



CAFA - A BRIEF HISTORY

THE INTEGRATION OF THE CINCINNATI FIRE DEPARTMENT

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A Chronology of the Integration of the Cincinnati Fire Department, the Brief History of CAFA, and what does the Future hold for CAFA

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Dedication

To all the African American trailblazers who served on the Cincinnati Fire Department (CFD) that allowed others to follow. We stand on your shoulders.

- The first three Negro men to be hired - Herbert Bane, Charles Fowler, and Oliver McGee.
- The first three Black women to be hired – Donice P. Deck-Duncan, Vickie Goodson, and Pateeser A. Jackson.
- The first three African Americans to retire – Bobby Lazenby, Bennie Shepard and Richard Childs.
- The first African American Fire Chief – Robert Wright.

In memoriam

To those African American Firefighters that died in the Line of Duty. And to those exceptional African American leaders who served admirably and with distinction.

- Firefighter Oscar Armstrong III and Fire Apparatus Operator Daryl E. Gordon.
- Cincinnati African American Firefighter Association (CAFA) President Emeritus, Fire Lieutenant Edward Turner, and Fire District Chief Howard R. Reed.

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Preface

The intent of this document is to provide the early chronological history of the employment of African Americans on the CFD, the policies and methods that were enacted to boost their numbers, as well as the impact that CAFA has had in shaping the integration, inclusion, and structure of the CFD. Incidentally, this document is intended to be inspirational, so it leaves out much of the underlying struggles that occurred within CAFA, Local 48, the CFD, and outside entities. It is my desire that these struggles be revealed in later editions of the history of the integration of the CFD, which also includes the history of CAFA. Furthermore, women in the CFD should also be included in the CFD's integration history, as the African American women of CAFA were instrumental in shaping gender policies. CAFA's recruiting efforts are not entirely discussed in this document, but can be traced back to the 1980s; therefore, should also be included in its history. It is also my desire that subsequent editions of CAFA's history describe, in greater detail, how the organization became involved personally through the numerous community engagements and various social events. In the end, it is our responsibility as firefighters, especially as African American Firefighters, to give a full account of, this, the history of the integration of the CFD, and the seminal history of the advocacy group known as the Cincinnati African American Firefighter Association, or CAFA. But more importantly, to honor those whom upon the shoulders we stand. It is also our responsibility to chart the course for the future of CAFA.

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The Integration of the CFD

The CFD was established in 1853, and is considered to be the first paid professional fire department in the United States. However, unfortunately the first African American was not employed by the CFD until 1955. Incidentally, there is evidence that blacks performed fire fighter duties before 1955, but that they were merely, so called, 'Bucket Brigades.' The Black Bucket Brigades were residents that established firefighting details to safe guard their perspective black communities. These Black Bucket Brigades were essential since the CFD would only respond to black communities if the contiguous white communities were in jeopardy from fire extension.¹

The first black firefighter on the CFD is known as a trailblazer and a source of great pride with-in the black firefighter ranks. Twenty-two year old Herbert Bane, of Avondale, entered the CFD in 1955. He is considered the first African American to work for the CFD since it had become a professional fire department in 1853. He entered the CFD with very little fanfare from the mainstream local newsprint. However, his admission onto the CFD was first page news for the Cincinnati Independent newspaper of the then 'Negro' community. The headline across the front page read, "EX-MARINE HERBERT BANE GETS FIREMAN POST".² He was a great source of pride for the black community, and would be ever known as the 'Jackie Robinson' of the CFD. He had previously served in the military for four years, which gave him additional points, and boosted his raw score.

¹ Kathleen J. Kiefer, *A History of the Cincinnati Fire Department In The Nineteenth Century*, Cincinnati, Ohio, University of Cincinnati, 1967

² Unknown, First Negro Recruited Herbert S Bane, "Brotherhood in the Fire House", The Cincinnati Post, February 22, 1955, page 6

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He was later joined by two other black Firefighters that entered the force in 1956 (Charles Fowler) and 1962 (Oliver McGee) respectively. All three men describe their experience on the CFD as stressful. They stated that they were occasionally faced with obvious bigotry and prejudice, but that their greatest anxiety came from being isolated. They stated that many white firefighters refused to speak to them initially, which was especially troubling when fighting fires. Herbie Bane was promoted to the Life Squad, which was a special unit on the department. After another employment opportunity was presented him, and after suffering from continuous pressure from race relations, Bane left the CFD. He later became a firefighter in the federal service, and he became one of the highest-ranking black firefighters in the U.S. government service. Charles Fowler resigned under duress from the CFD. He was, apparently, experiencing personal issues outside the department; this became undesirable for the department, so he was “forced out” sometime before 1966³. This left only one black firefighter, Oliver McGee, on the CFD in 1968. Even though Oliver McGee spoke favorably of the CFD in the mainstream local paper in 1968,⁴ he viewed the job as undesirable, because of many of his fellow firefighters. Although he thought very highly of his Lieutenant at E-32 as well as a few other firefighters, he viewed most of them as intolerable. He stated that the 1968 riots brought out the worse in the white firefighters. As he stated, it was not uncommon for many whites during this period to use racially insensitive language. He also confided that many of the white firefighters would not preserve black resident's property readily as they would white resident's property. He was often disgusted by white firefighter's lack of respect for black citizens.

