HENRY COUNTY POLICE DEPARTMENT

345 Phillips Drive, McDonough, Georgia 30253
Phone (770) 288-8200, Fax (770) 954-2295

Colonel R. S. Abernathy
Chief of Police

MEMORANDUM

TO: Lt. J. Maddox

FROM: Sgt. S. Brueggeman

DATE: March 28, 2008

RE: Ofc. C. Huffman accident 08-005636 asset #5845

On March 28, 2008 Ofc. Huffman called me at 1500 hrs. He advised me that he was up at the gas pumps on Fairview Rd. He stated that he was pumping gas at pump #1 and accidentally drove off without removing the pump.

There was no damage to Ofc. Huffman's pool car, asset #5845.

The gas pump was slightly damaged, with no spillage of any gasoline. The Henry County Department of Transportation was notified. They advised that they would be able to fix the pump on Monday, March 31, 2008. A sign was placed on the pump to notify everyone that the pump was down.

Verbal Reprimand @ Maddox

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HENRY COUNTY POLICE DEPARTMENT

DISCIPLINARY ACTION FORM

Last Name: Huffman First Name: C. M.I. _____

Position: Patrol Officer Date: 04-30-08

Supervisor Issuing Action: Sgt. Johnson

Check only one of the following:

[X] Verbal Reprimand [ ] Written Reprimand

Matter being brought to attention:

[ ]Tardiness	[ ]Vehicle Maintenance	[ ]Abuse of Leave Time
[ ]Uniform/Appearance (Not in compliance)	[ ]Lack of Proper Documentation	[X]Failure to Complete Assignment
[ ]Lack Of Initiative	[ ]Sub-Standard Report Writing	[ ]Other (explain)

Details: On Wednesday, April 30, 2008 you were supposed to attend the Verbal Judo class at Headquarters. You were informed when and where the class was to be held and advised to be there. You knew that you were to attend the class and then report to normal duty that day. I spoke to you at roll call today and you said that you slept late and did not go to the class. Even though you attempted to notify me this does not excuse the fact that you did not attend required training. In the future and as it has always been, it is your responsibility to make sure you attend all assigned training. If you can not, you need to notify a supervisor well in advance of the class starting so someone else can attend and benefit from the training.

This Disciplinary Action is issued in compliance with ARTICLE XII SECTIONS II and/or III of the HENRY COUNTY PERSONNEL POLICY MANUAL

C Huffman 4-30-08

Signature of Person being Disciplined (Acknowledgement only) Date

Sgt. Johnson SJ 4-30-08

Supervisor Issuing Action Date

LT. J. Mabry 5-1-08

Shift Commander Date

M. M. 5-01-08

Division Commander Date

Form HCPD-06-0005 rev. 6/10

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HENRY COUNTY POLICE DEPARTMENT

DISCIPLINARY ACTION FORM

Last Name: Huffman **First Name:** Charles **M.I.** _____

Position: Special Agent **Date:** 3-16-2010

Supervisor Issuing Action: Lt. Kevin L. Conner

Check only one of the following:

[ ] Verbal Reprimand [X] Written Reprimand

Matter being brought to attention:

[ ]Tardiness	[ ]Vehicle Maintenance	[ ]Abuse of Leave Time
[ ]Uniform/Appearance (Not in compliance)	[ ]Lack of Proper Documentation	[ ]Failure to Complete Assignment
[ ]Lack Of Initiative	[ ]Sub-Standard Report Writing	[X]Other (explain)

Details: On or about February 18, 2010 you engaged in the conduct of spreading rumors of an inappropriate relationship between Sgt. Holly Perry and Special Agent Mike Dailey. Such conduct is in violation of Henry County Police Department Policy 105.01.5. Such conduct is not only very destructive to a close nit work unit such as narcotics but is also conduct which will not be tolerated within the Henry County Police Department. Any further violations of this nature will result in more severe disciplinary action.

This Disciplinary Action is issued in compliance with ARTICLE XII SECTIONS II and/or III of the HENRY COUNTY PERSONNEL POLICY MANUAL

X _____ 3-22-10
Signature of Person being Disciplined (Acknowledgement only) Date

_____ 3-22-10
Supervisor Issuing Action Date

_____
Shift Commander Date

_____ 3-23-10
Division Commander Date

Form HCPD-06-0005 rev. 2/08

105.01.5 CONDUCT

A. Employees of this Department will conduct themselves in such a manner as to reflect a favorable image on themselves and the Department.

B. Employees of this Department will refrain from initiating or spreading gossip and rumors concerning another employee(s) within this department or other departments and agencies.

C. Employees of this Department will not act in an official or private capacity in such a manner as to bring discredit upon the Department or upon themselves. Such conduct is unbecoming and prohibited.

D. Any action in the form of intimidation, humiliation, insult, or subjecting someone to offensive physical or verbal abuse, or actions of a sexual, ethnic, racial, or religious nature is prohibited.

E. Failure to report an employee's violation of a law, rule or regulation, policy or procedure, or general order is prohibited. To this end, all such violations will be reported to the next line supervisor within the employee's Chain of Command. If the employee committing a violation is a supervisor, the reporting employee may circumvent the Chain of Command and tell the next appropriate supervisor.

HENRY COUNTY POLICE DEPARTMENT

108 South Zack Hinton Parkway • McDonough, Georgia 30253
Phone (770) 288-8200 • Fax (770) 288-8400

Keith Nichols
Interim Chief of Police

HENRY COUNTY POLICE DEPARTMENT
INTRA OFFICE MEMORANDUM

TO: **Major Joe B. Jackson Jr.**

FROM: **Lt. Kevin L. Conner**

RE: **Neville/Huffman Disciplinary Action**

DATE: **March 17, 2010**

This is in reference to disciplinary action being administered to S/A Huffman and S/A Neville. It has come to my attention the two above named agents have been spreading rumors of an inappropriate relationship between Sgt. Holly Perry and S/A Mike Dailey. S/A Warner heard the rumors once and advised the two to stop making unfounded allegations. When he heard the rumors the second time he brought them to the attention of Sgt. Perry. She then informed me of the rumors on the evening of March 1, 2010.

On the evening of March 1, 2010 I received a phone call from Sgt. Holly Perry. Sgt. Perry informed me S/A Warner told her S/A Huffman and S/A Neville had been spreading a rumor that she and S/A Dailey had been having an affair. Sgt. Perry was obviously upset and angry. I assured her I would address the issue the next work day.

On March 2, 2010 I had a unit meeting with S/A's Huffman, Neville, Edwards, Hicks, Gore, Warner, and Moon present. During this meeting I covered several procedural topics but the main topic of the meeting was Henry County Police Department Policy 105.01.5 (Conduct) which prohibits an employee from engaging in or spreading rumors. The policy also states any employee that overhears a rumor is to bring it to the attention of a supervisor. See the attached policy.

After the meeting concluded, I called each agent to my office for a one on one conversation regarding the rumors. See the attached employee statements. In short, S/A Neville admitted to hearing the rumor and taking part in talking about the rumor. He did state he meant nothing by it but he did take part. S/A Neville stated he did not remember where he first heard the rumor. I find this hard to believe. In my opinion he is attempting to protect someone which brings his integrity into question. S/A Huffman admitted hearing the rumor and also admitted telling S/A Warner about the rumor. S/A Huffman attempted to place a lot of the blame onto Sgt. Perry for apparently spending more time with S/A Dailey than she did other agents. He stated everyone sees it. S/A Warner admitted hearing the rumor from S/A Huffman on February 18, 2010 at the North Precinct. He also stated Huffman and Neville were inside the precinct making jokes about it while completing paperwork. He heard talk of the rumor from the same two agents again on February 25, 2010 after a training class at headquarters. S/A Warner then felt it necessary to inform Sgt. Perry of the rumors and she brought it to my attention. Both S/A Huffman and S/A Neville relayed to me the start of the rumor came from a question Sgt. Marlow had about some dinner reservations made on his computer while he was on military leave.

I spoke with Sgt. Marlowe on March 4, 2010 and asked him about the rumors. Sgt. Marlowe stated he had heard nothing about the rumors. He stated he did ask his agents who had been on his computer when he found the dinner reservations but no one knew. He stated there was no talk about Sgt. Perry or S/A Dailey or an inappropriate relationship at that time. He recalled a time when he asked me about being on his computer and I told him I had made dinner reservations and movie reservations for my wife and me for Valentine's Day. He stated after that conversation he never asked anyone else about it. I then asked Sgt. Marlowe how the rumor got started and he stated they (Huffman and Neville) had to have

started it on their own because he did not infer or mention anything about an inappropriate relationship to anyone. Sgt. Marlowe is currently in training to be deployed to Afghanistan. I have not been able to obtain a written statement from him at this point. I have been holding this disciplinary action packet for that reason. Sgt. Marlowe's father has fallen ill and I am unsure when I will be able to obtain his written statement. Therefore, I am forwarding this packet without his written statement.

Rumors will quickly destroy a unit as close as narcotics and cannot be tolerated in any fashion. They must be dealt with swiftly. I am fully aware everyone may jokingly make fun of another employee from time to time or even insinuate they are having an affair with someone they spend a lot of time with regardless of sex. The nature of this rumor was not done in a joking manner, it was presented and perceived in as an intentional and malicious attempt to discredit and undermine the authority of Sgt. Perry. It should be noted at the time of this incident both agents were reporting directly to Sgt. Perry which brings this incident very close to insubordination. Due to the nature of this violation and the potential for irreversible harm to the entire unit I have elevated the punishment from a verbal reprimand to a written reprimand to be placed in their personnel files.

In the past week I have had many in depth conversations with Sgt. Perry and Sgt. Allen as well as other members of the unit regarding this incident because the two teams are called upon to work in concert on a regular basis. It is my responsibility to ensure all members of this unit will able to work together as one cohesive team. I must make my decisions based on the good of the entire unit. It is my finding that the recent behavior of S/A Huffman and S/A Neville has caused a clearly defined division within the unit. Several agents stated they actually do not associate with them unless necessary because of unwanted or unneeded "drama". Sgt. Perry stated she does not feel comfortable working in this environment for fear one or both of them will intentionally do or fail to do something in an attempt to get her in trouble. Sgt. Perry and Sgt. Allen both feel the best decision for the good of the unit is to have both agents removed from the unit and reassigned to the Uniform Patrol Division. I maintain my position for the issuance of the attached written reprimand to be placed in their personnel files.

KLC

CC: File

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HENRY COUNTY POLICE DEPARTMENT

DISCIPLINARY ACTION FORM

Last Name: Huffman **First Name:** Charles **M.I.** E

Position: Special Agent **Date:** June 18, 2009

Supervisor Issuing Action: Sgt. Holly Perry

Check only one of the following:

[X] Verbal Reprimand [ ] Written Reprimand

Matter being brought to attention:

[ ]Tardiness	[ ]Vehicle Maintenance	[ ]Abuse of Leave Time
[ ]Uniform/Appearance (Not in compliance)	[ ]Lack of Proper Documentation	[ ]Failure to Complete Assignment
[ ]Lack Of Initiative	[ ]Sub-Standard Report Writing	[X]Other (explain)

Details: While on duty, S/A Huffman failed to follow the State Laws of Georgia when he was clocked on laser traveling 94 mph in a 65 mph zone on Interstate 75 northbound near mile marker 224. Sergeant J. Dixon performed a traffic stop on S/A Huffman who was operating an unmarked county vehicle. Lieutenant K. Conner was advised of S/A Huffman's driving behavior by Sergeant Dixon. S/A Huffman has no other disciplinary actions regarding his driving in his personnel file.

This Disciplinary Action is issued in compliance with ARTICLE XII SECTIONS II and/or III of the HENRY COUNTY PERSONNEL POLICY MANUAL

6-19-09
Signature of Person being Disciplined (Acknowledgement only) Date

Sgt. Holly Perry 6-19-09
Supervisor Issuing Action Date

Shift Commander Date

6-31-09
Division Commander Date

Form HCPD-06-0005 rev. 2/08

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HENRY COUNTY POLICE DEPARTMENT

Personnel Conduct Report

Personnel Conduct Report shall be used to document violations of departmental policy, substandard performance, employee counseling, and initiate corrective or disciplinary action.

Prior to the Personnel Conduct Report being submitted to the Supervisors, the affected employee shall be given the opportunity to review the entire report and charges and receive a copy once completed. They shall certify, by signing the notification section of the report, that they have been advised of the charges, and have been given the opportunity to submit a statement in their behalf. This action shall be required of all affected members. Employee may, at the discretion of the investigating officer, or higher authority, be asked to submit a statement.

Employee: Charles Huffman

Division/Watch: Narcotics Unit

Date: March 19, 2010

A. Brief statement of employee conduct and applicable violations:

On March 11, 2010, Agent Charles Huffman disobeyed a direct order from his superior officer, Lt. Kevin Conner, by directing the CAGE Unit to perform a take down of a suspected drug trafficker at the Sunoco gas station located at 900 Hwy 138W, Stockbridge, GA 30281, which resulted in a high speed pursuit and endangered the safety and lives of not only the pursuing Uniform Patrol Officers, but the safety and lives of the citizens of Henry County.

