



Bradley County Sheriff's Office Administrative Investigation Final Report



Case Number: 21-00054365
Investigation Type: Internal - Administrative
Date Received: 12/15/2021
Investigators: Lt. Dewayne Scoggins and Sgt. Zech Pike
Date of Report: 01/28/2022

Complainant: [REDACTED]
Alleged Violation: Sexual Harassment
Date of Violation: September – December 2021
Location of Violation: 2290 Blythe Ave. S.E. Cleveland, TN 37311
Employee(s) Involved: Captain Jerry L. Johnson

Recommended Disposition

Original Complaint: Sexual Harassment: SUSTAINED

SUMMARY OF ALLEGATIONS

On 12-15-2021, Sheriff Steve Lawson ordered an administrative investigation related to an allegation of sexual harassment detailed in an email he received from [REDACTED]. [REDACTED] was at the time the HSA (head nurse) for the Bradley County Sheriff's Office medical contract vendor Fast Access Healthcare and served in that role during the period of September 2021 thru December 2021.

Sheriff Lawson reported that he was approached by Tina Smith, a manager with Fast Access Healthcare stating she had received an email and had also been told in person by her employee [REDACTED] that she is working in a sexually hostile work environment at the Bradley County Sheriff's Office. [REDACTED] further reported that the sexually hostile work environment has been created in the form of inappropriate sexual comments and behavior by Captain Jerry Johnson. Sheriff Lawson then requested the email be forwarded to him from [REDACTED] and ordered the administrative investigation after review.

On 12-16-2021 at approximately 9:30 am, [REDACTED] was interviewed at Fast Access Healthcare located at 400 Stuart Rd. Suite #1, Cleveland, TN 37312. During the recorded interview she described specific comments, text messages, and actions by Captain Jerry Johnson that made her feel sexually harassed.

During the interview, seventeen (17) specific points of interest were identified as reported by [REDACTED] and are listed as follows. (See specific complaints identified during Investigation document attached to the case file for complete list with notes)

1. Inappropriate Comments regarding her looks.
2. Sexually perverted comments and sexual jokes about tying her up while showing her handcuffs.
3. Frequently saying, "I see you" via text message or phone calls making her feel uncomfortable.
4. Watching her on camera everywhere she goes inside the facility making her very uncomfortable.
5. Calling her to his office frequently which interfered with her ability to complete her work and then talking about personal issues instead of work-related issues that wasted her time.
6. Calling or texting her after hours for no legitimate work-related reason, in her opinion.
7. Getting angry if she did not comply with his requests to come to his office and was threatened to be escorted from the building for hanging up on him when he made an inappropriate comment.
8. Attempting to walk with her outside after work or waiting on her and following her out of the building if she did not agree to be walked out.
9. Sending her sexual memes via text messages.
10. Waiting on her outside of the building for her to leave after work.
11. Taking photographs of her during a work-related meeting without her consent.
12. Calling the nurses station when she was alone and making inappropriate comments.
13. Shutting his office door and turning the lights off with her in the office alone. Then standing over her and touching her legs with his legs while asking her if she likes the dark.
14. Touching her shoulder and making sexual comments at the Cleveland/Bradley Block Party.
15. Putting his hand in her pocket and touching her hip with his hand.
16. Touching her by standing close to her (shoulder to shoulder) in medical making her uncomfortable.
17. Feeling that all actions stated has created a sexually hostile work environment.

Investigators which included Lt. Dewayne Scoggins, Sgt. Zech Pike, and Lt. David Shoemaker attempted to confirm and/or disprove all seventeen (17) points of interest regarding the allegations made by [REDACTED] by interviewing potential witnesses, reviewing video recordings, reviewing text messages and call logs from participants cell phones, and obtaining a response concerning the allegations from Captain Jerry Johnson.