³ McGee, Oliver Interviewed by Raffel Prophet. Cincinnati, June 9, 2008. Transcript in possession of this writer

⁴ Margaret Josten, “He’s A Firefighter From A to Z”, The Cincinnati Enquirer, June 1, 1968, pg 21

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In the end, he left the department in 1970, after eight (8) years of dedicated service to establish a business in construction contracting.⁵ However, before his departure, the city would begin to address the lack of blacks on the CFD.

Charles Fowler's resignation sparked calls for an investigation of racial discrimination on the CFD by local official. During a joint Welfare-Finance Committee meeting in May of 1966, Councilman Charles P. Taft Jr. questioned what he called "evidence of discrimination" in the CFD. Mr. Taft said, "There is only one Negro among nine hundred personnel in the fire department and whatever the method it may be evidence of discrimination." Councilmen Myron B. Bush joined Mr. Taft in remarks about the fire department and said that in one case, a Negro fireman left his job because people wouldn't speak to him. "He was becoming a nervous person and couldn't take it any more", stated Councilmen Bush. Councilman Taft also stated during the public hearing that the real test in the matter of discrimination was whether there were Negroes employed in the fire department. Fire Marshal, Robert Welch, later appeared before the committees to defend the department's position on hiring blacks on the department. Incidentally, Marshal Welch was the 'Drill Master', who was responsible for the recruiting, hiring and training of fire recruits of the CFD. Marshal Welch stated, "Any qualified applicants would be accepted." He said that prior to the last entrance test by the fire department, literature was distributed, particularly in Negro neighborhoods, reporting that the test was going to be held. After the public hearing, the Cincinnati Enquirer contacted Fire Chief Bert Lugannani for his comments on the matter of employment of blacks on the CFD.

⁵ McGee, Oliver Interviewed by Raffel Prophett. Cincinnati, June 9, 2008. Transcript in possession of this writer

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Chief Lugannani stated, “The department will certainly welcome any qualified applicants regardless of race.” Chief Lugannani went on to say; “in the last exam held by the department about one hundred twenty-five persons took the test with about twelve being Negro. However, none of the Negroes passed the test.” Chief Lugannai went on to tell the Enquirer that there had been as many as three Negroes on the fire department at one time, but he said two of them left of their own accord. He insisted that there was no truth to the charge that the men were forced out.⁶ Regardless of the allegation of discrimination brought by local politicians and the denial by fire official of its hiring practices, the CFD became part of the much larger national effort to remedy racial discrimination.

With the passage of the landmark United States Civil Rights Act of 1964, eradication of discrimination now began in earnest. The Ohio Civil Rights Commission was also given more funding to increase the organization’s effectiveness. However, eliminating discriminatory hiring practices in the CFD would not come without struggle. The CFD was unique with its long history of nepotism and preferential hiring practices. The hiring practices evolved as a result of the inherent nature of the job, which required the firefighters to temporary live together. In 1966 the mission of the CFD was to respond to every call that involved fire and other emergencies. In order to accomplish this task, there were over thirty firehouses strategically located throughout the city. In each of these firehouses on any given day, there would be at least three fighters and a fire apparatus equipped to respond to fires and other emergencies at a moment’s notice.

⁶ Unknown, “Fire Department ‘Race Bias’ Charged”, The Cincinnati Enquirer, May 3, 1966, pg 24

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The firefighters were required to stay in the firehouse for twenty-four hours, after which they would be relieved by a like number of different firefighters. There were three such shifts at every firehouse depending on the number of apparatuses in the firehouse.

These men worked closely together, and typically there would be one man in charge. In their twenty-four hour shift, they responded to calls, ate meals as well as slept together, albeit in separated beds. The relationships that developed also continued outside the firehouse. Many of these men lived in the same neighborhood, and many of them were related in some form, or fashion. When the department announced openings for new firefighters, recruitment traditionally occurred through word of mouth; unfortunately, the word usually did not find its way to the black community. The selection process was geared to hire men from a small pool of candidates. In 1962, there were approximately one hundred young men that applied for employment as a firefighter for the City of Cincinnati. The application process included a written exam, a physical exam, an agility test, a background investigation, and an interview. The written exam consisted of four parts; a mechanical aptitude, reading comprehension, tool knowledge, and an IQ exam. Raw scores were ranked ordered, which was usually the basis of your final score. Those applicants with military experience would have twenty percent added to their raw written test score. The City of Cincinnati personnel department graded the written exam. The city doctor evaluated a recruit's fitness for firefighting by conducting a physical exam. Items that could get one eliminated from the selection process included high blood pressure, flat feet, and being too tall, or too short. The applicant had to be at least 5'8" tall, and no more than 6'3" tall. Incidentally, the height standard was based on firefighter's ability to carry ladders effectively.

