

Ex-patrol superintendents allege political meddling

Randy Ludlow, The Columbus Dispatch

AD

0:11

SKIP



Former State Highway Patrol superintendents say the agency's reputation for independent, nonpolitical law enforcement is being tarnished by interference from political appointees.

Seven of the eight living retired colonels who led the patrol from 1965 to 2009 have united to send their message to troopers, state leaders and Ohioans via a new Web site: troopertotrooper.com.

Secrecy surrounding the selection of a new superintendent, failure to investigate a case of "obvious fraud" by a state contractor and the scuttling of a planned sting at the Governor's Residence prompted the ex-colonels to go public with their concerns.

"These concerns confirmed our suspicions that the long and corrupting tentacles of political interference at the operational levels and inner workings of the patrol had finally taken root," said Thomas W. Rice, superintendent from 1989 to 1994.

The ex-colonels led the patrol for more than half of its existence, since troopers first were dispatched to Ohio's roads in 1933.

They say that the patrol is being micromanaged and subjected to "external meddling" -- the likes of which they never experienced under any governor, Democrat or Republican.

The retired superintendents said they received appropriate deference from their governors and public-safety directors on operational decisions and investigations.

"It's heartbreaking," said Paul D. McClellan, superintendent from 2003 to 2007. "It's one of the pillars the patrol follows the rule of the law and gets the job done without political influence."

The former leaders fear that confidence is dwindling in a force proud of its integrity, spit-and-polish military demeanor and adherence to doing things by the book.

While satisfied troopers on the road get the job done, the former patrol bosses worry about the direction of new leadership of the patrol and its parent, the Ohio Department of Public Safety.

They are not alone. Ohio Senate Republicans, Inspector General Thomas P. Charles and Franklin County Prosecutor Ron O'Brien also have recently criticized patrol policies and decisions.

In an extraordinary public grilling last week, the new patrol leader, Col. David Dicken, was questioned by Republicans at a Senate committee hearing.

They asked about Dicken's destruction of patrol-account records, his role in a never-initiated criminal probe involving his former command, and the decision to not arrest a woman suspected of plotting to smuggle contraband to an inmate working at the governor's home. Dicken denied any wrongdoing or bad calls.

Dicken and his boss, Public Safety Director Cathy Collins-Taylor, have refused to speak with *The Dispatch* since his appointment was announced on Dec. 23. They again declined to be interviewed, but the Public Safety Department provided a statement.

"Part of the problems and issues has been conflicts between the patrol and other divisions, or management of the department. Those conflicts no longer exist. We've moved past the issues that created them and because of that, do not believe it's appropriate to continue to re-hash them publicly."

Democratic Gov. Ted Strickland said he has confidence that Dicken and Collins-Taylor, who was appointed in September, can lead the patrol beyond the "turf wars" between ousted Public Safety Director Henry Guzman and former Col. Richard H. Collins, who is not related to Collins-Taylor.

"I can assure you there has been no political interference in these matters from this office," Strickland said.

The former No. 1 and No. 2 patrol leaders trace problems to Strickland's 2007 appointment of Guzman and the team he assembled.

"All of a sudden, we needed to be fixed. It was a daily thing. It is a daily thing," said William Costas, who retired last month as a lieutenant colonel.

From promotions to discipline of troopers to restricting patrol leaders' contact with legislators, Collins said he regularly clashed with Guzman, assistant director George Maier and department lawyer Joshua Engel.

Public Safety adopted a policy forbidding patrol investigators from consulting prosecutors or conducting criminal probes of state Public Safety workers unless authorized by the department director or Kent Markus, Strickland's chief lawyer.

Although he never knew it to kill a probe, Collins chafed at political appointees gaining "green-light or red-light authority" over investigations and being required to constantly consult Engel.

"It's not appropriate. We are the primary law-enforcement agency for investigating state government, and we need to do our job," he said.

As headlines about infighting between Guzman and Collins mounted, the department sought to restrict the release of information to the public, Collins said.

Guzman could not be reached for comment.

Public Safety employees were warned that they faced discipline if they disclosed the existence of public records or suggested the filing of a records request.

Troopers were told that they could be fired if they talked to the news media without permission.

"They were more concerned about leaks (to the media) than our own responsibility to do the right thing" and release records and information, Collins said.

Collins said he met at least a half-dozen times with senior Strickland staff members to express concerns about the interference, but little changed.

Both Guzman and Collins were ousted in August by Strickland, who grew tired of their head-butting. Collins-Taylor, a former Columbus police officer in charge of state liquor agents, succeeded Guzman, picking the troopers' union-backed Dicken as her superintendent.

McClellan called it "laughable" that Collins-Taylor told Dicken to warn -- instead of arrest -- a would-be courier to not drop off suspected drugs outside Strickland's home last month.

"It not only is wrong, but impractical to have to go play 'Mother, may I?' with political appointees. It is a wrong direction for an organization sworn to uphold the law and follow the rule of law," McClellan said.

He dismissed Dicken's assertion that the sting would have been "a gross violation" of officer safety. "It's embarrassing to think it's an officer-safety issue. That is what we are supposed to do, that is what we are paid to do -- make arrests," he said.

Robert M. Chiaramonte, 89, superintendent from 1965 to 1975, joined the patrol in 1941 and has followed the goings-on. "You have an organization that is dedicated to, and sworn to do, a job. They should be allowed to do it. I think we're pretty much politicized now."

Chiaramonte said the administrations of the governors under whom he worked -- Republican James A. Rhodes and Democrat John Gilligan -- never crossed the line to interfere in how the patrol operated or what it investigated.

The old trooper said he told Rhodes, Gilligan and their staffs: "The patrol is like the Swiss Guard. We don't care who the pope is; we do our job."

rludlow@dispatch.com