After a review of all potential evidence that was able to be collected, the following allegations can be at least partially confirmed:

3. Frequently saying, "I see you" via text message or phone calls making her feel uncomfortable.
4. Watching her on camera inside the facility which made her feel watched and very uncomfortable.
5. Calling her to his office frequently interfering with her ability to complete her work and talking about personal things that were not work related that wasted her time.
9. Sending her sexual memes via text messages.
10. Waiting on her outside of the building for her to leave after work.
11. Taking photographs of her during a work-related meeting without her consent.
13. Shutting his office door and turning the lights off with her in the office alone. Then standing over her and touching her legs with his legs while asking her if she likes the dark.
14. Touching her shoulder and making sexual comments at the Cleveland/Bradley Block Party.
15. Putting his hand in her pocket and touching her hip with his hand.
17. Feeling that all actions stated has created a sexually hostile work environment".

After investigation, it is believed that sufficient evidence has been documented to make the recommendation to Sustain a policy violation for the allegation of Sexual Harassment made by [REDACTED]

INVESTIGATIVE SUMMARY

The following is a synopsis of events that occurred regarding the finding of facts:

12/15/2021 15:30 SCOGGINS, DEWAYNE

Sheriff Steve Lawson called me and Sgt. Zech Pike to his office. When we arrived, he notified us that he had been made aware of a possible sexual harassment claim by our Medical Vendor related to HSA [REDACTED]. He further stated that Tina Smith with Fast Access Healthcare had verbally told him that [REDACTED] sent her an email with a long explanation claiming that she was working in a sexually hostile work environment. Sheriff Lawson stated that he had texted [REDACTED] and requested that she send him the detailed email that explained her concerns. She agreed to forward the email to Sheriff Lawson. Sheriff Lawson further stated that myself and Sgt. Pike should be on standby in case he needed to order an administrative investigation.

A short time later we were called back to Sheriff Lawson's office. He then stated after reading the email he would be ordering an administrative investigation. He informed us he would forward the official written order for administrative investigation tomorrow morning. He then requested that we begin our investigation today.

I requested that Sheriff Lawson forward the email from [REDACTED] to my County issued email address dscoggins@bradleycountyttn.gov and I placed a copy in the file after reviewing the content of the email.

12/15/2021 16:00 SCOGGINS, DEWAYNE

Sgt. Zech Pike and I spoke with Tina Smith of Fast Access Healthcare in Sheriff Lawson's office. (Sheriff Lawson was not present) We informed her that we would be investigating and requested that she assist with setting up an interview with [REDACTED] to take an official complaint from her. After discussion, it was decided that we would conduct the interview at the Fast Access Healthcare Office building on Stuart Rd the following morning on 12-16-21 at 9:30 am. Tina Smith agreed to be present at the interview in hopes of making [REDACTED] more comfortable since we were both male investigators and she was their employee.

12/16/2021 09:30 PIKE, ZECH

Dewayne Scoggins and I interviewed the complainant, [REDACTED] at the Fast Access Healthcare Office on Stuart Rd. Tina Smith, who is [REDACTED] supervisor, was present during the interview. The interview was audio recorded via the Axon Capture application and the recording has been attached to the case.

12/16/2021 13:00 SCOGGINS, DEWAYNE

After returning from the interview with [REDACTED], Sgt. Pike and I gave Sheriff Lawson a verbal synopsis of her complaint that included further detail describing the events in her email. We also notified him that we would be using the email written by [REDACTED] as the

official complaint form rather than having one completed on the department complaint form because the email would provide more detail than the complaint form could provide.

Sheriff Lawson indicated that he was considering suspending Captain Johnson with pay pending the outcome of the investigation. I asked Sheriff Lawson if he could forward a copy of the suspension letter for the administrative file should he make that decision. He later provided me a signed copy of a suspension letter.

I also informed Sheriff Lawson that I would need to complete a notice of Administrative Investigation Letter to be given to Captain Johnson informing him of his rights and responsibilities during the investigation.

Sheriff Lawson further advised us that he had a letter of counseling documenting that he had verbally counseled Captain Johnson in October of 2020 about some similar sexual and rude comments. He provided us a copy of the document and it was added to the case file.

