

**From:** Brad Branham <bbranham@ashevillenc.gov>  
**Sent:** 6/30/2020 4:15:10 PM  
**To:** Davis, Robert  
**Cc:** John Maddux  
**Subject:** Re: Proposal Letter for ADP Incident Analysis - Hillard Heintze  
**Attachments:** [Contract for Service.docx](#), [image001.jpg](#), [image002.png](#)

---

Rob,

That sounds fine.Â I have attached the general services contract template the City uses for these types of agreements.Â Please take a look and let me know what you think.Â Â

Thanks

On Tue, Jun 30, 2020 at 2:43 PM Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)> wrote:

Brad,

Â

I spoke to the folks on our internal contracts team. They suggested that if you would like to send over whatever Master Services Agreement template or language you typically would use for such an agreement, we could review it, add our Scope of Work and pricing to it, and then return it for your review. Likewise, we could send you our standard Hillard Heintze/Jensen Hughes Master Services Agreement template, with our Scope of Work included, and you could review that for edits. Their thoughts are that you may have a preference for using your forms, and we can work with that, if you would like.

Â

Thoughts?

Â

Rob

Â

---

**From:** Brad Branham <[bbranham@ashevillenc.gov](mailto:bbranham@ashevillenc.gov)>  
**Sent:** Tuesday, June 30, 2020 11:02 AM  
**To:** Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)>  
**Cc:** John Maddux <[jmaddux@ashevillenc.gov](mailto:jmaddux@ashevillenc.gov)>  
**Subject:** Re: Proposal Letter for ADP Incident Analysis - Hillard Heintze

Â

Thanks, Rob,

Â

That sounds great.Â I will wait to hearÂ from you.

Â

On Tue, Jun 30, 2020 at 1:40 PM Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)> wrote:

Brad,

Â

This is great news. We are sincerely honored to be called upon to assist you and your City address the issues of concern that are driving this request.

Â

Let me connect right now with our internal contracts team to determine how best to assist you in meeting your needs from a contracting analysis perspective. I should be able to circle back with you within the next two hours or so, if that timeline will work for you.

Â

Again, thanks for the opportunity to serve you!

Â

Rob

**Robert L. Davis**  
**Senior Vice President**  
**Law Enforcement Consulting**



312.869.8500 - Office Main  
408.386.4875 - Mobile

[robert.davis@hillardheintze.com](mailto:robert.davis@hillardheintze.com)

30 South Wacker Drive, Suite 1400  
Chicago, Illinois 60606  
[www.hillardheintze.com](http://www.hillardheintze.com)

[Download VCard](#)

Â



Â

Â

30 South Wacker Drive, Suite 1400, Chicago, Illinois 60606

+1 312-869-8500Â Â [www.hillardheintze.com](http://www.hillardheintze.com)

Â

CONFIDENTIALITY NOTICE: This message and any attachments may contain confidential and privileged information that is protected by law. The information contained herein is transmitted for the sole use of the intended recipient(s). If you are not the intended recipient or designated agent of the recipient of such information, you are hereby notified that any use, dissemination, copying or retention of this email or the information contained herein is strictly prohibited and may subject you to penalties under federal and/or state law. If you received this email in error, please notify the sender immediately and permanently delete this email.

Â

Â

Â

Â

---

**From:** Brad Branham <[bbranham@ashevillenc.gov](mailto:bbranham@ashevillenc.gov)>  
**Sent:** Tuesday, June 30, 2020 10:33 AM  
**To:** Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)>  
**Cc:** John Maddux <[jmaddux@ashevillenc.gov](mailto:jmaddux@ashevillenc.gov)>  
**Subject:** Re: Proposal Letter for ADP Incident Analysis - Hillard Heintze

Â

Good afternoon, Rob,

Â

I hope you are doing well.Â I'm writing to confirm that the City of Asheville would like to move forward with obtaining the services of Hillard Heintze to perform the evaluationÂ of our police response to recent protests in the City.Â If you are willing, we will need to begin discussing the next steps.Â This contract will require approvalÂ of our City Council which meets again on July 14th.Â My goal would be to have the primary terms in place by that point.Â Â

Â

Please let me know if this sounds alright to you, and if you have any preference regarding the contracting process.Â Â

Â

Thanks, and I look forward to working with you and your team.

Â

Sincerley,Â

Â

On Fri, Jun 26, 2020 at 5:16 PM Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)> wrote:

Brad,

Â

No worries, and thanks! Have a great weekend.

Â

Rob

Â

---

**From:** Brad Branham <[bbranham@ashevillenc.gov](mailto:bbranham@ashevillenc.gov)>

**Sent:** Friday, June 26, 2020 2:03 PM

**To:** Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)>

**Cc:** John Maddux <[jmaddux@ashevillenc.gov](mailto:jmaddux@ashevillenc.gov)>

**Subject:** Re: Proposal Letter for ADP Incident Analysis - Hillard Heintze

Â

Thank you, Rob,

Â

I wanted to ensure that we were on the same page in that the evaluation was not solely focused on the "medic tent" incident.Â I will be speaking with the City Manager on this proposal on Monday, so we should have a response for you next week.

Â

Until then, have aÂ great weekend.

Â

On Fri, Jun 26, 2020 at 4:57 PM Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)> wrote:

John,

Â

What you have asked to be included is in complete agreement with what we envision as a significant portion of our work scope, and the pricing estimate we have provided would not be affected. Asking the questions you listed is what will allow us to analyze whether the policies, procedures and protocols APD has created to respond to protests/crowd control events are in synch with widely recognized best practices. It is what we refer to in the scope as the before-, during- and after-event analyses. Many of the interviews we would conduct with APD personnel would be to determine things such asÂ 1) How were your policies created for the use of Crowd Control techniques/chemical agents, 2) Who makes the decision on scene to deploy chemical agents?, 3) Do you have formal mutual aid agreements with other cities/agencies in the area, and did you activate them?,

amongst numerous other questions. This is what will allow us to analyze whether there were good policies in place to begin with, whether there was a formal operational plan for the protests that was appropriate, and whether APD personnel and leaders followed the policies, as well as whether changes need to be made to policies and operations for the future.