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The logic being if that a candidate's height was outside the requirement the ladder carry would be uneven, and thus ineffective. The city doctor would provide the city's personnel department with a list of all the applicants who had passed the physical exam portion of application process. The physical agility exam required one to run up several flights of stairs and to carry someone of your equal weight about fifty feet. The agility test was either pass or fail. If a person failed any part of the agility exam he would be eliminated from the selection process. The background investigation required a police check, personal interviews with the applicant's neighbors, current and previous employers, and family members, namely the applicant's wife. Derogatory issues, as part of the applicant's background investigation, that may get the applicant eliminated included minor criminal offenses such as speeding tickets, bad references from the applicant's current and previous employer, a bad reference from a neighbor, and even the applicant's wife's apprehension about the applicant being at the firehouse for twenty-four hours.⁷ Drill school, which was the common name for the training staff and the training facilities of the CFD, conducted the physical agility exam and background investigation. Drill school was also responsible for training the fire recruits to become full-fledged firefighters. Drill school would report the results of the physical agility tests and the background investigations to the personnel department who would, in turn, present the Fire Chief with the rank order list of the eligible candidates. The fire chief had the sole discretion to select candidates for hire. It is not clear if the fire chief had any other mandatory requirements when selecting recruits.

⁷ Piening, Alvin. Interviewed by Raffel Prophet. Cincinnati, May 23, 2008. Transcript in possession of this writer.

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However, it was common knowledge throughout the fire department that if an applicant had an active or retired relative, of the CFD his chances to get hired were greatly increased. Consequently, blacks were not historically recruited so it was rare that they even applied. Furthermore, if blacks did happen to apply they would be subject to be eliminated in the very subjective background investigation process. Nevertheless, times were changing drastically and the counterculture events of the 1960's prompted the city officials to demand that the CFD hire more African Americans.

In April of 1968 Civil Rights Leader Dr. Martin Luther King Jr. was assassinated in Memphis Tennessee. His assassination prompted riots throughout the country. Blacks revolted by burning and looting anything they considered that represented the “establishment”, which they blamed for years of oppression and disfranchisement. White owned businesses and public buildings, mainly in black neighborhoods, were the targets of their protest. The riots of 1968 triggered a new sense of urgency to redress the issue of civil rights for African Americans throughout the nation. Local officials worked in earnest to recruit blacks to join the ranks of the CFD. Initial recruiting efforts targeted blacks that were currently employed by the city. City officials recruited blacks in every department by sending out memos, canvassing for interested blacks to become fire recruit candidates. They especially targeted blacks with military experience, since they would receive twenty percent (20%) for their military service. They also advertised in the black media, which included radio and the newsprint. To better ensure success on the written portion of the fire recruit exam, city official also conducted study sessions for black recruits at City Hall.

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Blacks were also given study material to prepare them for the written portion of the Fire Recruit exam. At least ten blacks were present for one of these special study sessions.⁸ As a result of the City's efforts, three blacks were hired onto the CFD in September of 1968. These firefighters were Bennie Shepard, Richard Childs and Bernard Blakey. Unfortunately, Blakey did not make it through drill school, but retired Fire Lieutenant Bennie Shepard stated that drill school was a very good experience. In fact, he stated that the training staff was overly helpful. He attributes the fire department's amicable demeanor as a result of pressure from city officials and the King assassination. He stated emphatically "Kings Death got me that job." He also stated that for a short period of time he was welcomed on the CFD with open arms. Even after he graduated from drill school, and went to his first firehouse, everyone, initially, was very friendly and helpful. However, as time went on, he began to feel the resentment from his mere presence. Shepherd stated that as more blacks became employed by the department, white firefighters felt that newly hired blacks had taken the job that was meant for their relatives. The city and the fire department used Firefighter Shepard as a recruiter to target blacks for future fire recruit positions. The city and the fire department would only hire another three black firefighters from 1969 and 1972. However, the federal government began a program that was called 'Model Cities' that would also assist the city in its effort to racially integrate the CFD.

The Fire Cadet Model Cities Program was a federal government program, in collaboration with the City of Cincinnati, specially aimed at hiring more blacks into the CFD.

⁸ Shepard, Bennie. Interviewed by Raffel Prohett. Cincinnati, May 26, 2008. Transcript in possession of this writer.

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The program was a national program that was being implemented throughout the country. It was a direct response to the years of discrimination, as well as an outcome of the efforts by Civil Rights Activists. The Fire Cadet Program was over a yearlong and involved class room and on the job training (OJT). After the cadets completed the program, they had to go through the application process just like any other fire recruit applicant. However, once they completed the Model Cities Cadet Program they would be assured a position on the fire department. The program recruited blacks from different sources such as high schools, athletic clubs such as the YMCA, and black churches. The program began in March of 1972 with sixteen black cadets and four white cadets. The program was originally targeted for only minorities but whites petitioned to be accepted into the program. The program consisted of an eight-hour study/ workday. The cadets were given instruction for four hours at the Ohio College of Applied Science, which was located downtown on Central Parkway. After the instruction, cadets would spend four hours at a firehouses for OJT. The classroom instruction focused primarily on preparing the cadets for the written portion of the fire recruit application process. They also performed physical conditioning activities that helped prepare them to take the physical agility portion of the process. Many of the cadets experienced resentment from white firefighters when they performed their four (4) hours of OJT at the firehouse.⁹ Many cadets stated that the firefighters were reluctant to educate them about the nature of the job. Nevertheless, some of the cadets stated they had very good experiences while performing their OJT. Fire Apparatus Operator (FAO) Thad Williams explained, "How you were treated depended on which firehouse you had to work that day."