B. Witnesses: (Check box if witness statement attached)

_____ 1) Sgt. Woody Fowler

_____ 2) Officer Cornelius Webster

_____ 3) Officer David Lemacks

_____ 4) Officer Tony Hansen

_____ 5) Officer John McNair

_____ 6) Officer Jason Hamlin

C. Supporting documentation and exhibits:

1) Copy of Departmental Policy 105.01.8 and Departmental Policy 105.02.6

2) _____

D. Initiating Officer: Sergeant Jason Allen JKA

E. Notification of charges:

I, Charles Huffman, certify by my signature that I have been notified of the administrative charges against me and have been given the opportunity to review the Personnel Conduct Report subject of those charges and further certify that I have been given the opportunity to make a written statement to the record to be made part of this report. I understand that my signing this notification of charges is not an acknowledgment of guilt of any charges contained herein but is for the sole purpose of assuring proper notification of administrative charges against me.

Employee Signature: C Huffman Date: 3-22-10

Check one:

__✓__ Employee offered statement (attached)

_____ Employee declined to make statement

Notifying Officer's Signature: JKAllen JK Allen Date: 3-22-2010

_____

Notary Signature

Date

NOTE: Sections A thru E shall be completed and signed before forwarding to next level of supervision.

F. Recommendation/Action of Immediate Supervisor:

Recommend one (1) day suspension without pay.

Immediate Supervisor — Date: 3-22-2010

G. Recommendation/Action of Watch Commander:

Recommend two (2) day suspension without pay. Lawful orders must be followed without question. While this incident ended with no major injuries, several lives were placed in danger and could have easily ended with catastrophic results.

Watch Commander — Date: 3-22-2010

H. Recommendation/Action of Division Commander:

Recommend a five (5) day suspension without pay. Failure to obey a lawful order cannot be tolerated!

Division Commander — Date: 4-2-10

I. Recommendation/Action of Deputy Chief of Police:

Deputy Chief of Police — Date

J. Final disposition/review by Chief of Police:

40 Hour Suspension w/o pay.

Chief of Police — Date: 4-6-10

HENRY COUNTY POLICE DEPARTMENT

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Phone (770) 288-8200 • Fax (770) 288-8400

Keith Nichols
Interim Chief of Police

HENRY COUNTY POLICE DEPARTMENT
INTRA OFFICE MEMORANDUM

TO: **Lt. Kevin Conner**

FROM: **Sgt. Jason Allen**

RE: **Agent Neville/Agent Huffman Disciplinary Action**

DATE: **March 19, 2010**

This is in reference to disciplinary action being administered to S/A Charles Huffman and S/A William Neville. On Thursday, March 11, 2010, S/A Huffman and S/A Neville were directing an operation at the Sunoco gas station located at 900 Hwy 138W, Stockbridge, GA 30281, in which an identified suspect was to deliver narcotics to a confidential informant. S/A Neville advised the Drug Unit Commander, Lt. Kevin Conner, by telephone the he (S/A Neville) intended to direct a "buy-walk" operation followed by a traffic stop performed by the CAGE UNIT. Lt. Conner advised S/A Neville that due to manpower limitations, he (S/A Neville) was not to perform the operation in that manner. A previous undercover operation at the Well Spa located on Jodeco Road had run longer than expected, therefore, sufficient personnel was not available. S/A Neville decided to direct a take-down on the suspect's vehicle once the suspect vehicle arrived at the Sunoco and advised Lt. Conner of this change in plans. Lt. Conner rejected the plan and ordered S/A Neville not to perform a take down of any kind in the Sunoco parking lot. Lt. Conner explained a "takedown" would require an approved written operations plan, more narcotics personnel, and either Sgt. Perry or himself to be present. Because of the Well Spa investigation that was not going to be possible. Lt. Conner advised S/A Neville if the operation was to proceed, S/A Neville and S/A Huffman would not take the vehicle down in the parking lot. Lt. Conner advised S/A Neville that he (S/A Neville) could identify the suspect vehicle for the CAGE UNIT, allow the vehicle to leave the parking lot and get back onto the roadway, and the allow the CAGE UNIT to conduct a traffic stop. S/A Neville acknowledged Lt. Conner's orders.

S/A Neville relayed the change in plans to the CAGE UNITS over RADIO NARC. S/A Neville advised the CAGE UNITS once the vehicle arrived it would be identified and then a marked unit would perform a traffic stop. Agent Hanson asked a couple of clarifying questions about someone following the suspect until he was in a position to perform the traffic stop. Once the suspect vehicle arrived at the Sunoco, S/A Neville changed the plan and advised the CAGE UNIT officers to come into the parking lot with blue lights on, make contact with the vehicle, and immediately arrest the suspect. S/A Neville advised the CAGE UNIT he (S/A Neville) already had probable cause to arrest the suspect. The conversation between S/A Neville and the CAGE UNIT officers can be heard on the enclosed copy of the RADIO NARC traffic from that day.

On Monday, March 15, 2010 Lt. Conner received information that S/A Neville had directed the take down to take place inside the Sunoco parking lot. Lt. Conner advised me of the new information regarding the take down. I had a meeting with S/A Neville, as witnessed by Lt. Conner, to inquire of the details surrounding the events of that night. S/A Neville advised me after receiving Lt. Conner's orders to have CAGE officers

perform a traffic stop on the roadway after the vehicle left the Sunoco, he (S/A Neville) and S/A Huffman discussed options of how to affect the arrest of the suspect. S/A Neville advised me he (S/A Neville), after having briefed CAGE officers on the operation plan of allowing the vehicle to leave the parking lot and performing a traffic stop, changed the plan again. S/A Neville stated he (S/A Neville) directed over RADIO NARC channel for CAGE UNIT officers to go ahead and enter the Sunoco parking lot with blue lights on, make contact with the vehicle, and arrest the suspect. S/A Neville stated this information twice to me before changing his (S/A Neville) account to say he did not direct CAGE officers to use blue lights to affect the stop in the parking lot. In my opinion, S/A Neville either changed his version of the account to reflect better on his participation or displays incompetence in his duties as a Special Agent in this upstanding unit, either of which reflects poorly not only on S/A Neville but on the Narcotics Unit as a whole. S/A Neville advised he believed what he directed CAGE officers to do were nothing more than a traffic stop in the parking lot. S/A Neville advised he and S/A Huffman were across Hwy 138 observing the parking lot, when the take down occurred. S/A Neville recounted how the (S/A Neville) witnessed Agent Hanson nearly miss the parking lot, enter the parking lot, and position his patrol car behind the suspect's vehicle. I asked S/A Neville if the CAGE officer activated the blue lights when he was in the parking lot, to which S/A Neville advised he could not remember. I find this difficult to believe. S/A Neville described being in a vantage point during the take down that would have allowed him to see whether or not the blue lights of the take down car were activated. This fact brings S/A Neville's integrity and honesty into question, which is a severe issue not only in this unit, but also in the Department. Lt. Conner asked S/A Neville whose decision it was to change the plan in direct opposition to Lt. Conner's given orders. S/A Neville responded, "I did".

On Wednesday, March 17, 2010, I was approached by S/A's Huffman, Neville, and Gore who asked me several questions regarding the new direction of the unit. During this conversation S/A Huffman and S/A Neville attempted to convince me what had occurred was within the orders given by Lt. Conner. I advised them what S/A Neville had advised was without question a take down in the parking lot of the Sunoco and in direct opposition to Lt. Conner's given orders. I heard S/A Huffman state it wasn't just S/A Neville's decision to have CAGE officers contact the suspect in the parking lot, he (S/A Huffman) and S/A Neville had made the decision together. In my opinion S/A Huffman and S/A Neville were angry and displeased with mine and Lt. Conner's belief that what occurred in the parking lot of the Sunoco was a take down and not merely a traffic stop on private property.

On Thursday, March 18, 2010, I was approached by S/A Huffman in my office. He expressed regret for the tone in which he spoke to me the night previous regarding the take down in the parking lot. I advised S/A Huffman I desired to clarify a remark he made regarding his part in the decision making to stop the suspect vehicle in the parking lot. I advised S/A Huffman if he (S/A Huffman) discussed options with S/A Neville that were within the orders given by Lt. Conner I would defend his position to Lt. Conner. I further stated if he (S/A Huffman) knew Lt. Conner's orders to not direct a take down in the parking lot and discussed options outside the limits of that order, I could not defend that action and I would have to report that relevant information to Lt. Conner. S/A Huffman stated he wasn't sure if S/A Neville told the CAGE UNIT to use their blue lights to stop the vehicle but he (S/A Huffman) and S/A Neville discussed the new plan and they both agreed to enact it. S/A Huffman further stated if that meant he would get disciplined along with S/A Neville that was understandable because he was just as responsible for what occurred in the parking lot as S/A Neville. During this same meeting S/A Huffman made a statement to me I feel is important for me to pass along to you. S/A Huffman advised me (non-threateningly) what I needed to do was just sit back and let them (S/A's Huffman, Neville, and Gore) "do their thing" and they would bring in the arrests and make me look good. S/A Huffman said he knew as a Sergeant I needed to nudge them here and there and to make small corrections on paperwork but for the most part they were a well ran machine and I need to do nothing but sit back, relax, and let them lock some people up. I advised S/A Huffman that was absolutely not going to happen. I explained to him I was a Sergeant and they would follow my lead. I also advised him I would be heavily involved in any and all investigations my team conducted. S/A Huffman responded by saying some of the agents didn't know if they wanted to do things that way. I then advised S/A Huffman to have whatever agents felt that way to come forward and I would assist them in filling out the proper transfer paperwork.

As a result of S/A Neville and S/A Huffman's decision to go against a direct order from Lt. Conner, CAGE officer entered the parking lot and attempted to arrest the suspect. The suspect fled the scene through the parking lot and out onto the roadway where a high speed pursuit ensued. The pursuit ended with the suspect losing control of the vehicle and wrecking. The front seat passenger attempted to pull a knife on CAGE officers and was tased as a result. This situation was not only dangerous to the CAGE UNIT officers but to the citizens of Henry and Clayton Counties whom were in the path of the pursuit as well as to the suspects.

S/A Neville and S/A Huffman's decision to disregard an order from their superior officer, Lt. Conner, is in direct violation of Henry County Police Department Policy 105.02.6 (Lawful Orders) which requires all employees of the department to promptly obey any and all direct lawful orders given by a supervisor, and Henry County Police Department policy 105.01.8 (Insubordination) which forbids any employee of the agency to willfully disregard the expressed or implied directions of a superior officer. See the attached policies. In my opinion S/A's Neville and Huffman have accepted responsibility for making the decision to stop the vehicle in the parking lot of the Sunoco, but refuse to accept the responsibility what occurred was in direct violation of Lt. Conner's orders and, therefore, a violation of Departmental policy.

Based on my investigation of the events that occurred on March 11, 2010 I find that S/A Huffman and S/A Neville violated HCPD Policy 105.01.8 (Insubordination) and HCPD Policy 105.02.6 (Lawful Orders). S/A Huffman acknowledged receipt of the HCPD Policy Manual on November 15, 2007. S/A Huffman acknowledged receipt of HCPD Policy 105.00 on February 20, 2009 at 11:01 a.m. and again on March 6, 2009 at 10:31 p.m. S/A Neville acknowledged receipt of the HCPD Policy Manual on March 3, 2008. S/A Neville acknowledged receipt of HCPD Policy 105.00 on February 20, 2009 at 12:28 a.m. HCPC Policy 105.00 was made effective on February 9, 2008 by then Chief Colonel R.S. Abernathy. See the attached policy acknowledgement sheets.

I recommend a one day suspension without pay for each employee. Direct and Lawful orders must be followed for the safety and concern of everyone involved. Any deviation cannot be tolerated. Any further actions of this nature should result in more severe punishment.

JKA

CC: File

HENRY COUNTY POLICE DEPARTMENT

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Phone (770) 288-8200 • Fax (770) 288-8400

Keith Nichols
Interim Chief of Police

HENRY COUNTY POLICE DEPARTMENT
INTRA OFFICE MEMORANDUM

TO: **Lt. Kevin Conner**

FROM: **Sgt. Jason Allen**

RE: **PCR Notification of Agent Charles Huffman**

DATE: **March 24, 2010**

On March 22, 2010, Lt. Kevin Conner and Sgt. Jason Allen held a meeting with Agent Huffman. The purpose of the meeting was to notify Agent Huffman that Sgt. Allen had completed a Personal Conduct Report (PCR) for Agent Huffman's role in the March 11 take down of a suspect at the Sunoco gas station, located at 900 Hwy 138W, Stockbridge, GA 30281. This take down was in complete opposition to a direct order from Lt. Conner on how the operation was to proceed.