Â

That is a long way, perhaps, of saying, "Yes. What you are asking to be included is essential to our analysis as we have outlined it in both the Work Scope and pricing estimate." It is also one of the reasons I added Chad McGinty to our team, as Operational Command and Control is also a specialty area for him, as you will see in his biography attached to the proposal.

Â

I hope this helps.

Â

Again, we would be honored to be selected to assist you.

Â

Rob

Â

---

**From:** Brad Branham <[bbranham@ashevillenc.gov](mailto:bbranham@ashevillenc.gov)>  
**Sent:** Friday, June 26, 2020 1:29 PM  
**To:** Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)>  
**Cc:** John Maddux <[jmaddux@ashevillenc.gov](mailto:jmaddux@ashevillenc.gov)>  
**Subject:** Re: Proposal Letter for ADP Incident Analysis - Hillard Heintze

Â

Rob,

Â

I have reviewed the materials, and wanted to make one important clarification. I notice that the proposed scope is a review of the incident involving the medic tent. Although this should be a focus area, we would like the evaluation to cover the entirety of the police response to the protests over a period from approximately May 31 - June 5. As part of this, we want to evaluate specifically the following: the use of riot gear, the requests for outside agency assistance including the national guard, the use of tear gas, the use of non lethal projectiles, and specifically the events at the medic tent and a previous police response to blocked traffic on interstate (Jeff Bowen Bridge).

Â

Can you please let me know if this broader scope is acceptable, and if that would affect the cost estimate? Sorry for any confusion, and I look forward to hearing from you.

Â

Thank you,

Â

On Fri, Jun 26, 2020 at 12:41 PM Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)> wrote:

Thanks, Brad. Have a great weekend.

Â

Rob

Â

---

**From:** Brad Branham <[bbranham@ashevillenc.gov](mailto:bbranham@ashevillenc.gov)>

**Sent:** Friday, June 26, 2020 9:40 AM

**To:** Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)>

**Cc:** John Maddux <[jmaddux@ashevillenc.gov](mailto:jmaddux@ashevillenc.gov)>

**Subject:** Re: Proposal Letter for ADP Incident Analysis - Hillard Heintze

Â

Thank you, Rob,

Â

It was a pleasure speaking with your whole team earlier this week.Â John and I will review the materials you provided and reply with a decision in the very near future.Â Please note that any final decisions on our part are contingent upon approval by the City Council as well.

Â

We look forward to speaking with you soon.

Â

On Fri, Jun 26, 2020 at 12:17 PM Davis, Robert <[Robert.Davis@hillardheintze.com](mailto:Robert.Davis@hillardheintze.com)> wrote:

Brad and John,

Â

Attached is a Proposal Letter that outlines what we believe our Work Scope and estimated pricing would be for the incident assessment we discussed on the telephone this last Wednesday. Please know that we are more than open to discuss this Work Scope and pricing estimate to make sure we are meeting your needs. As such, please feel free to reach out to me at any time with any questions you may have. Please know that we would consider it an honor to be able to assist you at this time, and we would be able to initiate work quickly with the team members we have identified.

Â

Regards,

Â

Rob

**(408) 386-4875**

**Robert L. Davis**  
**Senior Vice President**  
**Law Enforcement Consulting**



312.869.8500 - Office Main  
408.386.4875 - Mobile

[robert.davis@hillardheintze.com](mailto:robert.davis@hillardheintze.com)

30 South Wacker Drive, Suite 1400  
Chicago, Illinois 60606  
[www.hillardheintze.com](http://www.hillardheintze.com)

[Download VCard](#)

Â



Â

30 South Wacker Drive, Suite 1400, Chicago, Illinois 60606

+1 312-869-8500Â Â [www.hillardheintze.com](http://www.hillardheintze.com)

Â

CONFIDENTIALITY NOTICE: This message and any attachments may contain confidential and privileged information that is protected by law. The information contained herein is transmitted for the sole use of the intended recipient(s). If you are not the intended recipient or designated agent of the recipient of such information, you are hereby notified that any use, dissemination, copying or retention of this email or the information contained herein is strictly prohibited and may subject you to penalties under federal and/or state law. If you received this email in error, please notify the sender immediately and permanently delete this email.

Â

Â

Â

--

**Brad R. Branham**

**City Attorney**

**City of Asheville**

**P.O. Box 7148**

**Asheville, NC 28802**

**828-259-5614**

Â



Â

Â

--

**Brad R. Branham**

**City Attorney**

**City of Asheville**

**P.O. Box 7148**

**Asheville, NC 28802**

**828-259-5614**

Â



Â

Â

--

**Brad R. Branham**

**City Attorney**

**City of Asheville**

**P.O. Box 7148**



Asheville, NC 28802

828-259-5614

Â



Â

Â

--

Brad R. Branham

City Attorney

City of Asheville

P.O. Box 7148

Asheville, NC 28802

828-259-5614

Â



Â

Â

--

Brad R. Branham

City Attorney

City of Asheville

P.O. Box 7148

Asheville, NC 28802

828-259-5614

Â



Â

--

**Brad R. Branham**  
**City Attorney**  
**City of Asheville**  
**P.O. Box 7148**  
**Asheville, NC 28802**  
**828-259-5614**

