emails appearing to cast a negative light on bosses (Exhibit 10, pages 31, 115, 129, 137).
and Kelly implied criticism in their emails about others, including (Exhibit 10, page 64; (Exhibit 10, page 76); (Exhibit 10, page 140); and (Exhibit 10, page 143).
g. Inappropriately disclosing protected or private information to
Kelly shared positive COVID test information of staff with (Exhibit 10, page 7). He also forwarded information about duty station at home (Exhibit 10, page 130) and discretionary leave memo (Exhibit 10, page 89). Kelly also emailed with information about COVID testing information (Exhibit 10, page 66).
5. Kelly verbally abuses employees
a.
According to there was more than one occasion on which he realized that disagreeing with would not be tolerated by Kelly. In one situation, which disagreed with at a





¹⁰ At this time, was the and should have been aware of this dynamic.

c. General Abuse
said Kelly regularly "lit up" members of the executive team, ridiculing them for the way they looked or because he disagreed with them or because they did not satisfy as quickly as he would have liked.
agreed that Kelly yells at someone on the executive team during executive team meetings at least once or twice a week, and said it was usually
had difficulty answering the direct question about whether he had been berated publicly, but finally agreed it had happened after I reminded him he needed to tell the truth (Exhibit 4, 41:00-43:53)
said Kelly described people by reference to their bodies and body size. For example, recalled Kelly talking about an employee who was pregnant, describing her as "fat as fuck" and said "being pregnant is no excuse to get fat." also recalled Kelly saying this. said Kelly also referred to a heavy set male employee this way. He asked if she is working out. He has called people "fat fuckers" and "fat as fuck." said Kelly has told "you are gaining weight."
Kelly denied that he does this, other than saying "lazy fucks" which is a holdover from his Marine Corps days. In the follow up interview, Kelly seemed to admit he might have described a pregnant employee as "fat as fuck."
has also heard Kelly regularly describe others by reference to their body size or weight. She has heard Kelly refer to employees as "lazy fucks," "fat fucks" and "that big old fat lady" or "fat guy." said Kelly also calls people "idiots."
said when Kelly was displeased with he was complaining about her having a "fucking attitude and being in a "fucking mood today."
Both and confirmed they had heard Kelly use the term "fat fuck" to describe employees.
told me Kelly made fun of him in a gathering by telling him he was getting so fat, wife "would rather fuck me than you."
6. Retaliation
Generally, Kelly denied that he retaliated against employees and insisted that he kept his personal life and professional life separate.
a.
told me there was an incident in the Spring of 2020 when he was doing rounds in the said he checked in with and then went to talk to another. On his return, said asked him to come into her office. said she was very upset and accused him of spreading rumors about her and Kelly. called Kelly and had

 11 Kelly said he did not recall what he called the pregnant employee, but he would not call said he did refer to the employee as "fat as fuck."

him on the speaker phone where the accusation was repeated. accusing him of. After this, said he was believes because of accusation. denied what they were and he was believes because of accusation.
confirmed that he was also assigned to the how soon after this incident.
recalled that Kelly became irate at and moved him to
explained that he is a solution of the solutio
is a of Kelly asked on multiple occasions if had told about his relationship with told Kelly that she only told that Kelly and were "hanging out." said Kelly referred to as "your little friend and complained that did not acknowledge him. said Kelly formed a negative opinion of over this and made that clear to her believes Kelly retaliated against because of relationship with mentioned multiple promotional opportunities did not receive while Kelly was involved in the process, but that he was promoted once Kelly was not involved in the process.
also talked to Kelly about According to once Kelly started his affair with he began to say "fuck that guy, he's a punk" (referring to because of his connection to tried to intervene but said he didn't have a close enough relationship at that point and Kelly was only listening to
7. Telling employees he runs the agency
According to Kelly conveys the impression to his employees that he is important within the agency and that others above him in the chain of command seek his advice and opinions. said this had the effect of causing employees to believe they could not disagree with him. explained it this way:
"OSP executive leadership has been told on numerus occasions by Brandon Kelly not to trust and anyone from the specifically naming; and and Brandon Kelly regularly says that these people are incompetent and lacked real leadership. His representation of who these people are, "just figureheads" that rely on him for decision making. Brandon Kelly would share with his executive team how important he was in influencing the agency that he would often say that he was leading the agency from his office. Brandon Kelly made it very clear that they should only trust him, and he would take care of us if we were worthy" (Exhibit 3, page 4).