⁹ Thad Williams. Interviewed by Raffel Prophett. Cincinnati, May 25, 2008. Transcript in possession of this writer

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All twenty of the cadets graduated from the cadet program and were hire as full fledge firefighters into the department. However, the Model Cities Program was expensive and was met with great resistance from the rank and file of the CFD. Consequently, the program would only last for one cycle, partly because of funding, but primarily because of the lawsuit filed by Youngblood and Nichols. The lawsuit would be the prodigious catalyst for racially integrating the CFD. Furthermore, the Ohio Civil Rights Commission would also be critical to success of the Youngblood case.

Tilford Youngblood (Avondale) and Ralph Nichols (Fairmount), two former black recruit applicants, file a suit with the Legal Aid Society of Cincinnati as their advocate, in the United States District Court. More importantly, the Ohio Civil Rights Commission (OCRC) partnered with Youngblood, Nichols and Legal Aid in the lawsuit.¹⁰

Coincidentally, at the time, the commission was, conducting a probe into the discriminatory hiring practices of the CFD. Prior to the filing of the Youngblood lawsuit, the newly re-organized OCRC, with more money and staff, met at the Vernon Manor Hotel in Cincinnati in 1973. The commission's new policy was to bring its activities closer to the Ohio residents. This meeting was the first that the commission had held outside Columbus in its 14-year history. At the meeting, the commission ordered a preliminary investigation into alleged racial discrimination with-in the CFD and they also launched a formal investigation to determine if the evidence proved credible.¹¹

¹⁰ Unknown, "Suit Against Fire Dept Charges Racial Discrimination", The Cincinnati Post, March 30, 1973, Page 1

¹¹ Unknown, "Probe of Alleged Racial Bias in Fire Department Ordered", The Cincinnati Post, March 13, 1973, pg 31

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Two months later the OCRC authorized a formal investigation into employment practices of the CFD and also formally announced that it would join the Plaintiffs in the Youngblood lawsuit.¹² The commission provided legal aid advice to the Youngblood legal team, and made recommendations on how they should argue their complaint in the district court. Further, the commission provided the Youngblood Legal team with investigative assistance by gathering information that would prove to be critical with their challenge in the district court. The Youngblood and Nichols suit was based on several factors. The suit alleged that the CFD had engaged in practices and patterns of racial discrimination. Further, the suit stated that the CFD had discriminated in recruiting, testing, selecting, and hiring black applicants for the position of fire recruit. Nichols' claimed was that he took the exam in August of 1969 and ranked 15th out of the 277 persons who took the test; however, that he was rejected because of an arrest record even though no formal charges, or conviction, was ever brought against him. Nichols's claim asserted that if an applicant successfully completed the various examinations that the background investigation, which is conducted by the CFD, can arbitrarily be used to reject the applicant. His claim also asserted that the 'The Rule of Three,' under which the Fire Chief's has the sole discretion to eliminate candidates from the process after three different comparative evaluations, is also discriminatory. Youngblood asserted that he took the exam in May of 1972, and later was informed by letter that he had failed the written exam. He claimed that the test disproportionately disqualified a high number of black applicants, and as a result, only a few had managed to get into the department.¹³

¹² Unknown, "Fire Department Hiring to be Probed", The Cincinnati Enquirer, April 26, 1973, Page 53

¹³ Unknown, "Suit Against Fire Dept Charges Racial Discrimination", The Cincinnati Post, March 30, 1973, Page 1

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Youngblood and Nichols also alleged that the department's recruiting efforts were insufficient. They alleged that the fire department had been tasked by the city to recruit more black fighters, but had not put forth a legitimate effort. They used the few black firefighters on the department to go out into the black neighborhoods and recruit blacks just prior to recruit examinations.¹⁴ They asserted that the department needed a full time recruiting officer dedicated to recruiting qualified black applicants year round. In reaction to the allegations, the city denied that they had engaged in any patterns or practice of discrimination in the aforementioned areas. However, they realized that certain past practices of the CFD may have given rise to an inference that such patterns or practices may have occurred. Although the Youngblood lawsuit never went to trial, it was the basis for which the City of Cincinnati entered into a 'Consent Decree'.

The Consent Decree was signed on May 7th, 1974. At that time, there were 14 blacks on the CFD. Ironically, the recruit class of 1973 had just graduated 9 blacks out of a class of 60. All sixty recruits had been awarded 20% for military service points.¹⁵ The Consent Decree's language detailed what the fire department was required to do in order to integrate the department. The department had to establish an appointed special recruiting officer from among minority persons currently employed in the Fire Department; the pay and rank was required to be commensurate with his responsibilities. The recruiting officer was to report directly to the chief, or his designated Assistant Chief. Also the department had to intensify its recruiting efforts. They advertised in much greater frequency in the newspaper and on the radio.

