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EDITOR: The following information is for immediate release. If you have any questions, email Kennett Township Chairman Richard Leff at richard.leff@kennett.pa.us

Independent review by prestigious law firm finds no evidence to support any violation of PA Ethics Act by Kennett Township Manager Eden Ratliff

*Report: "... we conclude that Ratliff did not have
a conflict of interest with respect to any of these issues."*

KENNETT TOWNSHIP _ The prestigious Philadelphia-based law firm Blank Rome LLP concluded there were no ethics violations to support claims against Kennett Township Manager Eden Ratliff in connection with the reorganization of EMS (Fire and Ambulance) in Kennett Township or in the hiring of his wife by Longwood Fire Company.

The 34-page Report was presented to the Board of Supervisors on Friday and is posted in its entirety on the Township's website, www.kennett.pa.us, for review by the public. Blank Rome reviewed thousands of documents, including relevant emails, letters, and meeting minutes, and conducted interviews with eighteen individuals.

Supervisor Chairman Richard Leff said, "A few Township residents questioned the ethics and actions of our Township manager, Eden Ratliff, and the Township government. Because the allegations were serious in nature, the Board of Supervisors heard the concerns and engaged respected Philadelphia law firm Blank Rome LLP to conduct a thorough independent review. The results of this review and statements by the Pennsylvania State Ethics Commission have shown that the EMS process was proper and there was no evidence that Eden committed any violations of the Ethics Act.

"The time has come for the Township supervisors and staff to conclude this matter and move forward with other important work for the residents of Kennett Township."

Supervisor Vice Chair Scudder Stevens added, "The review of the actions of the Kennett Township Supervisors and staff, including Township Manager Eden Ratliff, was initiated after serious allegations were made by some of our constituents. Kennett Township residents deserved to know if those allegations were true.

“The Board of Supervisors studied the entire matter, in particular the findings of the Blank Rome law firm concerning the entire process of reorganizing the Township’s EMS system, and the role of our Township Manager in that process.

“In addition, we carefully scrutinized the entire Blank Rome Report. I’m pleased to have closure on this matter and I’m confident the Board of Supervisors will establish a code of ethics to guide us for the future.”

Supervisor Geoffrey Gamble said, “When I was elected, I promised the residents of Kennett Township that I would review all government issues without bias and with an open mind. Since the EMS restructuring took place before I took office, I’ve listened to those involved in the process and reviewed the material provided to me.

“I’ve also carefully studied the independent Report issued by Blank Rome. I must say the law firm selected for this review is eminently qualified. The lead attorney was a former Federal prosecutor for 16 years. The firm’s integrity is beyond question.

“I consider the Blank Rome Report to be definitive. I have no reason to question the findings. It is time to move forward with the business of Kennett Township.”

Blank Rome’s Engagement

Blank Rome was hired, explained Leff, to perform an independent review of the facts and circumstances of certain conflicts of interest that had been alleged against the Township Manager, as well as to assess compliance with Pennsylvania’s Public Official and Employee Ethics Act in connection with (1) the consolidation of fire and emergency management services and (2) Kennett Township’s participation in the Kennett Fire and EMS Regional Commission.

In the Report’s analysis and conclusion section, Blank Rome considered the allegation that Ratliff had a conflict in respect to the reorganization of fire and EMS in Kennett Township. The Report stated, “Our conclusion is that Ratliff did not have a conflict of interest with respect to the reorganization of fire and EMS in Kennett Township. This is based upon our factual findings that there is no evidence that Ratliff used the authority of his office or employment or any confidential information received through his office or employment for the private pecuniary benefit of himself, a member of his immediate family, or a business with which he or a member of his immediate family is associated.”

The Report states the process to consolidate EMS began well before Ratliff was hired by Kennett Township in 2019. Furthermore, the Report pointed out Ratliff was not a voting member of the Commission in 2021 when the critical decisions regarding funding were made, and he did not and does not have voting power on Kennett Township’s Board of Supervisors.

Another allegation contends that Ratliff’s wife, Gabrielle Ratliff, became employed by Longwood Fire Company in October 2021 because of an ethics violation on her husband’s part. The Report states, “The critical decisions both by the Commission and by the Kennett Township Board of Supervisors with respect to the reorganization of EMS were made prior to Gabrielle Ratliff’s hiring by LFC on October 28,

2021. Further, prior to Gabrielle's hiring, none of the Ratliffs was a 'director, officer, owner, employee or [had] a financial interest' in LFC, such as would be required to determine that LFC is a business with which Ratliff is associated.