When presented with the PCR and asked to make any statements, Agent Huffman stated that prior to the take down he (Agent Huffman) was aware that Lt. Conner had ordered the vehicle not be taken down in the parking lot, and was to only be pulled over by an officer of the CAGE Unit in a traffic stop. Agent Huffman stated he (Agent Huffman) was not aware it was necessary that the suspect's vehicle leave the parking lot of the Sunoco prior to CAGE stopping it. Agent Huffman did state that he (Agent Huffman) and Agent William Neville discussed having the CAGE unit make contact with the suspect's vehicle in the parking lot. Agent Huffman stated that he understood Lt. Conner's order as to not block the car from leaving the parking lot, and to only have the CAGE Unit pull the suspect's vehicle over in a traffic stop.

When further questioned by Lt. Conner as to whether or not a vehicle that is stopped at a gas pump can realistically be pulled over in a traffic stop, Agent Huffman admitted that a traffic stop is not possible in those circumstances. Agent Huffman also stated that he did in fact have input and a direct role in the decision making of having the CAGE officers make contact with the suspect in the parking lot. Agent Huffman further admitted that making contact with the suspect's vehicle in the parking lot was not a traffic stop. Agent Huffman then conceded that making contact in the parking lot was not what Lt. Conner had ordered.

JKA

HENRY COUNTY POLICE DEPARTMENT

Committed to the protection of life and property, through excellence in the fields of prevention, enforcement, and apprehension, guided by the principles of integrity, professionalism, cooperation and concern for human dignity

TYPE OF COMMUNICATION	DISSEMINATION	DESTINATION	NUMBER	PAGE (S)
General Order	**Department**	**Directives Manual**	**105.00**	**1 of 15**
TOPIC	**EFFECTIVE**	**CERTIFICATION**	**APPROVED BY**	**NEW XX AMENDS RESCINDS**
Rules And Regulations	**02/09/2008**		**Col. R.S. Abernathy**	

The Rules and Regulations of the Henry County Police Department have been adopted to give the employees of the Department a clear understanding of what is expected of them. These regulations are applicable to each employee and a violation of such will result in disciplinary actions as prescribed by the department.

105.01 PROFESSIONAL CONDUCT AND RESPONSIBILITIES

Purpose:

Because of the responsibility of an employee of the Henry County Police Department and his/her visible position within the community in both his/her public and private life, the following work rules will be obeyed while an employee is both on and off duty.

105.01.1 APPROPRIATE ACTION REQUIRED

The demands for the Henry County Police Department service are many, varied, and often extreme. Employees shall meet these challenges by responding in an appropriate manner to whatever situation they encounter by:

A. Being considerate of the rights, feelings, and interests of all persons.

B. Taking action in each situation to provide the necessary service and insuring the notification of the proper superiors when indicated by the circumstances.

C. Requesting the assistance of supervisors when the appropriate action required is either not clear, not possible under the circumstances, or not

C. During their suspensions, employees are divested of all legal authority to act as law enforcement officers in any capacity for this Department, which includes any off-duty employment.

105.01.8 INSUBORDINATION

No employee of this Department shall willfully disregard the expressed or implied directions of a superior officer, whether written or oral. Such willful disregard may be expressed or implied.

105.01.9 CRITICISM

Employees of this Department will not publicly or maliciously criticize any employee or any order, action, or policy of this Department or other governmental departments. Criticism, when required will be directed only through official department channels to correct any deficiency, and will not be used to the disadvantage of the reputation or operation of the Department or any employees.

105.01.10 CONFIDENTIALITY OF DEPARTMENT BUSINESS

Discussion of the operations and official business of the Department, division, unit, or assignment, which are of a confidential nature, with anyone, without the permission of a supervisor, is prohibited. Additionally, all employees are prohibited from passing criminal history, driver's history information, or any other document that is considered confidential to unauthorized persons.

105.01.11 CONFIDENTIALITY OF DEPARTMENTAL RECORDS

No employee of this Department will obtain, review, browse, inspect or "pull up" cases within the CAD or CRIME System nor records in the Records Department without having an authorized reason for reviewing the case or record. In addition, no employee shall disburse, distribute or disseminate any information concerning any employee of the county without authorization from the Chief of Police or designee.

105.01.12 DUTY TO REFRAIN FROM GIVING PERSONAL INFORMATION

No employee of this Department will disclose any private telephone number or address of any employee with the Department to the general public.

105.01.13 PROVIDE RESIDENCE ADDRESS AND TELEPHONE

Employees will maintain a working telephone at their residence. Employees will complete a Change of Information Form and promptly notify the Chief's Office via Chain of Command.

B. Employees of this Department will not refer to any person in a derogatory manner because of his/her sex, race, color, religion, or political preference.

105.02.4 COMMAND RESPONSIBILITY

A. Supervisors will enforce the Rules and Regulations of the Department and will ensure the proper conformity to the department directives and procedures.

B. Supervisors will take immediate, appropriate action(s) when the conduct of employees is contrary to the public interest or the good reputation or proper operation of the Department. Supervisors will avoid censuring subordinates in the presence of others, and will not injure or discredit those under their authority by intentional or abusive conduct.

105.02.5 ISSUANCE OF ORDERS

Orders from supervisors to employees of this Department will be clear, understandable, expressed in civil tone and manner, and issued pursuant to departmental business.

105.02.6 LAWFUL ORDERS

All employees of this Department will promptly obey any and all direct lawful orders given by a supervisor.

105.02.7 UNLAWFUL ORDERS

A. No supervisor shall knowingly issue any order, which is in violation of any law, ordinance, or departmental rule.

B. Obedience to an unlawful order is never a defense for an unlawful action; therefore, employees are not required to obey any order, which is contrary to any law or ordinance.

C. Refusal to obey an order rests with the officer or employee, and if they do refuse an order, they are required to provide a written justification for the refusal through the Chain of Command.

105.02.8 IMPROPER ORDERS

A. Employees, who are given an order, which they feel is an improper or unjust order, may first question the order in a professional and respectful manner with the issuing authority.

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BETWEEN REPORTS

4744

HENRY COUNTY POLICE DEPARTMENT

DISCIPLINARY ACTION FORM

Last Name: Huffman **First Name:** Charles **M.I.** E

Position: Officer / U.P.D. / Day North **Date:** 02-04-2011

Supervisor Issuing Action: Sgt. Joseph Smith

Check only one of the following:

[*] **Verbal Reprimand** [ ] **Written Reprimand**

Matter being brought to attention:

[ ]**Tardiness**	[ ]**Vehicle Maintenance**	[ ]**Abuse of Leave Time**
[ ]**Uniform/Appearance (Not in compliance)**	[ ]**Lack of Proper Documentation**	[ ]**Failure to Complete Assignment**
[ ]**Lack Of Initiative**	[ ]**Sub-Standard Report Writing**	[*]**Other (explain)**

Details: On 02-04-2011 at approximately 06:45 hours, you (Ofc. Charles Huffman) were involved in an auto accident in which you were listed as at fault (Case# 11-001952). While traveling North on East Atlanta Road in Stockbridge, Ga., you struck a construction barrel with the passenger mirror of your assigned patrol car causing the mirror to be damaged. Your actions were in violation of Henry County Police Policy # 105.04.3 (b) Rules and Regulations regarding the safe operation of county vehicles. A review of your file indicated this is the first incident of this kind in 2011. These actions show that you were not attentive concerning drivers safety. You are responsible for scheduling with the Risk Management Office to attend the next available Defensive Drivers Course. Once scheduled you must inform Lt. Bratton of the time and date so that it may be listed on the work schedule. Let this show as a Verbal Reprimand and any violations similar in nature could result in more severe disciplinary actions against you.

This Disciplinary Action is issued in compliance with ARTICLE XII SECTIONS II and/or III of the HENRY COUNTY PERSONNEL POLICY MANUAL

C. Huffman 2-9-11
Signature of Person being Disciplined (Acknowledgement only) Date

SGT Joseph Smith 2-9-2011
Supervisor Issuing Action Date

Lt Arthur A Bratton Sr 2/9/2011
Shift Commander Date

CAPTAIN James H Haney 02/10/11
Precinct Commander Date

FILE REVIEWED (CONCUR W/VERBAL REPRIMAND)

2/10/11
Division Commander Date

Form HCPD-06-0005 rev. 6/10

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HENRY COUNTY POLICE DEPARTMENT

DISCIPLINARY ACTION FORM

Last Name: Huffman First Name: Charles M.I. E.

Position: Patrol Officer Date: 02-28-2011

Supervisor Issuing Action: Sergeant R. K. Harned

Check only one of the following:

[☐] Verbal Reprimand [☒] Written Reprimand

Matter being brought to attention:

[☐] Abuse of Leave Time [☐] Failure to Complete Assignment [☐] Lack of Initiative

[☐] Vehicle Maintenance [☐] Lack of Proper Documentation [☐] Tardiness

[☐] Uniform/Appearance (Not in compliance) [☐] Sub-Standard Report Writing [☒] Other (explain)

Insubordination and Conduct

Details:

On Friday, February 18, 2011 at approximately 1345 hours, you and Ofc. R. Alicea were investigating a suspicious person call at Wynnwood Lane and Winthrop Lane that had been called in by an off-duty Riverdale PD. Sergeant (Sgt. Paul Wilburn). While on the scene, Ofc. Alicea asked to borrow your HCPD issued camera so that he might take pictures of the suspects for future reference. You did not make your camera available to him because you had not placed the batteries in it so that it was operational. You had been previously ordered three times to have your camera prepared for use. This situation forced Ofc. Alicea to borrow a camera from Sgt. Wilburn to complete his task at the scene. Additional work was also created for all in that Sgt. Wilburn was placed in a position to have to send Ofc. Alicea the photos at a later date, thereby delaying his use of the photos – when this could have been completed within the HCPD had your equipment been in order. Officer Huffman, you have violated the following HCPD policies: 105.01.3 (A): Cooperation by not being cooperative to Ofc. Alicea in helping him with his request., 105.01.5 (A)(C) Conduct in that you failed to act in a manner that reflected favorably on you and the HCPD, and as such, brought discredit to the HCPD, and 105.01.08 Insubordination by refusing to follow a directive given to you on three different dates to have your issued camera set up and ready to use for duty. Officer Huffman, it is imperative that you not only demonstrate a cooperative attitude with your fellow officers in the future, that you perform in a manner that reflects favorably upon you and the HCPD, and that you follow orders and directives as they are given – without regard to your agreement with them. I do not expect the actions and behaviors noted herein to be recurring issues. Your failure to properly conduct yourself and follow orders could result in stronger and possibly more punitive disciplinary action for future violations.

This Disciplinary Action is issued in compliance with ARTICLE XII SECTIONS II and/or III of the HENRY COUNTY PERSONNEL POLICY MANUAL

x [signature] 3-3-11

Signature of Person being Disciplined (Acknowledgement only) Date

[signature] 3715 03-03-11

Supervisor Issuing Action Date

[signature] 03-07-11

Shift Commander Date

[signature]

PRECINCT COMMANDER

[signature] 3/29/11

Division Commander Date

Form HCPD-06-0005 rev. 2/08

HENRY COUNTY POLICE DEPARTMENT

108 South Zack Hinton Parkway. • McDonough, Georgia 30253
Phone (770)288-8200 • Fax (770) 288-8400

Keith Nichols
Chief of Police

TO: LT. P. Bratton, Commander – Day Watch - North

FROM: SGT. R. Harned, Patrol Sgt. – Day Watch - North

DATE: February 28, 2011

SUBJECT: Complaint against **OFC. C. HUFFMAN #4744**

1. **Complaint Details:**

On Friday, February 18, 2011 at approximately 1345 hours, Officers Charles Huffman and Rich Alicea were dispatched to Wynnwood Lane and Winthrop Lane regarding two suspicious males who were involved in a dispute with an off-duty Riverdale PD unit (Sgt. Paul Wilburn/in uniform) at the scene.

> Basically, Sgt. Wilburn, who is a resident of the neighborhood – saw two males that he thought were casing a home two doors away from a recent armed robbery/ home invasion in the neighborhood – he made contact with them and a dispute ensued – leading him to call HCPD for assistance.

While investigating the incident, Officer Alicea wanted a camera to take photos of the suspects in this case – as a follow-up resource if needed. As he is a Reserve Officer, he did not have an issued camera for his use and asked Ofc. Huffman to use his camera. Officer Huffman did not provide Ofc. Alicea with his camera and remarked to him that it "was not put together". No effort was made to get the camera and simply place the batteries in it so Ofc. Alicea could use it. As a result, Ofc. Alicea resorted to asking Sgt. Wilburn if he could use his camera. Sgt. Wilburn retrieved his camera and gave it to Ofc. Alicea to use. Ofc. Huffman confirmed that Ofc. Alicea was taking over the call and left the scene. Ofc. Alicea issued criminal trespass warnings to the suspects and returned to service after returning the camera to Sgt. Wilburn, who agreed to download the pictures and send them to Ofc. Alicea.

