

EXHIBIT B



Office of the City Manager, Chief Administrative Office

Phone: 810-984-9740 Fax: 810-985-0179

www.porthuron.org

August 6, 2025

Re: Schlinkert Ethics Complaint Response

Below are my responses to the charges Mr. Craig Schlinkert has laid out in his written complaint dated August 6, 2025

“1. Section 6-2(a)(1):

Public officials and employees shall not use their positions to secure privileges or exemptions for themselves or others.

Mr. Freed used his position to interfere with a FOIA request and obtained unwarranted control over a public process, later ordering or enabling my trespass, which blocked access to city officials and public property.”

On the day Mr. Schlinkert came into the Clerks office demanding an email I had sent staff the Clerk was not in. Due to his hostile demeanor the clerical assistant phoned me and asked me to come down. This is not uncommon, as I oversee the FOIA process and the Clerk is my designated FOIA coordinator.

When I asked Mr. Schlinkert how I could help him he demanded that I “give me the fucking email”. At this point I do not believe I had ever met Mr. Schlinkert nor had any known interaction with him. However, at that moment I connected that the emails I was receiving earlier that day were from him. Those emails are attached.

I immediately handed him a FOIA request form to fill out, which he began completing. I asked him during that process “Is everything okay? You told me you spent several hours watching City vehicles. Is there anything going on you would like me to know about?” He responded, “I don’t fucking trust you”.

At this point, in an effort to deescalate the situation, I asked the the clerical assistant to print off the email, which she did. I then handed the email requested to Mr. Schlinkert. This deviated from the normal FOIA process of the Clerk processing the request and the 5 days allowed by law to fulfill the request. I just wanted him to have what he requested, as it was a simple request.

The following day Mr. Schlinkert returned, but this time came to the 4th floor and demanded that “Give me the fucking video”, as I was exiting a meeting with two developers. I told him he would need to go to the Clerks office.



Once I was finished walking the developers to the 1st floor, I stopped into the Clerks office and Mr. Schlinkert walked up. He said to me again, “give me the fucking video”. I then handed him a FOIA request form.

While he was filling the FOIA request form out I told him, “Just so you are aware, unlike the email that I could just print off, this video takes a few days to get because I don’t have access to the footage and the PD would need to retrieve it.” He replied very loudly, “give me the fucking video”.

Seeing that he was clearly upset with me, in an effort to deescalate, I removed myself from the office and begin to walk back to my office. At that moment he began yelling to me in the hallway, “give me the fucking video!”, to which I replied “that is not going to happen today”. He then began to scream incredibly loud and disturb the peace. I believe he also pounded his fist on the counter.

I then decided to go the Police floor because I wasn’t sure if he was following me. By the time I reached the cadet station on the ground level, someone in the clerks office had pushed and activated the panic button. To be frank, I was unsure if we had an active violence incident occurring, as I cannot recall the panic buttons ever being activated before during my tenure.

Police we called and later, after consulting with the City Attorney, I directed a no trespass notice me issued. Please refer to Police Report #250014688

“2. Section 6-2(a)(4):

Public officials and employees shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Mr. Freed made false public statements during the City Council meeting on July 14, claiming I had screamed, which was untrue and misrepresented the nature of our interaction.”

Please refer to above and PD Report #250014688 for witness statements.

“3. Section 6-2(a)(5):

Public officials and employees shall not engage in conduct that violates their duty to the public.

Mr. Freed’s repeated intimidation during a FOIA-related encounter, questioning of my mental state, and the refusal by PHPD to accept a complaint about his conduct violated the duty to treat citizens with fairness and professionalism”

Please refer to my answer to charge one.

“4. Section 6-2(a)(6):



Public officials and employees shall not engage in conduct that undermines public confidence in the integrity of the city government.

The combination of retaliation, mischaracterization, delayed complaint response, and a trespass order intended to chill further interaction with city government officials erodes public trust.”

Given Mr.Schlinkert disorderly and disruptive behavior, I believe I took the appropriate action to ensure safety of the City Staff and security of the Municipal Office Center. I stand by my decision.

CITY OF PORT HURON
DEPARTMENTAL COMMUNICATION

TO: Todd Shoudy, City Attorney

FROM: Chief Brian Kerrigan

DATE: August 8, 2025

SUBJECT: Response to Ethics Complaint

Please find my responses in bold after each allegation.

1. Section 6-2(a)(1):

Public officials and employees shall not use their positions to secure privileges or exemptions for themselves or others.