¹⁴ McGee, Oliver Interviewed by Raffel Prophett. Cincinnati, June 9, 2008. Transcript in possession of this writer

¹⁵ Wright, Robert, Interviewed by Raffel Prophett. Cincinnati, May 23, 2008. Transcript in possession of this writer

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They even utilized a mobile van staffed with minority members of the CFD who canvassed black neighborhoods looking for applicants. Written exams were provided for two lists; one for whites and one for all other minorities. Each candidate had to meet a minimum of score 70% to be qualified. During the background investigation, if the oral interview was conducted by a single interviewer and the applicant was a minority, then the interviewer was also required be a minority person. If the oral examination was conducted by a panel of interviewers, at least one-third of the panel was to be composed of minority persons. Subject to the availability of qualified applicants, the fire department had to achieve a goal of hiring 18% black applicants by 1980¹⁶. Although the goal of having 18% (of black firefighter) on the CFD by 1980 was missed, the City of Cincinnati surpassed the required mandate of the Consent Decree by 1986. In fact, although the Consent Decree only required that the department obtain 18% minority persons, it remained in place until the year 1995. Consequently, at its peak the CFD would obtain over 30% minority persons. The fire department was well on its way to racially integrating the department. However, blacks were slow to gain acceptance from the white firefighters, partly because of the resentment for the Consent Decree, as well as prejudice, bigotry, and ignorance. The CFD would struggle for years to achieve equitable treatment of its minority firefighters. Nevertheless, as more African Americans joined the ranks of the CFD they came together to support each other by establishing an advocacy group to redress their issues.

¹⁶ U.S. District Court for the Southern District of Ohio Western Division, *Tilford Youngblood v. John Dalzell*, Civil Action No. 8774, May 7, 1974, page 9

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The Birth of CAFA

In the mid-1970s, a group called the “Watchmen” was established by a few African Americans on the CFD. Lead by Ben Jordan, the organization provided a forum for black firefighters to meet and share with each other the problems they were experiencing on the CFD. As the Watchmen grew, it evolved into an advocacy group that sought to redress issues that affected black firefighters, and the communities they served. In 1980, the organization officially established itself as the Cincinnati Black Firefighters Association. Under the leadership of the first president Ken Perry and later Edward Turner (President Emeritus), the organization began to take on issues that were plaguing blacks on the CFD, such as unfair and inequitable treatment, promotional opportunities, and the perceived lack of respect for the black community. Under President Turner’s leadership, as well as the increase of the number of black firefighters joining the ranks of the CFD, the organization became more influential - changing its name to the Cincinnati African American Firefighter Association (CAFA). Although the consent decree provided blacks with the opportunity for consideration of employment, CAFA demanded that an African American served as the department’s recruiting officer to ensure they were treated fairly during the recruit selection process. CAFA would also focus its efforts on fair and equitable treatment of blacks, promotional opportunities, and would use their leverage as black firefighters to improve the lives of the African American community. CAFA challenged the disparity in how discipline was levied against blacks on the department vs. their white counterparts. When the CFD established the new office of Internal Investigations (OII), CAFA ensured that one of the positions would be filled by an African American.

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The new office created two new positions, which provided promotional opportunities for one captain and two Lieutenants. The OII was established to ensure that issues requiring disciplinary action would be processed fairly. As the OII advanced, the disciplinary processes and procedures became more progressive, which allowed for fairness of all. The combined efforts of the CAFA, Local 48, and the City Administration, legislation was enacted on December 21, 1988 approving additional promoted positions for 42 Kelly Day Officers (2 – District Chiefs, 20 – Lieutenants, and 20 - new Fire Apparatus Operator (FAO), for a recruiting Lieutenant, and for an Internal Affairs Captain and 2 Lieutenants. These new positions not only increased the promotional opportunities for African Americans, but white firefighters as well.¹⁷ CAFA encouraged and supported study groups to further increase the promotional opportunities for blacks. Blacks became more competitive on promotional exams, which culminated in Robert Wright being appointed as Fire Chief of the Cincinnati Fire Department in 1997. Subsequently, blacks have continued to be promoted throughout the ranks of the CFD. CAFA was also influential in the CFD establishing its free smoke detector safety program. In 1995, CAFA, adopted a program that was first introduced by the IABPFF (International Association of Black Professional Firefighters) to team up with State Farm Insurance Company, and later the Nation Wide Insurance Company, and provide any residents that lived in the City of Cincinnati with a free smoke detector. The initiative called for volunteer off-duty CAFA members, along with some on-duty CFD firefighters, to install free smoke detectors in at risk neighborhoods.

¹⁷ Local 48 Human Relations Committee, History of Minority Hiring, Firefighters Union Local 48, Cincinnati, Ohio 1990 pg 3

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CAFA's efforts led the CFD to expand the program city wide. Currently the CFD offers any citizen of Cincinnati the ability to receive free smoke detectors and have them installed, if so desired, also free of charge. CAFA community engagements included, food drives, safety fairs, health fairs, school supply giveaways, toy drives, and a mentorship program just to name a few. One of CAFA's most celebrated events was the Martin Luther King (MLK) Awards Banquet that was held in conjunction with the Sentinels African American police organization. Every January, near MLK's birthday, for nearly 20 years the community looked forward to getting dressed up and honoring Cincinnati's African American Public Safety Officials, and others. Since CAFA's inception, it has significantly impacted the CFD and the city of Cincinnati in a meaningful way. However, CAFA struggled to gain influence and representation in the leadership of Firefighters Union, Local 48.