2. **Findings:**

After obtaining verbal and written statements from Ofc. Huffman and Ofc. Alicea, as well as speaking with **Sgt. Wilburn**, I have been able to ascertain the following:

I find Ofc. Huffman to be in violation of the following HCPD Policies:

> **105.01.3 (A) Cooperation**: "Employees will promptly cooperate with other Department employees and the employees of any other public agency toward the accomplishment of any public responsibility."
>
> It is apparent that Ofc. Huffman was not cooperative with Ofc. Alicea – a fellow HCPD Officer, when he did not share the use of his camera with him after a request to do so. This refusal to be cooperative not only was embarrassing to Ofc. Alicea, but it also presented HCPD officers as uncooperative with each other to a representative of another Law Enforcement Agency.

105.01.5(A)(C) Conduct: (A)"Employees of this Department will conduct themselves in such a manner as to reflect a favorable image on themselves and the Department. (C) "Employees of this Department will not act in an official or private capacity in such a manner as to bring discredit upon the Department or upon themselves. Such conduct is unbecoming and prohibited."

It does NOT appear that Ofc. Huffman, based on his conduct in this incident, did so in a manner that reflected favorably on himself or the Department. In violating the conditions of part (A), he also violated part (C) as the Department was discredited based on his actions, or lack thereof. Additionally, he created a situation that caused the Complainant – Sgt. Wilburn, to have to go out of his way to provide us with documentation (photos) that could have been obtained from within the HCPD by its own officers.

105.01.08 Insubordination: "No employee of this Department shall willfully disregard the expressed or implied directions of a superior officer, whether written or oral. Such willful disregard may be either expressed or implied."

Officer Huffman was told on three (3) different dates to have his camera set up and in working order:

1. On Thursday, February 10, 2011 – Ofc. Huffman was told by Sgt. J. Smith to have his camera set up and prepared for use after he was involved in an on-duty accident and his camera was not available to document the damage.

2. On Friday, February 11, 2011 - Ofc. Huffman was told by me to get his camera set up and in working order so that he could use it on duty.

3. On Friday, February 18, 2011 – Ofc. Huffman was briefed with the on-duty shift that day to get their cameras set up and it working order so that they could be used properly.

Officer Huffman clearly disregarded these three separate orders to get his camera set up and in working order. In his statement regarding this incident, he readily admits that his camera was "not put together." This apparent willful disregard for these directives clearly shows insubordinate behavior – and the fact that his camera was not in working order appears to be a central point in this incident. His blatant disregard to follow the directive to have his camera prepared shows a lack of respect for his Supervisors on the Watch.

I have reviewed Officer Huffman's file and noted the following previous disciplinary actions within the last 12 month period. On 03-16-2010 a letter of reprimand was issued for rumor spreading, on 03-19-2010 a PCR was issued for insubordination – resulting in a 40 hour suspension, and on 02-04-11 a verbal reprimand was received for a minor chargeable vehicle accident.

3. **Recommendations:**

I recommend that Officer Huffman receive: **A written Letter of Reprimand**

R.K. Harned: _____
Sergeant
Day Watch – North Precinct

Enclosures:

1. **Statement of Ofc. Rich Alicea**
2. **Statement of Ofc. Huffman**
3. **Radio call CAD Report**

I concur with Sergeant Harned's Recommendation. Prepare disciplinary action form. [illegible]

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Henry County Police Department
Personnel Conduct Report

Purpose Statement

The Personnel Conduct Report shall be used to document violations of departmental policy that has the potential to result in adverse disciplinary action.

Prior to the Personnel Conduct Report being submitted to the Command Staff, the affected employee shall be given the opportunity to review the alleged charges. The employee shall certify, by signing the notification section of the report, that they have been advised of the charges, and have been given the opportunity to submit a statement on their behalf. The employee may obtain a copy of the investigation in its entirety, to include witness statements, and other supporting documents by submitting an Open Records Request ten (10) days after its conclusion.

Affected Employee

Employee Name:	I.D. #	Date of Hire:
Charles E. Huffman	4744	02-11-2008
Division & Watch:	**Date:**	**Contact Number:**
Uniform Patrol Division / North Precinct / Day	05-19-2011	404-510-2944

Initiating Officer

Name & Rank:	I.D. #	Contact Number:
Sergeant Joseph Smith	885	678-414-4678

Witnesses

(Check Box If Statement Attached)

Name:	Statement	Name:	Statement
Officer Corran A. Murry	✓	Patricia L. Warren	✓
Officer Robert P. Hohenstein	✓	Officer Darryl S. Hatch	✓
Officer Antonio J. Mellon	✓		

Supporting Documentation

(Check Box If Attached)

Incident Report		Intoxilizer Report		Vehicle Impound Sheet		Other: Ofc. Huffman Statement	✓
Accident Report		Photographs		Off-duty Job Request		Other: Copies of Policies	✓
Use of Force Report		Complainant Statement(s)	✓	Criminal/Driver History		Other: P.C.R dated 03-22-2010	✓
ECD Supplemental		Officer Statement(s)		CAD History/Report		Other: D.A.F (L.O.R) 02-28-2011	✓
Vehicle Pursuit Report		Witness Statement(s)	✓	Audio/Video Recordings		Other:	

Administrative Charges

HCPD SOP:	HCPD SOP:
105.01.3 Cooperation	105.01.5 Conduct
HCPD SOP:	HCPD SOP:
105.01.8 Insubordination	105.02.2 Courtesy

Employee Name:	Initiating Supervisor:
Charles E. Huffman	Sergeant Joseph Smith

Detailed Statement of Employee Conduct

Directions: Discuss in detail the facts and circumstances surrounding the events, which led to this Personnel Conduct Report. Be as thorough as possible.

See Attached Statement of Employee Conduct.

DETAILED STATEMENT OF EMPLOYEE CONDUCT

On Thursday May 5th, 2011 around 15:00 hours Day Watch Officers were sitting in the North Precinct Squad room at the end of shift completing paperwork. While all officers were in the squad room, Patricia Warren approached Ofc. Huffman to advise him that a victim involved in Ofc. Huffman's case was enroute to the precinct. A verbal exchange between Patricia Warren and Ofc. Huffman began. The verbal exchange was in reference to Ofc. Huffman being advised by Patricia Warren that the victim was enroute to meet with Ofc. Huffman and she needed his assistance. Instead of Ofc. Huffman providing assistance in this matter, he instructed Mrs. Warren on how she could assist the victim herself. This incident was witnessed by Ofc. C. Murry. (See enclosure 1 Ofc. Murry statement).

After the verbal exchange between Mrs. Warren and Ofc. Huffman, Mrs. Warren went back into her office. Officers Hohenstein, Hatch and Mellon entered the civilian employee's office to get assistance from Mrs. Warren. During this time frame is when an incident occurred. Ofc. Huffman entered Mrs. Warren's office, unsnapped his duty holster and placed his finger to the back of Patricia Warren's head while her back was turned. After Mrs. Warren and other officers present questioned Ofc. Huffman's actions, he repeated his actions again. (Officers present in Mrs. Warren's office were R. Hohenstein, D. Hatch and A. Mellon.) Officers Hohenstein, Hatch and Mellon later provided statements that corroborated the statement of Mrs. Warren. (See enclosures 2,3,4,5 of statements from Patricia Warren, Officers Hohenstein, Hatch and Mellon).

Ofc. Huffman then left Mrs. Warren's office to meet with Sgt. Smith. At this point Ofc. Huffman made no mention as to the incident that just occurred in Mrs. Warren's office. Instead, Ofc. Huffman advised Sgt. Smith that he had made a mistake on an accident report and the victim wanted to report an act of Identity Theft. The victim's name had been used in an auto accident. Not knowing that the victim was enroute to the precinct, Sgt. Smith instructed Ofc. Huffman to contact the victim to have him provide a written statement, as well as take a photo of the victim and obtain a copy of his driver's license. Ofc. Huffman was disingenuous towards Sgt. Smith by not providing factual information as to what had occurred in Mrs. Warren's office.

At approximately 15:40 hours Sgt. Smith instructed all officers to leave for the end of the day. Sgt. Smith later entered Mrs. Warren's office and she explained that Ofc. Huffman's victim was in the lobby. At this point, Mrs. Warren began to explain the events that occurred previously in her office and in the squad room involving Ofc. Huffman. Sgt. Smith explained to Mrs. Warren that he would assist the victim and would meet with Ofc. Huffman in the morning concerning policy infractions. Sgt. Smith then obtained a written statement from the victim (11-006748), as well as a photo and copy of the victim's driver's license. Sgt. Smith contacted Ofc. Huffman and explained to him that Sgt. Smith met with his victim and completed the assignment that he should have completed. Sgt. Smith informed Ofc. Huffman that he would meet with him the next morning.

On Friday May 6th, 2011 Sgt. Smith requested statements from all witnesses involved. Patricia Warren had provided a written statement to Sgt. R. Harned on the evening of the incident. Sgt. Smith then obtained statements from other officers who witnessed the incident. In reviewing Officers Hohenstein, Hatch and Mellon' statements, they confirmed the events that took place in Mrs. Warren's office. In their statements all officers made corrective comments concerning Officer Huffman's actions which they believed the incident to be inappropriate. Sgt. Smith then met with Lt. Bratton to inform him the status of events. The decision was made by Lt. Bratton to temporarily assign Ofc. Huffman to the South Precinct pending the investigation.

Sgt. Smith then obtained a written statement from Ofc. Huffman. Ofc. Huffman explained that he did not know that the victim was enroute to the precinct and only advised Mrs. Warren to get a statement from the victim "if" he showed up to the precinct. Ofc. Huffman also did not deny the snapping action of his holster and placing his finger to the back of Mrs. Warren' head. (See enclosure 6 Ofc. Huffman's statement). Sgt. Smith explained to Ofc. Huffman that the incident in Mrs. Warren's office was inappropriate and could constitute work place harassment. Furthermore, Sgt. Smith explained to Ofc. Huffman that his actions of not informing the supervisor of the incident that occurred in Mrs. Warren's office and in the squad room were disingenuous. By directing Mrs. Warren to obtain a written statement from the victim he contradicted the orders that Sgt. Smith had given him. Sgt. Smith explained to Ofc. Huffman that he would prepare a disciplinary package with his recommendations to Lt. Bratton.

Sgt. Smith instructed Ofc. Huffman to not make any further comments that would place Mrs. Warren in an uncomfortable working environment. Sgt. Smith instructed Ofc. Huffman to report to the Lt. C. Simmons for duty on Wednesday May 11th, 20011 until further instructed by Lt. Bratton. On Monday May 9th, 2011 Sgt. Smith met with Ofc. Murry to obtain the written statement. Ofc. Murry corroborated the verbal exchange in the squad room between Ofc. Huffman and Mrs. Warren. Ofc. Murry stated that he did make comments to Ofc. Huffman that he should assist the victim and that it was not Mrs. Warren's responsibility. (See enclosure 1 Ofc. Murry Statement).

Employee Name:	Initiating Supervisor:
Officer Charles E. Huffman	Sergeant Joseph Smith

Applicable Administrative Charges

Directions: List the applicable HCPD SOP Violations and illustrate how each policy was violated by affected employee. Be as thorough as possible.

See Attached Copy of Administrative Charges.

ADMINISTRATIVE CHARGES

105.01.3 – Cooperation

HCPD SOP subsections (A) states, "Employees will promptly cooperate with other Department employees and with the employees of any other public agency toward the accomplishment of any public responsibility."

Officer Charles Huffman violated this policy when he failed to cooperate with civilian employee Mrs. Warren concerning his responsibility to meet and assist the citizen with his concerns regarding a police report.

105.01.5 – Conduct

HCPD SOP subsection (D) states, "Any action in the form of intimidation, humiliation, insult, or subjecting someone to offensive physical or verbal abuse, or actions of a sexual, ethnic, racial, or religious nature is prohibited."

Officer Charles Huffman violated this policy when he made an action that placed Mrs. Warren in a state of intimidation by unsnapping his duty holster and placing his finger on the back of Mrs. Warren's head.

105.01.8 – Insubordination

HCPD SOP states, "No employee of this Department shall willfully disregard the expressed or implies directions of a superior officer, whether written or oral. Such willful disregard may be expressed or implied."

Officer Charles Huffman violated this policy when he changed Sergeant Smith's order which directed him to get a statement, to obtain identification and a photo of the victim. Instead, Ofc. Huffman informed Mrs. Warren to obtain a statement from the victim when he arrived. These actions were misleading or disingenuous in nature.

105.02.2 Courtesy

HCPD SOP subsection (A) states, "Employees of this Department will be civil, orderly, and courteous to the public, co-workers, and supervisors. Employees will not use coarse, insensitive, abusive, violent, or profane language."