"Finally, there is no evidence of any pecuniary benefit to Ratliff, a member of his immediate family, or a business with which he or a member of his immediate family is associated. Ratliff and his family were volunteer members of Longwood Fire Company, on their own time and not as part of Ratliff's duties as Township Manager, throughout most of 2021. They performed unpaid services to the community."

The Report also stated, "Accordingly, we conclude that Ratliff did not have a conflict of interest with respect to the reorganization of fire and EMS in Kennett Township."

The Report continued, "Our conclusion is that Ratliff's serving as a volunteer member of LFC prior to his wife's employment by LFC did not create a conflict of interest regarding his provision of volunteer assistance to the Commission. For most of the same reasons set forth above, there is no evidence that Ratliff used the authority of his office or employment or any confidential information received through his office or employment for the private pecuniary benefit of himself, a member of his immediate family, or a business with which he or a member of his immediate family is associated."

As stated above, Gabrielle Ratliff was hired on October 28, 2021; Ratliff stopped working for the Commission soon thereafter. All of Eden Ratliff's work for the Commission was pro bono and performed at the request of the Commission in order to assist the Commission and the fire companies that provide services to the region.

Going forward, Blank Rome recommended Ratliff should take all necessary precautions to ensure that he does not intentionally or inadvertently use the authority of his office or employment, or any confidential information received through his office or employment, for the private pecuniary benefit of himself, Gabrielle Ratliff, or LFC.

The Report acknowledged there were disagreements between Ratliff and others concerning policy issues related and unrelated to fire and EMS. Blank Rome did not factor those disagreements into its analysis and reached no conclusions regarding them.

In the Report's finding of fact section, Blank Rome stated, "As a starting point, we reviewed the three submissions that were made to the Commonwealth of Pennsylvania State Ethics Commission and that are relevant to our analysis: (1) a formal complaint filed by Peter J. Doehring, a resident of Kennett Township; (2) a letter request for a confidential advisory opinion, submitted by Ratliff; and (3) a letter request for advisory opinion, submitted by Kennett Square Borough.

"On or about December 14, 2021," the Report continues, "the State Ethics Commission provided its response to the Doehring Complaint, stating that "[y]our complaint fails to provide sufficient specific information to allow a determination as to whether this matter should be further processed," and "[s]pecifically, no evidence was presented that Mr. Ratliff used his position to secure employment for his spouse." Accordingly, "[a]s such, no investigation will be commenced." The Report says, "We note that, in our discussion with him, Doehring was candid in stating that his complaint was 'based on insights' others had shared with him, and not upon any direct evidence of any conflict of interest on the part of Ratliff."

The Blank Rome Report noted the same issue of a lack of evidence with other complainants alleging wrongdoing by Ratliff.

Kennett Square Borough's request for an advisory opinion by the State's Ethics Commission was dismissed on December 28, 2021, since the Borough had not established that it had the authority or legal standing to request the advisory opinion.

Blank Rome has 13 offices and more than 600 attorneys and principals providing a full range of legal and advocacy services to clients operating in the United States and around the world. The two lead attorneys on this review were Joseph Poluka and Lawrence Beaser.

Mr. Poluka, a graduate of Cornell University and Harvard Law School, is a defense attorney with extensive experience representing clients in the investigation and defense of a wide variety of criminal, civil, and regulatory matters, including complex fraud related to securities, financial institutions, healthcare practitioners, employee conduct, political corruption, taxation, and the environment. He conducts internal investigations and advises executives and corporate clients on the financial, reputational, and criminal impact of violations. As a former Assistant U.S. Attorney in the Criminal Division, Eastern District of Pennsylvania, he brings a rich prosecutorial experience to his clients.

Mr. Beaser, a graduate of the University of Pennsylvania and Harvard Law School, served as general counsel to former Pennsylvania Governor Milton J. Shapp and as Pennsylvania Deputy Attorney General for litigation and administrative law matters. He has experience as a board chair, nonprofit president, officer, and board member. He served as Chair of the Philadelphia Foundation's Board of Managers. Philadelphia Foundation is a community foundation with over \$700 million in assets. He currently is Chair Emeritus of that foundation.

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