Firefighters Union Local 48 is the sole bargaining agent for all firefighters on the CFD. As such, once a member is hired by the CFD, they instantly become a member of Local 48. African Americans, specifically CAFA members, were ardent union supporters, recognizing and accepting Local 48's collective bargaining supremacy. Members of CAFA became involved in numerous union committees and were committed to supporting the aims of Local 48. However, as CAFA members sought Local 48 committee chair, trustee, and executive level positions, they were not appointed or were constantly defeated. Local 48 post-election analysis, conducted by CAFA, revealed that black candidates would get almost no votes from white firefighters, but would get a significant number of votes from black members.

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After much consternation and disillusionment, CAFA began the process to challenge the lack of African American representation in the decision making of Local 48.

One of the goals of CAFA's 1997 Strategic Plan was to obtain African American representation on Local 48's executive board.¹⁸ CAFA's executive board, led by newly elected President Reginald Hocker, was tasked to negotiate with the leadership of Local 48, for representation. The leadership of CAFA asked the leadership of Local 48 to appoint an African American representative to their executive board. After several meetings, which went on for over a year, between the two groups, the position of an Ombudsman was agreed upon. The Ombudsman, would be selected by CAFA and confirmed by Local 48. The Ombudsman would serve as the African American representative and would sit on Local 48's executive board. The purpose of the Ombudsman would be to help settle disputes and complaints that often occurred between black and white firefighters. However, in order for the position to become a reality, a referendum vote needed to take place with the entire membership of Local 48. The Ombudsman position was put to a vote, but was defeated overwhelmingly. In the aftermath, the membership of Local 48 cited that the reason for the failure of the Ombudsman position was because it gave CAFA the exclusive voice for every African American on the CFD. Since approximately 70% of the African Americans on the CFD were CAFA members, the Ombudsman, gave CAFA too much power. Both sides went back to the negotiation table. Out of the continued talks, emerged the position of Human Relations Coordinator.

¹⁸ Hocker, Reginald, Interviewed by Raffel Prophet. Cincinnati, November 30, 2016. Transcript in possession of this writer

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This position, like the Ombudsman, would be selected by CAFA, and confirmed by Local 48. However, a Human Relations Committee would be established.

The Human Relation Committee would be composed of a representative sample of each demographic of the CFD. Under the leadership of the Human Relations Coordinator, the committee would help settle disputes and complaints between union members. The referendum vote was held the week of April 9, 2001, ironically the same week of the largest urban disturbance in the United States since the 1992, Los Angeles California riots. Nevertheless, the Human Relations Coordinator referendum vote failed. Given the fact that CAFA had earnestly attempted to negotiate with Local 48, but failed to have their issues redressed; juxtaposition, the calls for substantive change from the black community in the after math of riot, as a result of the shooting and death of an unarmed African American, Timothy Thomas, by Cincinnati Police Officer, Stephen Roach. With the two events looming, CAFA took drastic actions.

On April 16, 2001, three days after the civil disturbance had subsided, nearly 150 African American firefighters left, the firefighters union, Local 48. After several years of intense negotiations with the leadership of Local 48 that included two referendum votes, the two organizations were at an impasse. Ironically, CAFA held its press conference at Sentinel's Headquarters. The Sentinels are the African American advocacy group that represents black police officers on the Cincinnati Police department. Then CAFA president, Jeff Harris, stated

"We have worked within Local 48 for several years trying to address the needs of African-American and women on the CFD. Despite these attempts, no African American or woman has ever served as an executive board member of

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Local 48. And Local 48 still does not respond to public verbal attacks against its African American and women members. It is our conclusion that our input in Local 48 has no value; therefore, we are withdrawing our membership.”¹⁹

After the split, both sides began to strengthen its position. For its part, CAFA realized that it used the emotions of the civil disturbance to provoke its members to leave the union. But the CAFA leadership knew that the sentiment would not last, so they sought to strengthen the organization. Several meetings were held that featured strong African American civic leaders, to encourage CAFA members to stay the course. The leadership of CAFA also took several measures to strengthen the organization:

1. Recruited more African American to withdrawal from Local 48
2. Recruited more black firefighters to become CAFA members
3. More deliberate methods of keeping members informed
4. Increased membership participation
5. Gain support from the black community
6. Invest in CAFA today and tomorrow
7. Provide services for members that Local 48 had provided²⁰

For their part, Local 48 sought to strengthen their position by first asserting the right to impose ‘fair share’ fees on the CAFA members who had resigned from the union.

They also moved quickly to portray the union as inclusive by reaching out to many non CAFA African American union members and assigning them as Local 48 committee chairpersons.

¹⁹ William A. Weathers, “Black firefighters plan to quit union”, The Cincinnati Enquirer, April 16, 2001

²⁰ Prophet, Raffel, “CAFA Strategic Committee Report”, August 2002

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Further, they sought to weaken CAFA by attempting to dismiss those firefighters that had left the union from CFD sponsored clubs. Nevertheless, both sides sought to solidify their positions, and ceased any further negotiations. This action caused several public officials great concern, as they were in the mist of attempting to counter the negative image of the city that had occurred as a result of the recent civic disturbance.