Mr. Freed used his position to interfere with a FOIA request and obtained unwarranted control over a public process, later ordering or enabling my trespass, which **blocked access to city officials and public property.**

- I was informed by Lt. Barna of Mr. Schlinkert's request to make a complaint to Lt. Barna about the City Manager. His complaint was not criminal in nature and Lt. Barna advised him that we don't take reports of the nature that he was requesting. Lt. Barna actions were proper.
- The following day Mr. Schlinkert came to the police department, unannounced, wanting to meet with me regarding his interaction with Lt. Barna. I was not in the office at the time and Sgt. Hunger assisted him. I believe he either called or came back to the department when Sgt. Hunger scheduled a meeting for him with me.
- After the City Manager had an interaction with Mr. Schlinkert where he was described as being disorderly, I directed Sgt. Hunger to serve Mr. Schlinkert a trespass notice for City Hall. This was after the City Manger consulted with the City Attorney.
 - Initially Mr. Schlinkert was told he could not come to City Council Meetings as a result of this trespass notice. The next day, and before any council meetings had occurred, Lt. Eash spoke with Mr. Schlinkert and clarified that the trespass notice does not prevent him from coming to City Council meetings. He was directed to contact the police department if he had official business with the city and we would assist him with an escort in the building.

2. Section 6-2(a)(4):

Public officials and employees shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Mr. Freed made **false public statements** during the City Council meeting on July 14, claiming I had screamed, which was untrue and **misrepresented the nature of our interaction.**

- Not applicable to me.

3. Section 6-2(a)(5):

Public officials and employees shall not engage in conduct that violates their duty to the public.

Mr. Freed's **repeated intimidation during a FOIA-related encounter, questioning of my mental state**, and the **refusal by PHPD to accept a complaint** about his conduct violated the duty to treat citizens with fairness and professionalism.

- Answered above in number one.

4. Section 6-2(a)(6):

Public officials and employees shall not engage in conduct that undermines public confidence in the integrity of the city government.

The combination of retaliation, mischaracterization, delayed complaint response, and a trespass order intended to **chill further interaction** with city government officials **erodes public trust**.

- Answered above in number 1.

Respectfully,

Brian Kerrigan
Chief of Police

CITY OF PORT HURON
DEPARTMENTAL COMMUNICATION

TO: Todd Shoudy, City Attorney

FROM: Lieutenant Jason Barna

DATE: August 11, 2025

SUBJECT: Response to Ethics Complaint

Please find my responses after each allegation.

1. Section 6-2(a)(1):

Public officials and employees shall not use their positions to secure privileges or exemptions for themselves or others.

Mr. Freed used his position to interfere with a FOIA request and obtained unwarranted control over a public process, later ordering or enabling my trespass, which **blocked access to city officials and public property**.

- Not applicable to me

2. Section 6-2(a)(4):

Public officials and employees shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Mr. Freed made **false public statements** during the City Council meeting on July 14, claiming I had screamed, which was untrue and **misrepresented the nature of our interaction**.

- Not applicable to me.

3. Section 6-2(a)(5):

Public officials and employees shall not engage in conduct that violates their duty to the public.

Mr. Freed's **repeated intimidation during a FOIA-related encounter, questioning of my mental state**, and the **refusal by PHPD to accept a complaint** about his conduct violated the duty to treat citizens with fairness and professionalism.

- On July 9, 2025, I was assigned as the on-duty Shift Lieutenant at the Port Huron Police Department. I received a phone call from a gentleman, identifying himself as Craig Schlinkert. He requested to file a complaint regarding City Manager James Freed. Upon inquiring the nature of his complaint, he advised me that Mr. Freed was "rude" and giving him a hard time, regarding a FOIA request. I asked Schlinkert if his FOIA request was denied and he said "No", and he was provided a copy of what he requested by Mr. Freed. Based on what Mr. Schlinkert told me of the encounter, I advised him that if he

felt that Mr. Freed was “rude” or “unprofessional”, that his perceived demeanor of Mr. Freed would not likely be criminal matter. Mr. Schlinkert’s view was that it was criminal, because Mr. Freed was a public official. I did obtain all of Mr. Schlinkert’s information and told him that I would discuss the matter with Chief Kerrigan and advised him that if we had any additional questions or concerns, we would call him back. I did bring this matter to Chief Kerrigan’s attention immediately after the phone call and he agreed that this was not a police matter. This ended my involvement with Mr. Schlinkert.

4. Section 6-2(a)(6):

Public officials and employees shall not engage in conduct that undermines public confidence in the integrity of the city government.

The combination of retaliation, mischaracterization, delayed complaint response, and a trespass order intended to **chill further interaction** with city government officials **erodes public trust**.

- See response to Section 3.

Respectfully,

Jason Barna
Lieutenant