Officer Charles Huffman violated this policy when he made statement's to Mrs. Warren in the squad room to the effect that is wasn't his responsibility to assist the auto accident / fraud victim.

Employee Name:	Initiating Supervisor:
Officer Charles E. Huffman	Sergeant Joseph Smith

Notification of Charges

I, Charles E. Huffman, certify by my signature that I have been notified of the administrative charges against me and have been given the opportunity to review the charges. I further certify that I have been given the opportunity to make a written statement to the record, which will be made a part of this report. I understand that my signing this Notification of Charges is not an acknowledgment of guilt of any charges contained herein, but is for the sole purpose of assuring proper notification of administrative charges against me.

Employee Signature: C Huffman **Date:** 6-8-11

Check One:

☑ Employee Offered Statement (Attached) See Statement provided 5-6-11

☐ Employee Declined to Make Statement

Notifying Officer Signature: SGT J Smith **Date:** 6-8-2011

NOTARY

Sworn to and Subscribed before me - This 8 **Day of** June, 20 11

Notary Public Signature: Lynn P Norman

My commission expires:

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

Employee Name: Officer Charles E. Huffman	Initiating Supervisor: Sergeant Joseph Smith

Recommendation/Action

40 hours non-paid suspension. Employee attend Anger Management Course at his own scheduling and expense within 30 days. Attend Work Place Harassment Training. Administrative transfer from the North Precinct to the Central Precinct.

Immediate Supervisor: SGT. JOSEPH G. SMITH **Date:** 6-3-2011

I concur with Sgt Smith's recommendations.

Shift Commander: Lt Phillip A Watton **Date:** 6-3-2011

I FULLY CONCUR AND SUPPORT RECOMMENDATIONS FOR IMMEDIATE TRANSFER FOR SEPARATION FROM THE CIVILIAN EMPLOYEE, A 40 HOUR PUNITIVE SUSPENSION, AND AN ANGER MANAGEMENT CLASS AT THE OFFICERS EXPENSE.

N. Precinct Commander: [signature] **Date:** 06/07/11

I concur with Cpt. Going's recommendations, and add a last chance letter to employee.

Division Commander: Maj. Amerman **Date:** 6/8/11

I FEEL THAT OFFICER HUFFMAN VIOLATED policy 105.01.3 Cooperation, 105.01.5 Conduct AND 105.02.2 Courtesy, BUT I DON'T FEEL THAT HE VIOLATED 105.01.8 Insubordination. THEREFORE My Recommendation is 20 Hrs w/o pay AND ATTEND A WORK PLACE HARASSMENT TRAINING PROGRAM. JUNE 22ND, 2011

Deputy Chief-of-Police: Tony Matta **Date:** 6.8.11

1. SUSTAIN CHARGE(S) OF 105.01.3 COOPERATION, 105.01.5 - CONDUCT, AND 105.02.2 COURTESY.
2. NOT SUSTAINED - CHARGE OF INSUBORDINATION.

ACTION
- 40 HOUR SUSPENSION W/O PAY.
- WORK PLACE HARASSMENT TRAINING (WITHIN 4 WEEKS)
- LAST CHANCE LETTER STATING ANY FURTHER ISSUES WILL LEAD TO TERMINATION.

Chief-of-Police: Chief Keith Nichols **Date:** 6-22-11

H RY COUNTY POLICE DEPARTM T
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF ____

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Murry, Corran A	Patrolman	3712	5/9/11 1115
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD	North / Day	Day	12/1/03

I AM _____ OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT/ WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____

Ofc. Murry you were present in the North Precinct Squad room on Thursday, May 5th 2011, around 15:05 hours when a verbal exchange occurred between between Ofc. C. Huffman and civilian employee Patricia Warren. The verbal exchange was relating to information that a victim was enroute to the precinct to meet with Ofc. Huffman and that Ofc. Huffman gave the appearance that he did not want to meet with the victim. It is believed that Huffman gave instructions to Patricia Warren on how to meet with the victim herself. It is believed that you made a statement that was corrective in nature towards Ofc. Huffman. I am directing you to provide a statement explaining your observations of the incident. I need you to explain what statement you made to Ofc. Huffman and why you made the statement. I need to know what officers present may have witnessed the exchange.

I was present during the conversation with Huffman and Mrs. Warren. Huffman did advise Mrs. Warren on what to tell the person en route to speak with him. Huffman told Ms. Warren that Ofc. Reddick is who wrote the citation for the traffic accident. The conversation appeared friendly. Huffman was joking but Mrs. Warren was ~~on~~ insisting that Huffman handle the victims concern. The conversation ended between Huffman and Ms. Warren, I then spoke to Huffman. I told him he probably should speak with the citizen. He replied by saying I didn't write the ticket Reddick did.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71) – (A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLEDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Corran A. Murry — EMPLOYEE'S SIGNATURE

Corran Murry — EMPLOYEE'S PRINTED NAME

3715 — WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS 19 DAY OF May, 2011.

Lynn P Norman

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

HCBPS FORM 04-0009

ENCL 1

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF 2

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Warren, Patricia L.	CSO	3931	05/05/2011 17:12pm
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD North	ADMIN North	DAY	12/06/2004

I AM _____ OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____.

I Patricia L. Warren received a phone call at 3:05p.m. on 5/5/2011 from a Mr. Garcia stating that he wanted to come and speak with the officer who worked an accident to where his brother had used his name, date of birth and other information that had been given to that officer and that it was not him that was listed on the report. Mr. Garcia wanted to let the officer know that his brother had given him a false name. I asked Mr. Garcia for the case number so I could check to see who the officer was so I could see if the officer was on duty and in doing so I found it to be Officer C. Huffman and I knew he was on duty and I got up and checked the squad room to see if Officer C. Huffman was in there with the other officers heard come in since it was close to end of Day Watch Shift and Officer C. Huffman was indeed sitting in the squad room so I asked Mr. Garcia how far away he was and he stated not far and told him to come on in. I then printed off the report and went into the squad room to speak with Officer C. Huffman on the issue involving Mr. Garcia. Officer C. Huffman first stated " what do you want me to do?" and then Stated " Mr. Garcia needs to file charges on his brother". I then said, " you wrote the report" and Officer C. Huffman's response was that " Officer Reddick did the tickets on it and that Officer Reddick did half of the report because if you look at the report half is typed and half is written". I asked again, what to do when Mr. Garcia gets here and Officer C. Huffman basically acted like it wasn't his issue and Officer Murry said to Officer C. Huffman " don't lay that all on Trish, man". I went back into my office and handled a few other things. See page 2.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71) – (A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLEDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Patricia L. Warren — Patricia L. Warren — SGT Joseph Smith

EMPLOYEE'S SIGNATURE — EMPLOYEE'S PRINTED NAME — WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS 19 DAY OF May, 2011.

Lynn P Norman

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

HCBPS FORM 04-0009

ENCL 2

NAME (LAST, FIRST, MI)

Warren, Patricia L.

Officer D. Hatch came in needing my help so I was trying to help him and Officer Hohenstein walked over and sat down in Marian's (part time city worker who was already gone) chair and I was on my computer so my back was to the door. Officer Mellon was in here for a bit and then left and came back after everyone was gone. While Officer Hohenstein and Officer Hatch were in my office and Officer C. Huffman came up behind me while I was trying to look up something on my computer for Officer Hatch and I heard a clicking noise and then felt something press against the back of my head and I turned around and it was Officer C. Huffman still holding his finger to the back of my head and I am not sure if that is when Officer Hohenstein stated to Officer Huffman " Man what are you doing?" I turned back around and I heard the clicking noise again and felt the pressure against the back of my head and I said" What are you doing?" to Officer C. Huffman. I tried to laugh it off thinking it was a joke thinking Officer C. Huffman may not mean anything by it but apparently Officer Hatch thought something of it because he said something to Officer C. Huffman and Officer C. Huffman walked around my desk and he and Officer Hatch had a little spit spat at each other about what Officer C. Huffman had just done to me. Officer C. Huffman left and came back and stated that he spoke with Sgt. J. Smith about the Mr. Garcia case and that when Mr. Garcia comes in to get a statement from him and I asked should I call an officer in to take the statement when he gets here and I never really got an answer from Officer C. Huffman and then Officer C. Huffman left. After everyone was gone Mr. Garcia came in and as Sgt. J. Smith was leaving he came by my office and I told Sgt. J. Smith that Mr. Garcia was here and asked should I call in an officer and Sgt. J. Smith said "No, I will handle it " and he did.
Sgt. J. Smith took care of Mr. Garcia and asked me for the statements that go with this case and there were none. During this time frame, I mentioned to Sgt. Smith what had taken place with Officer C. Huffman but just briefly and did not go into specifics with Sgt. J. Smith because he was so busy. After everyone left I began to think about what had occurred with Officer C. Huffman and I had a moment of not understanding what I had done to deserve this. I tried to think of what would have cause dany officer to do that to me or any human being. I have never felt scared of any of the officers I have had the honor to work with they all have their own ways of joking around and I think I handle it all in stride because I truly love what I do and where I work and I actually feel like they are like brothers and sisters to me. The more I thought about the incident with Officer C. Huffman the more upset I became becauseall kidding aside the action itself scared me, If Officer C. Huffman was trying to get a point across he did it very well. I have never in the 6 years or so I have been with this department had anyone treat me in such a manner. I do not know where Officer C. Huffman got the idea that would be a joke and even though I had other officers in the office with me in one quick moment of hearing the clicking to feeling something against the back of my head my mind went blank for a minute and then I felt unnerved like what just happened? I try to treat each of the officers with the upmost respect and help them when they need my help and for the life of me could not comprehend Officer C. Huffman's actions. I was getting ready to shut things down and Sgt. R. Harned came in the door and I walked around and let him in and Agt. Lemacks and Agt. C. Webster had some individuals in the squad room and Sgt. R. Harned was standing there and I asked him to come in my officer for a minute and I began to tell him what had transpired that day with Officer Wilson and then with Officer C. Huffman and after speaking of Huffman's actions I began to cry becasue in all reality it scared me to death to think I had done something to someonethat would make them pretend to put a gun to the back of my head and pull the trigger. Sgt. R. Harned spoke with Lt. P. Bratton and asked me to do this employee statement. I truly apologize for anything I may have done to cause Officer C. Huffman's actions.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE & BELIEF.

Patricia Warren — Patricia L. Warren — SGT Joseph Smith

EMPLOYEE'S SIGNATURE | EMPLOYEE'S PRINTED NAME | WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS 19 DAY OF May, 2011.

Lynn P. Norman

NOTARY PUBLIC

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

MY COMMISSION EXPIRES:

HCBPS FORM 04-0009

ENCL 2

Ofc. Hohenstein

Ofc. Hohenstein on Thursday 05-05-2011 you along with another officer were present in the civilian employee's office at the North Precinct. It is believed that you observed an incident between Ofc. C. Huffman and Patricia Warren and made comments towards Ofc. Huffman concerning the incident. I'm directing you to provide a detailed statement of your observations and I want you to answer the following questions.

1. Why were you in the civilian employee's office?

2. What other officers were in the office?

3. Did you observe Ofc. Huffman do something or say something to Patricia Warren that a prudent person would think was inappropriate?

4. If not are you aware that other officers present may have observed something? If so, what did you observe and what corrective actions or remarks did you make towards officer Huffman?

5. Did any other officers present take corrective actions or make comments as to the incident?

6. Is there any pertinent information that you want to add that I haven't inquired about?

ENCL 3

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF 1

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Hohenstein, Robert P	Officer	3172	5-6-2011, 1300 HOURS
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD	DAYS	NORTH	9/3/2001

I AM ROBERT HOHENSTEIN OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS _____.

On, 5-6-2011, was asked to answer some questions concerning an incident which occurred at the North Precinct, 131 Burke St, Stockbridge Ga, 30281, on 5-5-2011.

1. I was getting some candy from the candy dish.

2. Ofc. D. Hatch and Ofc. C. Huffman

3. 4. 5. I was talking to Officer Hatch and not paying attention to Ofc. Huffman or Ms. Warren, I knew that Ofc. Huffman was positioned behind Ms. Warren and she had her back to him. Ms. Warren became startled and I focused in on them. Ms. Warren said something to the effect of "you scared me ". I asked Ofc. Huffman something to the effect of "what the hell did you do". Ofc. Huffman made his index finger and thumb look like a gun and pointed at Ms. Warren's head. Ms. Warren said something to the effect "whew, I thought it was a gun. I said to Ofc. Huffman something to the effect " you can't do that it scared the shit out of her, she don't know if that was a gun a finger or any other body part pressed up against her". After that everyone in the room grinned at each other and Ofc. Huffman finished business with Ms. Warren and Ofc. Hatch and I walked out of the office.