Mayor Charlie Luken, at the request of Council Woman Alisha Reece, approached CAFA and Local 48. He requested that they both return to the negotiation table. Two federal mediators were obtained to facilitate the negotiations and the Interest Base Bargaining Process (IBBP) was adopted. Nevertheless, after a year of negotiations had yielded a tentative agreement, Local 48's executive board discontinued the IBBP and refused to send the agreement to the full union body for a vote. Further, Local 48's executive board contended that they would implement the items that were created during the IBBP, but would not recognize CAFA as the representative organization of the African Americans on the CFD.²¹ It appeared that Local 48 had the upper hand, as more black firefighters had returned to the union. Given the actions of Local 48, CAFA was incredulous but steadfast in its resolve. In 2004, James Wright was elected CAFA president. He ran on a platform that included bringing a lawsuit against Local 48, for their lack of proper black representation, and to challenge the fair share fees assessment. Wright acquired the services of local attorney Fanon A. Rucker, of the Law Firm of Santen and Hughes. Rucker filed a claim with the Ohio's State Employment Relations Board, or SERB, against Local 48 for unfair representation, as well as challenging their 'fair share' fees.

²¹ Jeff Harris, Interviewed by Raffel Prohett. Cincinnati, December 1, 2016. Transcript in possession of this writer

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SERB, as required by Ohio state law, is the agency responsible for, but not limited to: investigating unfair labor practice charges; adjudicating the merits of unfair labor practice complaints after an investigation; determining fair share fee rebate challenges; and providing impasse resolution services through mediation fact-finding, and conciliation. Incidentally, the Ohio Attorney General's office represents SERB in court. However, President J. Wright believed that given the political structure of SERB, CAFA's official complaint against Local 48 would become cumbersome. According to President James Wright, SERB appeared amenable to Local 48.²² Given the potential of the SERB claim to become protracted, CAFA sought remedy at the federal level.

When President James Wright recommended that CAFA file its complaint in federal court and seek the legal assistance of a 'right-to-work' law firm, he was met with much resistance, as well as great concern and caution. Since CAFA members had left the union in 2001, claims of 'union busting' had become pervasive throughout the CFD, and had begun to permeate into the general public. Many CAFA members asserted that they were not anti-union, and didn't want to be portrayed as such. They advocated to let the process that was occurring at the state level continue. On the other hand, some CAFA members, who had become so disenchanted with Local 48, called for the short term destruction of Local 48. They believed that after the current leadership was purged, the local could be rebuilt with new leadership. Others were concerned that more and more CAFA members were quietly getting back into the union, so any decision to be made, should be done so expediently. Nevertheless, the dominate theme was "we had come too far to turn back now."

²² James Wright, Interviewed by Raffel Prophett. Cincinnati, December 5, 2016. Transcript in possession of this writer

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In the end, the body voted to solicit the help of the National Right to Work Legal Defense Foundation (NRTWLDF). The NRTWLDF is a nonprofit, charitable organization that provides free legal aid to employees whose human, or civil rights, have been violated by compulsory abuses.²³ NRTWLDF recommended, to CAFA, that the overarching strategy be to challenge the fair share fees that Local 48 had imposed. Further, that since the City of Cincinnati had authorized the deduction from non-union member's pay checks; they were also to be named as a complainant. The goal was for the court to order Local 48 to open their financial records and prove that the amount of the imposed fair share fees was attributed directly to collective bargaining. NRTWLDF assured CAFA that the action would provide the leverage they needed to negotiate an amiable settlement. NRTWLDF explained to CAFA that the first step in the legal strategy was to file a temporary restraining order that barred the union and city officials from deducting fair share fees.²⁴ The complaint was filed in the summer of 2004, in the U.S. District Court for the Southern District of Ohio's Western Division. The complaint alleged that Local 48 officials intentionally seized the forced union dues without first providing the financial disclosure and procedures required by a long-standing U.S. Supreme Court ruling. Under that ruling, the First and Fourteenth Amendments to the U.S. Constitution protect objecting employees from demands to pay for union political activity and other non-bargaining activities.

²³ James Wright, Interviewed by Raffel Prophett. Cincinnati, December 5, 2016. Transcript in possession of this writer

²⁴ James Wright, Interviewed by Raffel Prophett. Cincinnati, December 5, 2016. Transcript in possession of this writer

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The tactic worked!! Acknowledging the irreparable harm to the constitutional rights of roughly 100 non-union Cincinnati firefighters, in November 2005, a federal judge issued a temporary restraining order against the City of Cincinnati and the local firefighter union, halting the use of further collection of their forced union dues for politics.²⁵ The court ruling changed the tide of momentum for the two opponents. CAFA now had the upper hand on Local 48, which would cause significant change in the union's leadership.