Shortly after the meeting, I provided the Notice of the Administrative Investigation letter to Chief Brian Smith because Sheriff Lawson notified me that he would be handling the suspension of Captain Jerry Johnson.

I provided the letter to Chief Brian Smith who then requested that I give the letter to Director Lewis Jones because he would be assisting him with the notification of suspension to Captain Johnson. I then requested from Director Jones that he collect Captain Johnson's County owned cell phone for forensic examination at some point during the notification.

The cell phone, which was an iPhone in a black case, was later brought to me by Dir. Lewis Jones after he collected it from Captain Jerry Johnson. The phone was placed in my office until a forensic examination could be requested.

12/16/2021 14:00 SCOGGINS, DEWAYNE

I spoke to Bradley County Attorney Crystal Freiberg via telephone and asked her if I had the authority to search the county owned cell phone used by Captain Johnson without his consent. I explained that the phone was brought from EMA by Captain Johnson when he began his employment at the Bradley County Sheriff's Office. I further explained that I had spoken to Carol Fowler the person in charge of our inventory, and she stated the Sheriff's Office is paying the monthly bill for the cell phone being used by Captain Johnson. She stated that if it was a county owned phone, we could search the phone without consent. She further stated that she would check with someone at the mayor's office to confirm that the phone was previously purchased by EMA and let me know.

12/16/2021 16:23 SCOGGINS, DEWAYNE

I received a call from [REDACTED] stating that she had received a call from former employee Justin Miller who told her that people had been calling him asking him what was going on with Captain Johnson pertaining to her. I informed her that I had notified Captain Johnson not to be discussing the details of the investigation with any potential witnesses and that I would speak to him and ensure that he understands that fact. I also told her that as we conducted interviews with potential witnesses, we would also give them the same order. [REDACTED] was concerned that everyone would be asking her about the complaint and that we had told her we would try keep things private. I then informed her that to protect her and

Captain Johnson, only a very limited number of people were aware of the complaint. However, since Captain Johnson had been suspended, everyone who works at the Sheriff's Office would be aware of his absence and likely ask questions. I ensured her that we would not be discussing details with anyone other than Sheriff Lawson or others on a need-to-know basis only.

12/16/2021 16:33 SCOGGINS, DEWAYNE

I called former Sr. Lt. Justin Miller and asked him if he had spoken to anyone about [REDACTED]. He told me that he had been contacted by JJ Johnson telling him he had been suspended and walked out of the Sheriff's Office because [REDACTED] had complained he sexually harassed her. Miller also stated that Captain Johnson said, "this is a good way to end a 37-year career" and he was going to fight it. According to Miller, Captain Johnson also said to him, "you didn't see nothing". Miller then stated that he called [REDACTED] and informed her about the call. I asked Justin Miller to notify me if her heard back from Captain Johnson and to please not discuss this with anyone because we would likely need to speak with him about the investigation at some point.

12/17/2021 09:30 SCOGGINS, DEWAYNE

I received a call from Crystal Freiberg the Bradley County Attorney. She confirmed that the cell phone used by Captain Johnson was purchased by EMA.

12/17/2021 10:50 PIKE, ZECH

Lt. Dewayne Scoggins and I contacted Captain Jerry Johnson via telephone to inform him of the investigation and confirm he had received his notification letter. We also informed him that we would be calling him for an interview at the appropriate time. We further informed him not to speak with any potential witnesses, current employees, or former employees of the Sheriff's Office who had worked here within the past year regarding the details of this investigation. Captain Johnson asked Lt. Scoggins to read him the policy concerning sexual harassment and it was read to him. Lt. Scoggins also explained he would be out of town during the week of December 20 - December 24 and that I would be out of town on December 27 and 28. The phone call was audio recorded and attached to this case.

12/17/2021 11:11 SCOGGINS, DEWAYNE

I completed a Cell Phone forensic request for the iPhone used by Captain Jerry Johnson. I also retrieved a cell phone described as a Samsung S20 previously issued to Sr. Lt. Justin Miller from inventory from Richard Cobble and completed a Cell phone forensic request on that cell phone as well.