6. At the time of the incident, I didn't realize what Ofc. Huffman did to Ms. Warren upset her badly, due to the jovial behavior that seemed to be exhibited after I said something to Ofc. Huffman.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71) – (A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLEDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

EMPLOYEE'S SIGNATURE	EMPLOYEE'S PRINTED NAME	WITNESS' SIGNATURE
	Robert Hohenstein	SGT Joseph Smith

SWORN TO AND SUBSCRIBED BEFORE ME - THIS 19 DAY OF May, 2011.

Lynn P. Norman
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

HCBPS FORM 04-0009

GNCL 3

Ofc. Hatch

Ofc. Hatch on Thursday 05-05-2011 you along with another officer were present in the civilian employee's office at the North Precinct. It is believed that you observed an incident between Ofc. C. Huffman and Patricia Warren and made comments towards Ofc. Huffman concerning the incident. I'm directing you to provide a detailed statement of your observations and I want you to answer the following questions.

1. Why were you in the civilian employee's office?

2. Did you observe Ofc. Huffman do something or say something to Patricia Warren that a prudent person would think was inappropriate?

3. If not are you aware that other officers present may have observed something? If so, what did you observe and what corrective actions or remarks did you make towards officer Huffman?

4. Did any other officers present take corrective actions or make comments as to the incident?

5. Is there any pertinent information that you want to add that I haven't inquired about?

ENCL 4

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF 1

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
HATCH, DARRYL S	PATROL	5356	05/06/11 1342
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD	NORTH	DAY	02/22/11

I AM DARRYL S HATCH OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____

On Thursday, May 5, 2011, myself along with Ofc Hohenstein and Ofc Huffman was in the administration office of the North Precinct. I was in the office conducting police businesss with Trish Warren in reference to a prior citation. During this time I observed Ofc Huffman make a noise with his holster as if he had upholstered his weapon and then placed his finger, as if it was a gun to the back of Trish's head. I made a comment to Ofc Huffman about what he did was not right. Ofc Huffman took the position that what he did was menial and demonstrated the act again. We had further conversation about it not being right, and he then exited the office. I do not remember the exact wording used. I believe Ofc Hohenstein conveyed the same message about it not being right but I do not remember what he said.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71) – (A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLEDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

EMPLOYEE'S SIGNATURE	EMPLOYEE'S PRINTED NAME	WITNESS' SIGNATURE
X	Darryl S Hatch	SGT JOSEPH SMITH

SWORN TO AND SUBSCRIBED BEFORE ME - THIS 10 DAY OF May, 20 11.

Lynn P. Norman

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

HCBPS FORM 04-0009

ENCL 4

1441

Ofc. A. Mellon

Ofc. Mellon on Thursday 05-05-2011 you along with other officers were present in the civilian employee's office at the North Precinct. It is believed that you observed an incident between Ofc. C. Huffman and Patricia Warren that may have been inappropriate. I'm directing you to provide a detailed statement of your observations and I want you to answer the following questions.

1. Why were you in the civilian employee's office? I WAS TRYING TO GET A Report
2. Who were the other officers present? Myself, Hohenstein & Huffman
3. Did you observe Ofc. Huffman do something or say something to Patricia Warren that a prudent person would think was inappropriate? He pretended
4. Did any other officers present take corrective actions or make comments as to the incident? Yes Hohenstein & Myself.
5. Is there any pertinent information that you want to add that I haven't inquired about?

ENCL 5

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF ____

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Mellon, Antonio J.	Ofc	4803	05-06-11 1515hrs
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD	N	EV	11-07 to present

I AM _____ OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS _____.

1. I was in the civilian employee's office speaking to Mrs. Trish Warren about locating a report for my upcoming case.

2. Myself, Officer Hohenstein, Officer Hatch and Officer Huffman

3. Yes, Officer Huffman simulated unholstering his weapon and placed his index finger to the rear of Mrs. Warren's head.

4. Yes. Officer Hohenstein told Officer Huffman that you do not play like that. I told Officer Huffman that there are three of us here in this office who would kick his ass.

On 05-05-11 at approximately 1450 Hours I responded to 131 Burke St. to speak to Mrs. Warren about obtaining a copy of a report that I needed for court. On my arrival Officer Hohenstein was already present in the office speaking to Mrs. Warren. I proceeded in the office and asked Mrs. Warren to assist me with the report, while in the office I believe Officer Hatch also walked in and needed a report. The four of us were in the office talking. Officer Hohenstein was window on the West wall, Officer Hatch was standing directly in front of Mrs. Warrens' desk and I was standing to the right of her desk. Officer Huffman entered the room and passed to my right and made his way behind Mrs. Warren's chair. We were all in there conversing at which point I hear what sounded like a molded raptor holster unlatch, the sound was not from an Uncle Mikes leather holster but from a molded plastic holster. I then Observed Officer Huffman place his finger in the rear of Mrs. Warren's head. Mrs. Warren had her back to my self and Officer Huffman, she was startled when his finger made contact with her head and jumped. Officer Hohenstein advised Officer Huffman that he needs to stop playing like that. Officer Hufman did the act a second time at which point I said " Yo cut it out, there's three guys in here who would kick your ass". I believe Officer Huffman then left the Office.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71) – (A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLEDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

EMPLOYEE'S SIGNATURE	Antonio J. Mellon EMPLOYEE'S PRINTED NAME	SGT Joseph Smith WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS 19 DAY OF May, 20 11.

Lynn P. Norman
NOTARY PUBLIC

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

MY COMMISSION EXPIRES: _____

HCBPS FORM 04-0009

ENCL 5

Ofc. Huffman

Ofc. Huffman on Thursday 05-05-2011 you along with other officers were present in the civilian employee's office at the North Precinct. It is believed that an inappropriate incident from you towards Patricia Warren. I'm directing you to provide a detailed statement of your observations and I want you to answer the following questions.

1. Why were you in the civilian employee's office?

2. Who were the other officers in the civilian employee's office?

3. Did you make a gesture where you may have unsnapped your holster and place your finger to the back of Patricia Warrens head? If so, why did this occur? If not are you aware that other officers may have seen this incident?

4. Did the other officer's present make any comments to you or make any corrective action?

5. It is believed that another officer made a corrective statement to you and that you snapped your holster again and again placed you finger to the back of Patricia Warrens head? If so, why did you do this a second time. If not, are you aware that other officers may have seen you do this a second time?

6. During the same time frame you advised Sgt. Smith that you had made errors on accident report 11-006748. Sgt. Smith directed you to get a statement from the victim, take a photo of the victim and make a copy of the victim's driver's license. Why did you advise Patricia Warren to obtain the statement from the victim when Sgt. Smith gave you directions to do so?

7. Did Patricia Warren explain to you that the victim was enroute to the precinct?

ENCL C

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF 1

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Huffman, C	Officer	4744	5-6-2011 12:30 PM
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD	Zone 11/12	DAY	08/2007

I AM C. Huffman OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____.

1. I was in the civilian office on 5-5-11 to get some candy that is located in the office. I hang out in the office to speak to Mrs. P Warren on a regular basis, when I am on duty.
2. Officer Hohenstein, and Officer Hatch is all that I remember in the office.
3. I did unsnapped my holster and I did place my finger on the back of P. Warrens head. This was done in joking manner. I believe Mrs. P. Warren and I have a good working relationship and we play/joke around on a regular basis but before never in manner that I did on 5-5-11 in the office. This incident was for no other reason than joking around. I am aware that other officers may have witnessed this incident. After the gesture was done P. Warren was surprised and laughed out loud, immediately after Ofc. Hohenstein stated she thought it was something else on her head (Referring to my private parts) that's when I laughed and stated "This is getting out of hand" and I exited the office.
4. I don't remember anyone making any corrective actions towards me they were laughing at Hohenstrien's statement and I left the office.
5. I don't remember how many times I snapped/unsnapped my holster I do not remember placing my finger to Mrs. P. Warrens head once, and I am unaware how many times.
6. I did advise Sgt. Smith I made errors on the accident report because Mrs. P. Warren advised me that she received a telephone call regarding this accident report and she stated that an individual advised her he was not involved in the accident and his name was on the accident report. Sgt. Smith did advise me that I needed to take a photo and of the victim and a copy of a drivers' license. I did not advise Mrs. P. Warren to get the statement. I advised her that I spoke to Sgt. Smith and the resolution to this incident was to get a statement and may have to do a report of identity theft. Mrs. P. Warren advised me that she received the telephone call and he advised her he would come to the precinct but Mrs. P. Warren never advised me that he was on his way. I advised Mrs. P. Warren I would do the report but if he comes (At this time it is after 3pm and it was unknown what time he would arrive) after I leave I have to get a statement and copy of drivers' license. I did not tell Mrs. P. Warren to get the statement I advised her that is what I was told by Sgt. Smith of how I had to resolve this issue. The individual was not at the precinct at the time he advised me to get the statement and copy of his license. At this time I was under the impression that the individual stated he was coming to the precinct but unaware at what time.
7. I do remember Mrs. P. Warren stating that he called and stated he was going to come to the precinct but I was not aware that he was on his way on 5-5-11. Sgt. Smith called me and advised me that the individual was in the precinct and he was going to handle the case. I don't remember exactly what time I was called I do believe it was after 4pm.

I did not intend on violating a direct order of Sgt. Smith. I spoke to him about the report so I could find a solution and fix the report. I was not aware that the individual was enroute or I would have waited to get a statement and make a copy of his drivers license. I did not mean to make Mrs. P. Warren feel uncomfortable. We have had a great professional relationship, and she has helped me on several occasions. I have never had and arguments with her whatsoever. This incident could have been avoided if I were more professional at the work place and stop joking. I should have asked Mrs. P. Warren if she had the individuals number and I could have called him and made arrangements to take the pictures and get the copy of the license and possibly a incident report.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71) – (A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLEDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Charles Huffman	C. Huffman 5-6-11	SGT Joseph Smith
EMPLOYEE'S SIGNATURE	EMPLOYEE'S PRINTED NAME	WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS 19 DAY OF May, 20 11.

Lynn P. Norman
NOTARY PUBLIC

Official Seal
Lynn P Norman
Notary Public, Henry County, Georgia
My Commission Expires November 3, 2012

MY COMMISSION EXPIRES: _____

HCBPS FORM 04-0009

ENCL 6

within the scope of authority of the employee of whom the action was requested.

D. Performing official acts in a lawful, restrained, dignified, impartial, and reasonable manner.

105.01.2 DUTY TO ABIDE BY ALL LAWS AND ORDERS

Employees of this Department will abide by the laws, statutes, and ordinances of the federal, state, city, and county governments.

105.01.3 COOPERATION

A. Employees will promptly cooperate with other Department employees and with the employees of any other public agency toward the accomplishment of any public responsibility.

B. Employees will fully cooperate with internal, administrative investigations as described in this Manual.

C. Failure to cooperate, answer questions, respond to lawful orders, render material and relevant statements in an internal, administrative investigation when such orders, questions, and statements are directly related to job responsibilities is prohibited.

105.01.4 TRUTHFULNESS

Employees of this Department will be truthful, at all times, both in their spoken and written words. Official reports, statements, applications for assignments, and court testimony will invariably be as factual and accurate as possible.

105.01.5 CONDUCT

A. Employees of this Department will conduct themselves in such a manner as to reflect a favorable image on themselves and the Department.

B. Employees of this Department will refrain from initiating or spreading gossip and rumors concerning another employee(s) within this department or other departments and agencies.

C. Employees of this Department will not act in an official or private capacity in such a manner as to bring discredit upon the Department or upon themselves. Such conduct is unbecoming and prohibited.

D. Any action in the form of intimidation, humiliation, insult, or subjecting someone to offensive physical or verbal abuse, or actions of a sexual, ethnic, racial, or religious nature is prohibited.

E. Failure to report an employee's violation of a law, rule or regulation, policy or procedure, or general order is prohibited. To this end, all such violations will be reported to the next line supervisor within the employee's Chain of Command. If the employee committing a violation is a supervisor, the reporting employee may circumvent the Chain of Command and tell the next appropriate supervisor.

105.01.6 CONFLICT OF INTEREST

No officer or employee of the department shall engage in any activity in which there is a significant potential for conflict of interest or the appearance of a conflict of interest with the lawful duties of the employee. He or she will not intercede, order, ask, suggest, or involve themselves in the filing, bonding, or adjudication of traffic or criminal charges initiated by another officer or agency on behalf of any person who has been given a citation or arrested for any violation of law. He or she will not misrepresent, alter, lessen or make more sever the facts of an incident by adding to or taking away information that may influence the decision for a bond, detention or punishment of any kind.

Conflict of interest is any activity which would tend to influence a decision, create a bias or prejudice, or create a gain or loss for any person or agency, which would favor one side or the other in conflict with the employee's official duties, or which conflicts with the accomplishment of prosecution. Likewise, employees will not encourage or assist any person in circumventing any form of legal process.