Early in 2006, Local 48 held elections that involved every position in the union. The current top leadership positions were being challenged by a consolidated group, or ticket, of candidates that advocated for unification of Local 48. Although they had many issues on their platform, unification was their rallying cry. They blamed the current leadership for the legal conundrum that the union was currently facing. They bashed the leadership for making continuous wrong moves when dealing with CAFA. Their campaign platform was to end the separation by negotiating with the leadership of CAFA to end the split. Their campaign strategy worked; four top Local 48 executive board positions were replaced with the unification ticket candidates. Newly elected President Marc Monahan vowed to get every member back into local 48. Although only 89 members of CAFA still remained out of the union by May 2006, CAFA's position was solidified after the Federal District Judge Walter Rice again ruled in its favor. After the ruling, Local 48 President Mac Monahan stated, "the judge's decision should help move the two sides closer to a negotiated settlement, most likely through court-supervised mediation.

²⁵ National Right to Work Legal Defense Foundation, 'NEWS RELEASE', November 11, 2005

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“We're looking forward to mediating this thing, getting it worked out and getting all 89 members back into Local 48.”²⁶ President Monahan was a man of his word. After over a year of mediated negotiations, lead by CAFA President Harold Wright and Local 48 President Marc Monahan, that yielded a written agreement that recognized CAFA as the representative for African American Firefighters, and included many provisions of inclusion, all remaining non-union members rejoined Local 48. It had taken CAFA over nine years, and four different presidents (Reginald Hocker, Jeffrey Harris, James Wright, and Harold Wright) to achieve the goal it had set for the organization. Since CAFA's re-entry into Local 48, its members have continued to serve diligently as union members. Currently two African Americans, one of which is a former CAFA President, hold Local 48 executive board elected leadership positions.

In the aftermath, ultimately, CAFA's struggle to gain influence and representation in the leadership of Local 48 has strengthened the union. The settlement agreement between CAFA and Local 48 has provided the opportunity for much greater collaboration among the two groups. The acceptance of CAFA, by Local 48, as the representative organization of the African Americans on the CFD has built overlapping consensus. Through enhanced collaboration the whole of any issues and ideas can be accomplished through consensus. The two organizations have, and will continue to focus on what connects them rather than what divides them. This structure should serve as a model for other unions. Its premise is that through negotiation, in an organization that is made up of different factions, competing ideas will agree on a conception of fairness for strategic reasons.

²⁶ Horn, Dan, “Non-union firefighters who balk at paying dues win court ruling”, The Cincinnati Enquirer, May 12, 2006:B.3

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What Is CAFA's Future

Over its 36 year history, as an advocacy organization for African American, CAFA has positively impacted the CFD, Local 48 and the city of Cincinnati. From 1980 to the present, as the number of African Americans grew on the CFD, CAFA has sought to galvanize them. However, if CAFA is to remain relevant, it should re-assess its purpose, mission and objectives. CAFA's 2003 constitution mission statement states: "Our mission is to obtain equitable and fair treatment for our members. Take an active role making conditions better on our job and in our communities. Our objectives include, but are not limit to recruitment and promoting of minorities, to diversifying the CFD, to developing the skills of our members and to developing a peaceful work environment. We will live up to our motto of "being involved personally" in our lives, in our job and in our community." CAFA's mission statement and core objectives appear to be still relevant but, nevertheless, should to be revisited. The central question is, "Is CAFA accomplishing its mission and objectives"? For instance, given the troubling history of the integration of the CFD, recruitment should be CAFA's most important and essential aim. Does CAFA have a recruiting strategy? If so, are there desired measurable outcomes? Are there structures in place that is conducive to achieve fair and equitable treatment? Or do the same structures that denied African Americans access, and thus opportunity, still exist? Has there been a 'patterns-and-practices' assessment to determine inclusion? Is CAFA respected? Is CAFA invited, or even allowed, in the room when decisions are made?

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What is CAFA's goal regarding promotional and development opportunities for African Americans on the CFD? Is there an executable plan? And finally, what are we doing to make conditions better in our communities? In our community engagements, are we leveraging our position as firefighters to improve the lives of the African American community? Should CAFA's focus be on improving the services that the CFD provide to the African American community, or should we focus on addressing social-economic issues? Do we have a community engagement strategy that includes an action plan? There are many more questions that need to be asked, and more importantly, answered. It is my belief that these questions and answers should begin with the membership of CAFA's.

As a volunteer advocacy group for African Americans, CAFA's success will depend largely on its member's involvement. The membership should take part in planning the direction of the organization. It appears that CAFA's constitution has not been revised since 2003. CAFA should consider updating its constitution, and use the opportunity to engage its membership by encouraging them to help reassess the purpose and vision of the organization. CAFA should develop a strategic plan, with the membership's input, that includes relevant measurable outcomes. The strategic plan should also identify CAFA's mission and core values, as well as set its execution strategy for the next 3-5 years. Further, CAFA's strategic plan must not be created in a vacuum, but should use all available resources, and involve various stakeholders. As such, CAFA should learn how to collaborate more effectively.

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CAFA must unleash the power of the people by nurturing a CAFA-to-CAFA membership connection, a CAFA-to-Local 48 connection, a CAFA-to-the CFD leadership connection, and a CAFA-to-citizen communal connection, all of which will help build consensus.

Simply stated, “We are all connected in webs of interdependence”. If CAFA is to achieve the goals it sets for itself, it will be through enhanced collaboration.

Ultimately, in the end, the measurable outcome that validates that equity has been achieved is that the racial makeup of the CFD will reflect the racial makeup of the city of Cincinnati.