I then presented both cell phones to Lt. David Shoemaker along with the forensic request forms and asked that he conduct a forensic examination on both cell phones. I requested that he look for Text Messages, Call Logs, Images, Videos, Voicemails, and emails, pertaining to communications between [REDACTED] Captain JJ Johnson, and Sr. Lt. Justin Miller. I discussed some details of the investigation along with the allegations made so he would know what information was relevant during his examination.

12/17/2021 12:41 SCOGGINS, DEWAYNE

I contacted Stephen Bohon who is an employee assigned to the Sheriff's Office maintenance division. I asked him if he changed the position of a camera near Captain Johnson's office recently. He said he had moved the camera in front of A Pod in the South Hallway of the Jail Facility so that it did not point into Captain Johnson's Office at his request. I asked Stephen

Bohon to write a statement and bring it to me when possible. Mr. Bohon brought me the written statement later in the day. I had previously been made aware by Richard Cobble that the camera position had moved because he presented a video clip of Stephen Bohon moving the camera.

12/17/2021 12:46 SCOGGINS, DEWAYNE

I contacted Richard Cobble with the BCSO IT Department and asked him if he recalls having been approached by former Sr. Lt. Justin Miller inquiring if it was possible to find out when someone was watching certain cameras on both the Pelco and Wyze camera systems deployed inside the jail. I had previously been made aware of this request by Richard Cobble because I am his supervisor. Richard Cobble said that he remembered the question and I requested that he write a statement detailing what was asked of him by former Sr. Lt. Miller. He provided me the written statement later in the day.

12/17/2021 13:16 SCOGGINS, DEWAYNE

I received an unsolicited statement from Dir. Lewis Jones. He provided the statement at the request of Chief Brian Smith. The statement details some unprofessional comments made by Captain Johnson during the interview process of potential new employees in the past.

12/20/2021 10:32 PIKE, ZECH

I received a text message from [REDACTED]. She stated she had received a message from Tara Shea, whom she states is a paramedic and had been working PRN with Fast Access Healthcare in the jail medical office. Tara Shea is a friend of Meghan Bales an employee with the Bradley County Sheriff's Office. According to [REDACTED] Meghan Bales contacted Tara Shea wanting information about what was going on with her and Captain Johnson. I spoke with Meghan Bales and informed her not to be discussing the incident being investigated with any potential witnesses including former employees of the BCSO within the last year. Meghan Bales did tell me she went to dinner with Tara Shea and her boyfriend, Jeff Wagner who is a Bradley County Deputy and this was when the matter was discussed. Meghan Bales told me she was concerned about [REDACTED] and wanted her to know she asked about her. Meghan Bales also told me Tara Shea had left working at the BCSO within the last week or two. Tara Shea told Meghan Bales she witnessed unprofessionalism in medical and left the BCSO, in part, because of JJ Johnson, according to Meghan Bales.

12/20/2021 13:50 PIKE, ZECH

I reviewed the jail surveillance video from December 07, 2021. I made notes of specific times and cameras views as follows:

Camera - Medical 1:

14:47:20 [REDACTED] takes a desk phone call from the backside of the counter
14:47:49 [REDACTED] hangs up the phone and walks out of medical

Camera - A-Pod Hall Entry:

14:48:30 [REDACTED] enters Captain Johnson's Office
15:06:50 Captain Johnson leaves his office - goes across the hall
15:07:45 Captain Johnson comes out from across the hall and enters his office
15:07:51 Captain Johnson turns out the light in the office
15:07:55 Captain Johnson shuts the door to his office with [REDACTED] still inside
15:14:29 Sr. Lt. Justin Miller walks by Captain Johnson Office and looks in
15:16:00 Captain Johnson's office door opens - [REDACTED] exits and returns to medical.

During this incident [REDACTED] states, she sent a text message to Sr. Lt. Justin Miller. [REDACTED] has not yet forwarded me a copy of the screen shot of this text message she sent Justin Miller as this was occurring. However, I did see the screenshot on her phone during her interview. She has been asked to forward me the screenshot.

