

Chairman Ghanbari, Vice Chair Plummer, Ranking Member Thomas, and distinguished members of the House Homeland Security Committee, thank you for the opportunity to testify on House Bill 333. My name is Leonard Mazzola. The City of Independence hired me as a Patrolman on April 16, 1995. I attended the Ohio State Highway Patrol Academy, Basic Class 86, graduating first in academics in my class in July 1995. I began my distinguished career in law enforcement, including working as K-9 handler for 10 years; promoted to Sergeant in 2000, Lieutenant in 2006, and Patrol Commander in 2014. My career abruptly ended April 1, 2019, due to the City of Independence implementing a ticket quota.

The previous Mayor of Independence questioned the previous Police Chief concerning the decline of ticket revenue in court in July 2018. The Chief of Police ordered me to increase ticket production in the patrol unit. One month later in August of 2018, the Patrol division had increased ticket production by 27%, despite a year-over-year reduction in labor of 9.7%. However, this increase was not satisfactory to the Chief of Police, and I faced a pre-disciplinary hearing on September 4, 2018.

Stemming from this hearing, I was ordered to implement a ticket quota, referred to as a "performance standard," taking effect October 1<sup>st</sup>, 2018. Throughout my career as a supervisor, I used a metric which measured all patrol activities, from changing tires to felony arrests, to gauge the overall activity of my officers. This new performance standard mandated each officer to write ten (10) tickets per month, with a constant 90-day rolling assessment period. This requirement for a minimum number of tickets within a predefined time period, by definition, is a ticket quota.

Three months into this quota system, one police officer had failed to meet his numbers for the previous period. The Chief of Police ordered me to start discipline procedures against this officer. The officer was served with a written document of discipline in early January 2019. By mid-January 2019, Fox8 News in Cleveland ran a story about the situation. The Chief of Police was irate that documents were discovered by the media, and an investigation was started to uncover the person or persons responsible for telling the media about the quota system. The media had exposed the truth, the current policy, and the ticket quota. All documents obtained by the media were not protected documents, nor were they proprietary in nature. They would have been provided according to public records requests. But, as someone who dared question the ethics and legality of a ticket quota, I became the focus of a campaign orchestrated to end my career.

The Chief of Police subjected me to interrogation on March 13, 2019. One week later, on March 20, 2019, the Chief of Police subjected me to a polygraph, administered five times, taking over six hours. The City of Independence rapidly began the discipline process.

On April 1<sup>st</sup>, 2019, I faced an ultimatum to accept resignation, or face discipline. The discipline included a demotion from Patrol Commander to Patrolman, and inclusion on the *Brady* list; a list where prosecutors would have to disclose dishonest behavior to defendants, which renders a police officer useless and usually leads to subsequent termination. Facing an impossible choice, I resigned to protect my family, my pension, and my career.

Fox8 news would not reveal their source, however their reporter, Ed Gallek, confirmed I was not the source. A follow-up story aired on Fox8 in early May of 2019, confirming I was not the source, citing multiple other sources. The City of Independence did not change their stance and refused to reverse course.

I filed a Federal Lawsuit, *Mazzola v. Togliatti*, prevailing in a settlement in June 2022, after a long series of extraordinary appeals, legal wrangling, and legal bills to the taxpayers. The Federal Sixth Circuit Court of Appeals heard oral arguments and commented, "Officer Mazzola faced a voluntary retirement, with a gun to his head." The Federal Sixth Circuit further commented, "ticket quotas were most definitely a major public concern." The settlement cleared my name and brought to light the actions of the previous Mayor of Independence, and the previous Chief of Police; However, the damage had been done; I suffered the end of my career in the City of Independence, endured mental and physical damage, massive financial loss, and most importantly, the public lost trust in our Police Department.

I have always wanted greater good to come from my situation, I took an oath to protect the public, and I always will. I now work part time as a Patrolman in a different jurisdiction within the State of Ohio. Sadly, my situation is not unique.

No Police Department blatantly calls their enforcement efforts quotas. They are presented as goals, standards, minimum performance, performance standards, production expectations, etc. They exist in most departments, driven by revenue. Quotas seldom exist in writing, more often, they exist as an "unwritten rule," and they are prevalent. Agencies frequently provide a monetary incentive based on tickets written, paying overtime hours for traffic enforcement. They use ticket production to make employment decisions, like preferential shift picks, the ability to serve on different units and even just the ability to remain employed.

The public needs protection from agencies and police managers who blatantly make and enforce policies which promote quantity-based enforcement. We are Police Officers, sworn to protect the public; we are not revenue officers sworn to support fiscal budgets. I believe the current public attitude towards the Police has suffered due to mandated ticket quotas. As trained at the Ohio State Highway Patrol academy, tickets do have their time and place. However, a Police Officers' main goal should be to change driver behavior. Having well-trained officers, with discretion to address a specific situation, is the best practice for a law enforcement agency. Ticket quotas are unethical and immoral and need to be against the law in the State of Ohio.

Standing here today, I represent just one officer, whose career was destroyed by a ticket quota. The public and my fellow Police Officers must be protected against these aggressive and inappropriate policies. Departments that practice these policies and procedures must be held accountable. The City of Independence has a new Mayoral Administration and a new Chief of Police, and they have thankfully ended the implemented "Performance Standard." It is time to rebuild the public trust in law enforcement throughout the State of Ohio, House Bill 333 would be a major step forward to accomplishing this goal, and I would appreciate your work in getting the bill passed.

I am happy to answer your questions.

Thank You,

Leonard Mazzola