105.01.7 SUSPENDED EMPLOYEES

A. Suspended employees will surrender their badge, gun, vehicle, department identification cards, and any other designated department issued equipment to employee's respective division commander or his/her designee for the period of their suspension.

B. Any supervisor may relieve from duty an employee under that supervisor's control for a period of (1) one workday, if that employee is in the judgment of the supervisor "unfit" due to physical, mental, or other reasons to adequately perform his/her duties, or might otherwise discredit the Department. Immediate justification in writing is required of the initiating supervisor, through the Chain of Command, to the employee's division commander indicating the nature of the infraction and any taken action.

C. During their suspensions, employees are divested of all legal authority to act as law enforcement officers in any capacity for this Department, which includes any off-duty employment.

105.01.8 INSUBORDINATION

No employee of this Department shall willfully disregard the expressed or implied directions of a superior officer, whether written or oral. Such willful disregard may be expressed or implied.

105.01.9 CRITICISM

Employees of this Department will not publicly or maliciously criticize any employee or any order, action, or policy of this Department or other governmental departments. Criticism, when required will be directed only through official department channels to correct any deficiency, and will not be used to the disadvantage of the reputation or operation of the Department or any employees.

105.01.10 CONFIDENTIALITY OF DEPARTMENT BUSINESS

Discussion of the operations and official business of the Department, division, unit, or assignment, which are of a confidential nature, with anyone, without the permission of a supervisor, is prohibited. Additionally, all employees are prohibited from passing criminal history, driver's history information, or any other document that is considered confidential to unauthorized persons.

105.01.11 CONFIDENTIALITY OF DEPARTMENTAL RECORDS

No employee of this Department will obtain, review, browse, inspect or "pull up" cases within the CAD or CRIME System nor records in the Records Department without having an authorized reason for reviewing the case or record. In addition, no employee shall disburse, distribute or disseminate any information concerning any employee of the county without authorization from the Chief of Police or designee.

105.01.12 DUTY TO REFRAIN FROM GIVING PERSONAL INFORMATION

No employee of this Department will disclose any private telephone number or address of any employee with the Department to the general public.

105.01.13 PROVIDE RESIDENCE ADDRESS AND TELEPHONE

Employees will maintain a working telephone at their residence. Employees will complete a Change of Information Form and promptly notify the Chief's Office via Chain of Command.

assignments, promotional status, disciplinary actions, or other department matters.

B. Employees will not solicit anyone to intercede with the Chief of Police, County Commissioner, legislative body, or any elected/appointed official in relation to promotions, departmental assignments, disposition of pending charges, or findings in a disciplinary proceeding.

105.01.20 THREAT OR VIOLENCE TO AN EMPLOYEE

Employees will not threaten, strike, or attempt to strike any other employee or threaten any violence against another employee.

105.02 GENERAL CONDUCT ON-DUTY

Purpose:

The purpose of this section is to establish general rules and guidelines to regulate an employee while he/she is acting in an official capacity.

105.02.1 PUBLIC SERVICE

It is the principal responsibility of every employee of the Henry County Police Department to promptly, courteously, and effectively assist the public whether in person, by telephone, or by letter. The invariable policy of the Department is that the need for assistance by a citizen takes precedence over any activity, except those of an emergency nature. It will never be acceptable to place routine department business ahead of providing service to the public.

105.02.2 COURTESY

A. Employees of this Department will be civil, orderly, and courteous to the public, co-workers, and supervisors. Employees will not use coarse, insensitive, abusive, violent, or profane language.

B. When in public, in an on-duty capacity, superior officers will be referred to by rank or title.

105.02.3 DISCRIMINATION/DISCRIMINATORY REFERENCES

A. Employees of this Department will not allow any of his/her actions or decisions to be affected by prejudice of sex, race, color, religion, or political belief.

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HENRY COUNTY POLICE DEPARTMENT

Personnel Conduct Report

Personnel Conduct Report shall be used to document violations of departmental policy, substandard performance, employee counseling, and initiate corrective or disciplinary action.

Prior to the Personnel Conduct Report being submitted to the Supervisors, the affected employee shall be given the opportunity to review the entire report and charges and receive a copy once completed. They shall certify, by signing the notification section of the report, that they have been advised of the charges, and have been given the opportunity to submit a statement in their behalf. This action shall be required of all affected members. Employee may, at the discretion of the investigating officer, or higher authority, be asked to submit a statement.

Employee: Charles Huffman

Division/Watch: Narcotics Unit

Date: March 19, 2010

A. Brief statement of employee conduct and applicable violations:

On March 11, 2010, Agent Charles Huffman disobeyed a direct order from his superior officer, Lt. Kevin Conner, by directing the CAGE Unit to perform a take down of a suspected drug trafficker at the Sunoco gas station located at 900 Hwy 138W, Stockbridge, GA 30281, which resulted in a high speed pursuit and endangered the safety and lives of not only the pursuing Uniform Patrol Officers, but the safety and lives of the citizens of Henry County.

B. Witnesses: (Check box if witness statement attached)

_____ 1) Sgt. Woody Fowler

_____ 2) Officer Cornelius Webster

_____ 3) Officer David Lemacks

_____ 4) Officer Tony Hansen

_____ 5) Officer John McNair

_____ 6) Officer Jason Hamlin

C. Supporting documentation and exhibits:

1) Copy of Departmental Policy 105.01.8 and Departmental Policy 105.02.6

2) _____

D. Initiating Officer: Sergeant Jason Allen JKA

ENCL 10

E. Notification of charges:

I, Charles Huffman, certify by my signature that I have been notified of the administrative charges against me and have been given the opportunity to review the Personnel Conduct Report subject of those charges and further certify that I have been given the opportunity to make a written statement to the record to be made part of this report. I understand that my signing this notification of charges is not an acknowledgment of guilt of any charges contained herein but is for the sole purpose of assuring proper notification of administrative charges against me.

Employee Signature: C Huffman Date: 3-22-10

Check one:

__✓__ Employee offered statement (attached)

_____ Employee declined to make statement

Notifying Officer's Signature: JKAMEN JK Allen Date: 3-22-2010

_____

Notary Signature

Date

ENCL 10

NOTE: Sections A thru E shall be completed and signed before forwarding to next level of supervision.

F. Recommendation/Action of Immediate Supervisor:

Recommend one (1) day suspension without pay.

Immediate Supervisor — Date: 3-22-2010

G. Recommendation/Action of Watch Commander:

Recommend two (2) day suspension without pay. Lawful orders must be followed without question. While this incident ended with no major injuries, several lives were placed in danger and could have easily ended with catastrophic results.

Watch Commander — Date: 3-22-2010

H. Recommendation/Action of Division Commander:

Recommend a five (5) day suspension without pay. Failure to obey a lawful order cannot be tolerated!

Division Commander — Date: 4-2-10

I. Recommendation/Action of Deputy Chief of Police:

Deputy Chief of Police — Date

J. Final disposition/review by Chief of Police:

40 Hour Suspension w/o pay.

Chief of Police — Date: 4-6-10

HCBPS FORM 05--0002 rev 002/05

ENCL 10

HENRY COUNTY POLICE DEPARTMENT

DISCIPLINARY ACTION FORM

Last Name: Huffman First Name: Charles M.I. E.

Position: Patrol Officer Date: 02-28-2011

Supervisor Issuing Action: Sergeant R. K. Harned

Check only one of the following:

[☐] Verbal Reprimand [☒] Written Reprimand

Matter being brought to attention:

[☐] Abuse of Leave Time [☐] Failure to Complete Assignment [☐] Lack of Initiative

[☐] Vehicle Maintenance [☐] Lack of Proper Documentation [☐] Tardiness

[☐] Uniform/Appearance (Not in compliance) [☐] Sub-Standard Report Writing [☒] Other (explain)

Insubordination and Conduct

Details:

On Friday, February 18, 2011 at approximately 1345 hours, you and Ofc. R. Alicea were investigating a suspicious person call at Wynnwood Lane and Winthrop Lane that had been called in by an off-duty Riverdale PD. Sergeant (Sgt. Paul Wilburn). While on the scene, Ofc. Alicea asked to borrow your HCPD issued camera so that he might take pictures of the suspects for future reference. You did not make your camera available to him because you had not placed the batteries in it so that it was operational. You had been previously ordered three times to have your camera prepared for use. This situation forced Ofc. Alicea to borrow a camera from Sgt. Wilburn to complete his task at the scene. Additional work was also created for all in that Sgt. Wilburn was placed in a position to have to send Ofc. Alicea the photos at a later date, thereby delaying his use of the photos – when this could have been completed within the HCPD had your equipment been in order. Officer Huffman, you have violated the following HCPD policies: 105.01.3 (A): Cooperation by not being cooperative to Ofc. Alicea in helping him with his request., 105.01.5 (A)(C) Conduct in that you failed to act in a manner that reflected favorably on you and the HCPD, and as such, brought discredit to the HCPD, and 105.01.08 Insubordination by refusing to follow a directive given to you on three different dates to have your issued camera set up and ready to use for duty. Officer Huffman, it is imperative that you not only demonstrate a cooperative attitude with your fellow officers in the future, that you perform in a manner that reflects favorably upon you and the HCPD, and that you follow orders and directives as they are given – without regard to your agreement with them. I do not expect the actions and behaviors noted herein to be recurring issues. Your failure to properly conduct yourself and follow orders could result in stronger and possibly more punitive disciplinary action for future violations.

This Disciplinary Action is issued in compliance with ARTICLE XII SECTIONS II and/or III of the HENRY COUNTY PERSONNEL POLICY MANUAL

x [signature] 3-3-11

Signature of Person being Disciplined (Acknowledgement only) Date

[signature] 3715 03-03-11

Supervisor Issuing Action Date

Lt [signature] 03-03-11

Shift Commander Date

[signature] 3/29/11

Division Commander Date

[signature]

PRECINCT COMMANDER

ENCL 11

SUPPLEMENT OF FOLLOW UP INFORMATION

After meeting with Chief Nichols during the "Kelly Hearing" on June 10th 2011 I was tasked to follow up on some areas.

In clarification, I (Sgt. Smith) contacted Ofc. Huffman around 16:10 hours to inform him that his victim was at the precinct. The victim also noted on his statement form that the time of the statement was 16:00. This may clarify when I dismissed all officers from the precinct. I remembered that I dismissed the officers around 15:40 hours.

The following Officers who were listed as witnesses during the initial investigation were re interviewed to clarify if any more information was missed. Officer's Hohenstein, Mellon, and Hatch were present inside Mrs. Warren's office and observed the encounter with Ofc. Huffman placing his finger to the back of Mrs. Warrens head. These three officers did not observe or hear any conversation between Mrs. Warren and Ofc. Huffman outside of her office which would be in the Precinct Roll Call room.

In speaking with Ofc. Murry who was an original witness; he only overheard the conversation with Mrs. Warren and Ofc. Huffman out in the Precinct Roll Call room and didn't observe the incident where Ofc. Huffman entered Mrs. Warrens.

I could not determine any sequence of events by follow up with these officers.

I did observe that in Ofc. Mellon's original statement, he noted that he had responded back to the precinct to meet in Mrs. Warren's office to obtain a copy of an incident report and the time was approximately 14:50 hours. Mellon advised me that he had to come back to the precinct in order to do so and remembered it.

I also spoke with all Day Watch Officers who worked out of the North Precinct that day. The officers that had no knowledge of the incident were:

Ofc. R. Franklin (no observation)
Ofc. M. Brayboy (no observation)
Ofc. B. Ferebee (no observation)
Ofc. J. Cox (no observation)
Ofc. B. Gray (no observation)
Ofc. B. Monti (no observation)

It was determined that two other officers working that day did observe Mrs. Warren and Ofc. Huffman have a conversation in the Roll Call room but did not observe any incident in Mrs. Warren's office. These officers were T. Brown and K. Tucker.

Ofc. T Brown provided a statement and noted that sometime after 15:30 hours that she recalled a conversation between Mrs. Warren and Ofc. Huffman in the roll call room and it was concerning the victim needing his report corrected. Ofc. Brown noted that after the conversation Mrs. Warren went back into her office and Ofc. Huffman eventually went down the hall way towards the sergeants office. Ofc. Brown stated that she stayed in the roll call room until dismissed by the sergeant.

Ofc. K. Tucker was unclear of the times and listed between 15:00 and 16:00 and overheard the conversation between Mrs. Warren and Ofc. Huffman. Ofc. Tucker recalled that Ofc. Huffman was seated while conversing with Mrs. Warren. Officer Tucker recalled the conversation being in reference to the victim coming to the precinct to meet with Ofc. Huffman. Ofc. Tucker noted that he was present until officers were given notice to leave the precinct and left the area while Mrs. Warren and Ofc. Huffman were speaking. Ofc. Tucker did not observe where the two went after he left the building.