touch v	t him." vith wh thing ar	Kelly has said he is the only one who can run the agency and "they can't live He has said that no one else could run the penitentiary and that leadership is out of at we are doing. has heard Kelly express the opinion that doesn't not won't make a decision, and state that he does not respect Kelly has told he was going to call Director Peters and tell her "everyone is fucked up except for us."		
I note t 10, pag		"we" means the "Administration which means Brandon Kelly" (Exhibit		
CONC	LUSIO	NS		
I find t	he follo	wing allegations substantiated by a preponderance of the evidence:		
1.	Kelly a relation	employee had or have a romantic anship which has negatively impacted the workplace in the following ways:		
	a.	Berating employees who do not immediately follow directions or get along with her.		
	b.	Retaliating against employees who mention or are aware of the affair.		
	c.	Making operational decisions motivated by his romantic interest in and retaliating against for raising concerns about Kelly's decisions.		
	d.	Bypassing the background approval security system to to those who were not yet because asked him to.		
	e.	Kelly attempted to influence the recruitment process in applied for to by undermining I specifically find is credible and is correct that Kelly said, "He must have had the whole panel sucking his dick."		
	f.	left the institution because of the way Kelly treated him over		
2.	Correct other 1	whas conveyed to the OSP executive team that he is powerful in the Department of ections by telling them that they cannot trust others in the chain of command, that a leaders are "incompetent" and "lacking real leadership" and "just figureheads" that reim for decision making.		
3.	49.	ly has undermined his staff and the chain of command with and empowered gnore the chain of command.		
4.	Kelly v	verbally abuses his subordinates:		
	a.	Kelly told "You need to work out more. Just face it, your wife would rather fuck me than you."		
	b.	Kelly berates employees with personal derogatory insults such as fat, dumb, or otherwise incompetent.		
5.				
	a.	Kelly has said to "Just put a and and		

	b.	including telling to "wipe that the Directors go be here and for to "wipe that the Directors go be here and for the Directors go be a second for the Directors go be	going to		
I find the following allegations are not substantiated by a preponderance of the evidence:					
1.		sing subordinates in presence to amuse prove his power. I found loyees who stated this occurred to them.	no		
2.		was not questionably promoted to wledge, Kelly had no influence in promotion process.	er		
3.	phone	y did not change the cell phone policy to allow employees to have their personances with them so he and could text and call on their private devices. That thered independently of Kelly.			
4.	I have protec	we no information to either support or not support whether cameras were installect	led to		
5.	that th	le it does appear was able to use her relationship with Kelly to receive AC or other such things, there was no evidence to these changes were inappropriate. It is possible Kelly caused them to happen for different from receiving benefits one is not entitled to.	support		
6.	her ide	believed Kelly attended meetings with to sway those in the meeting to deas but no one else brought this up as a concern. It is entirely possible it occur have little evidence that it did.	100		
7.	Witnes	nesses did not report they were aware of any sexualized tension when Kelly and ther.	are		
8.	silently team d	le it is entirely possible that the executive team coped with his abuse by shutting thy absorbing his behavior and supporting each other behind the scenes, the executive team comments and thus I have little evidence that it occurred other than a comments by and statement.	ecutive		
9.		oes appear that Kelly viewed himself as "Administration" instead of allowing the utive team to function, but there is insufficient evidence to make a finding on the			
10.		did not tell me that any of her duties were removed and			

removed from the institution.

11. Kelly did not have