I then spoke with Mrs. Warren again. Mrs. Warren stated to me that she felt that the series of events were as she remembered because they were fresh in her mind. She did state that she could have been mistaken about the sequence of events due to the stress of the incident. She stated that the sequence of events did not change the way Ofc. Huffman made her fell that day. Mrs. Warren provided an additional statement.

Although a concrete sequence of events could not be determined, I feel that the follow up information could determine that Ofc. Huffman was being truthful in his recollection of the events.

No further.

SGT

Follow up

H RY COUNTY POLICE DEPARTM IT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF ____

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
MELLON ANTONI J	OFC	4803	06-15-11 1438
DIVISION	**ASSIGNMENT -- SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD NORTH	E/N		11-07-07

I AM _____ OF THE HENRY COUNTY BUREAU OF POLICE SERVICES. YOU ARE BEING QUESTIONING AS A DEFENDANT /WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____.

THE ONLY INCIDENT THAT I AM AWARE OR WAS PRESENT FOR WAS THE ONE INSIDE MRS. WARREN'S OFFICE. I AM NOT AWARE OF ANY OTHER INCIDENTS INVOLVING OFFICER HUFFMAN INSIDE THE ROLL CALL ROOM.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) -- A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

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I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ANTONIO MELLON SGT

EMPLOYEE'S SIGNATURE | EMPLOYEE'S PRINTED NAME | WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

FOLLOW UP

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF ____

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
HATCH, DARRYL, S	PATROL	5756	06/15/11 0754
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD	MORN/NORTH	NINTH	02/22/11

I AM DARRYL HATCH OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____.

I OFC DARRYL HATCH ONLY OBSERVED WHAT HAPPENED INSIDE THE OFFICE. I DID NOT OBSERVE A VERBAL EXCHANGE BETWEEN THIGH AND OFC HUFFMAN INSIDE THE ROLL CALL ROOM

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

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I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

EMPLOYEE'S SIGNATURE	D HATCH EMPLOYEE'S PRINTED NAME	SGT WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

HCBPS FORM 04-0009

Follow up

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF ____

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Hohenstein, Robert	Officer	3172	6-15-2011 @ 1102Hrs
DIVISION	**ASSIGNMENT -- SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
UPD	North	Day	9-3-2001

I AM Robert Hohenstein OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____.

On May 5, 2011, after the incident which took place in the office of Ms. Warren at the North Precinct, I walked out of the office into the squad room. I was seated just outside of Ms. Warren's office, and observed her walk out of the office several times. I was not paying attention to anyone's conversations and I can't recall hearing any conversation between Ms. Warren and Ofc. Huffman.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) -- A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

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I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

_____ Robert Hohenstein _____ SGT

EMPLOYEE'S SIGNATURE — EMPLOYER'S PRINTED NAME — WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

HCBPS FORM 04-0009

Follow up

H RY COUNTY POLICE DEPARTM IT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF ____

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Murry, Corran A	Patrolman	3712	6/16/11 0810
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
HPD	Day North	Day	12/1/03

I AM _____ OF THE HENRY COUNTY BUREAU OF POLICE SERVICES. YOU ARE BEING QUESTIONING AS A DEFENDANT /WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS _____.

I was present during the conversation between ofc Huffman and Ms. Warren. I recall Huffman being seated in the rollcall room @100 and Mrs Warren came from her office to speak with Huffman. After the conversation between the two, I recall Huffman remaining seated in the rollcall room. I have no knowledge of anything involving both parties on that date outside of the rollcall room.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

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I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Corran A. Murry — EMPLOYEE'S SIGNATURE

Corran Murry — EMPLOYEE'S PRINTED NAME

SCS — WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Follow up

HENRY COUNTY POLICE DEPARTMENT
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF 2

NAME (LAST, FIRST, MI)	RANK	I.D. NUMBER	DATE & TIME OF STATEMENT
Tucker Sr., Kendall L	Police Officer	5333	June 17, 2011 1500
DIVISION	**ASSIGNMENT – SECTION**	**WATCH**	**DATE OF EMPLOYMENT**
Uniform Patrol Division	Random Zones	Daywatch/ North	January 25, 2010

I AM _____ OF THE HENRY COUNTY POLICE DEPARTMENT. YOU ARE BEING QUESTIONING AS A DEFENDANT / WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____.

On May 5, 2011 between the hours of 1500 and 1600, I was sitting in the roll call room located at the Henry County Police Department, North Precinct. After completing all of my paperwork, I decided to wait in the roll call room, along with other officers of the shift, to be excused for the day. I do not remember all of the officers that were present at that time. During this time officers were continuously walking in and out of the roll call room preparing their paperwork for approval.

While I was waiting for approval to leave for the day, I observed Mrs. Trish enter the roll call room with various documents in her hand. Upon entry, Mrs. Trish advised she was looking for officer Huffman in reference to a report. Once Mrs. Trish observed Officer Huffman sitting at the table, adjacent to her office, she began to advise why she needed to speak him. During the conversation Officer Huffman remained seated while Mrs. Trish stood by the podium.

As I recall, Mrs. Trish advised a man was in route to the police department to correct a report that was written by Officer Huffman. Officer Huffman immediately responded he was unaware of what Mrs. Trish was talking about. Then Mrs. Trish began to attempt to clarify the circumstances involving the report. Again, Officer Huffman advised he did not know what Mrs. Trish was talking about and inquired that she may have the wrong officer.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71) – (A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

_____	Kendall L Tucker Sr.	_____
EMPLOYEE'S SIGNATURE	EMPLOYEE'S PRINTED NAME	WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

HCBPS FORM 04-0009

NAME (LAST, FIRST, MI)

Tucker Sr., Kendall L.

During the conversation, it appeared everything was copasetic. Mrs. Trish had a smile on her face as she explained why the citizen was reporting to the police department. Officer Huffman had a "blank" expression on his face as if he was not the officer that completed the report. In addition to Mrs. Trishs smile other officers, including myself, began to laugh given the circumstances. The circumstances included the fact it was almost time to go home and there was a citizen in route requesting to fix a report. Within approximately 2 minutes of the beginning of the conversation, between Mrs. Trish and Officer Huffman, the word was given officers who have completed their paperwork could leave. As a result, I left the roll call room and did not return until the next day at 0600 hours for shift. At the time of my departure from the roll call room Officer Huffman was still sitting at the table, adjacent to her office. Mrs. Trish was still standing at the podium located in the roll call room. During my observations, both parties stayed in the roll call room the entire time.

Due to the fact I left the area, I did not witness the entire conversation that took place.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE & BELIEF.

_____	Kendall L Tucker Sr	_____
EMPLOYEE'S SIGNATURE	EMPLOYEE'S PRINTED NAME	WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

Follow up

H RY COUNTY POLICE DEPARTM T
EMPLOYEE STATEMENT FORM

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF ____

NAME (LAST, FIRST, MI)	RANK	I.D. 3782	DATE & TIME OF STATEMENT
BROWN, TEIRRAH A	OFFICER		JUNE 19, 2011
DIVISION	**ASSIGNMENT**	**WATCH**	**DATE OF EMPLOYMENT**
UNIFORM PATROL DIVISON	NORTH	DAYS	04-12-04

I AM ___TEIRRAH A BROWN_____ OF THE HENRY COUNTY BUREAU OF POLICE SERVICES. YOUR BEING QUESTIONING AS A DEFENDANT /WITNESS IN AN OFFICIAL INVESTIGATION BY THE DEPARTMENT. ALSO PRESENT IS

_____.

On Thursday, May 5th 2011 sometime after 1530 hours, I **recall** a conversation between Trish and Huffman. This conversation took place in the roll call room before the day watch north crew left for the day.

Trish came from her office and approached Huffman about an accident report that he did. She seemed a little flustered. Trish was standing explaining to Huffman that a driver was un happy about how the report was done. Trish was attempting to explain the driver's unhappiness to Huffman. While doing that Trish suggested that Huffman call the guy and talk to him about why he wanted the report done a certain way. She was trying to see if he would handle the situation to where the driver would have been happy.

While Trish was talking to Huffman, Huffman indicated that Officer Reddick was the officer that the driver needed to talk to. Huffman's demeanor was that he didn't have much to do with the accident that Trish was talking to him when she should have been talking to Reddick. Huffman was adamant about Trish needing to relay that message to Reddick.

After Trish finished talking to Huffman, she went back to her office. Huffman eventually went down the hall towards the Sergeants office. I stayed still standing until we were dismissed to go home.

This statement is true to the best of my recollection.

FALSE STATEMENTS AND WRITINGS; CONCEALMENT OF FACTS (16-10-20) – A PERSON WHO KNOWINGLY AND WILLFULLY FALSIFIES, CONCEALS, OR COVERS UP BY ANY TRICK, SCHEME, OR DEVICE, A MATERIAL FACT; MAKES A FALSE FICTITIOUS, OR FRAUDULENT STATEMENT OR REPRESENTATION; OR MAKES USE ANY FALSE WRITING OR DOCUMENT, KNOWING THE SAME TO CONTAIN ANY FALSE, FICTITIOUS, OR FRAUDULENT STATEMENT OR ENTRY, IN ANY MATTER WITHIN THE JURISDICTION OF ANY DEPARTMENT OR AGENCY OF STATE GOVERNMENT OR OF THE GOVERNMENT OF ANY COUNTY, CITY, OR OTHER POLITICAL SUBDIVISION OF THIS STATE, SHALL UPON CONVICTION THEREOF, BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR BY IMPRISONMENT FOR NOT LESS THAN ONE NOR MORE THAN FIVE YEARS, OR BOTH.

FALSE SWEARING (16-10-71)—(A) A PERSON TO WHOM A LAWFUL OATH OR AFFIRMATION HAS BEEN ADMINISTERED OR WHO EXECUTES A DOCUMENT KNOWING THAT IT PURPORTS TO BE AN ACKNOWLDGEMENT OF A LAWFUL OATH OR AFFIRMATION, COMMITS THE OFFENSE OF FALSE SWEARING WHEN, IN ANY MATTER OR THING OTHER THAN A JUDICIAL PROCEEDING, HE KNOWINGLY AND WILLFULLY MAKES A FALSE STATEMENT. (B) A PERSON CONVICTED OF THE OFFENSE OF FALSE SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

_____	Teirrah A. Brown	_____
EMPLOYEE'S SIGNATURE	EMPLOYEE'S PRINTED NAME	WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

HCBPS FORM 04-0009

Follow up

I.A. COMPLAINT NUMBER: _____ PAGE 1 OF 1

NAME (LAST, FIRST, MI)

Warren, Patricia L.

In reference to the sequence of events on 5/5/2011 that involved the incident with Officer C. Huffman. I do know for sure that I received the phone call from Mr. Garcia, the victim of a case that Officer C. Huffman had worked at 3:05p.m. on 5/5/11 because I looked it up on my phone when I was asked to write my first statement. I have gone through this in my mind trying to pinpoint which happened first the call from Mr. Garcia or the act that Officer C. Huffman committed and with all honesty I cannot swear or say for 100 percent that the call came first. I apologize if I made a mistake. I have tried to go back over those moments and to be quite frank I have tried to forget what occurred because it disturbed me that much. For days all I could think of was what did I do to Officer Huffman to make him even think of doing something like that to me. I blamed myself thinking I must have done something wrong. I truly tried to go over the time frame of when Day watch actually came into the precinct at the end of their shift and Hohenstein and Hatch came into my office, to when Evening watch came in and left, to going out into the squad room to speak with Huffman about the phone call I received on his case to when Officer C. Huffman came to my door before he left for the day, and I can't with any certainty state that the call from Mr. Garcia came before or after the incident with Officer Huffman. The only thing I know for sure is how I felt and still feel about Officer Huffman coming up behind me without my knowledge, making a clicking sound with either his duty weapon, pulling it out of the holster, or his taser or pulling it out of the holster, and pressing something against the back of my head not once but twice could never in my eyes be seen as a joke. It scared me and for days afterward I didn't and really still don't know why he did it so I truly felt uneasy, nervous, and on edge thinking is he going to do something else. Whether the call or the act came first is not in the forefront of my mind it is that someone who I trusted, an officer no less, helped in any way I could, actually went through the motions of putting a gun (finger,pretend or otherwise) to the back of my head and pulling the trigger. I cried all the way home that day and for days after trying to think of what I did to cause this. I thought the world of Officer Huffman as I do everyone in this department but I can't forget the feeling of thinking he had a gun to my head.

Patricia Warren
HCPD North Precinct
June 22, 2011

I HAVE READ OR HAD READ TO ME THE ABOVE STATEMENT. I SWEAR OR AFFIRM THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE & BELIEF.

Patricia L. Warren

EMPLOYEE'S SIGNATURE | EMPLOYEE'S PRINTED NAME | WITNESS' SIGNATURE

SWORN TO AND SUBSCRIBED BEFORE ME - THIS ____ DAY OF _____, 20____.

_____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

HCBPS FORM 04-0009