Surveillance Videos:

A-Pod Hall Entry - Medical 1 - South Hallway Green Doors were all downloaded from the incident on 12-07-2021 14:47 - 15:30. The videos were added to the case folder.

12/20/2021 14:00 PIKE, ZECH

I received a copy of the results of the cell phone forensic report on Captain Johnson's cell phone. The report was completed by Lt. David Shoemaker.

12/20/2021 14:17 PIKE, ZECH

I started reviewing the cell phone forensic report for Captain Johnson's cell phone. During my review I discovered no direct text messages between Captain Johnson and [REDACTED]. It is possible they have been deleted. I did observe some group messages that included both Captain Johnson and [REDACTED].

12/21/2021 14:30 PIKE, ZECH

I received a text message from [REDACTED]. She informed me the Axon link I sent her would only allow her to send 16 screen shots of text messages. I contacted Lt. Shoemaker, who allowed me to use his cell phone video equipment for recording a text message thread. I slowly video recorded the text message thread on [REDACTED] cell phone. The video of the text message thread was added into the internal affairs folder under this case and added as an attachment.

12/21/2021 15:17 PIKE, ZECH

[REDACTED] sent me one screen shot of a text message between her and Justin Miller on the day she was in Captain Johnson's office with the light off as requested. The screenshot was placed into the internal affairs folder. She also sent me a screen shot of Justin Miller's contact information to confirm what phone number was being used for the text message. This was also added into this investigation's folder.

12/21/2021 16:00 PIKE, ZECH

While examining the text message thread between [REDACTED] and Captain Johnson, I observed a text message from December 07, 2021, at 5:32 pm. This would have been 2.5 hours after the incident in Captain Johnson's office with the light out and the door shut. In the text message [REDACTED] states, "I need an award for earlier, js!!". The text conversation continues about someone having a heart catheter. I located a call at the Justice Center on 12/07/2021 at 16:04 hrs. for someone having a heart attack. I added the call detail report from BCEMS 21-00022050 into the case folder.

12/22/2021 11:12 PIKE, ZECH

I observed surveillance video from the camera labeled "South Hallway Green Doors" on November 24, 2021. At 13:27:28 hrs. were maintenance employee, Stephen Bohon can be seen moving the surveillance camera away from the view of Captain Johnson's office. [REDACTED] can be seen entering Captain Johnson's office during this same clip at 13:17:52.

I downloaded this camera footage from the time 13:17 to 13:43. The video was placed in the case folder.

12/27/2021 10:14 SCOGGINS, DEWAYNE

I asked Lt. Shoemaker about the forensic examination of the Samsung phone used by former St. Lt. Justin Miller. Lt. Shoemaker stated that after a review of the phone he did not find any information on the phone pertaining to our request. It was later learned that Justin Miller rarely used the department issued cell phone electing to use his personal cell phone instead.

12/27/2021 12:09 SCOGGINS, DEWAYNE

I received screenshots of text messages from Tina Smith between her and [REDACTED] via the Axon Capture application. Sixteen (16) screenshots were sent by Mrs. Smith because that is the limit on the Axon capture application. The screenshots do not show the complete conversation and may be out of order. The screenshots were downloaded and placed in the case file.

12/29/2021 10:00 SCOGGINS, DEWAYNE

Sgt. Zech Pike and I interviewed former Sr. Lt. Justin Miller using a Zoom call platform. The Zoom session was video recorded and placed in the case file. Justin Miller gave an account of multiple events that confirm parts of [REDACTED] statement including being told via text message that Captain Johnson had “locked her in his office and turned the light off”. He also confirmed that he had told her it was permissible to come and go from the detective entrance, so she did not have to go by Captain Johnsons office. He also stated that he observed Captain Johnson watching the medical cameras in his office on multiple occasions and that he had inquired from Richard Cobble with the IT division about seeing who and when someone was observing a camera in the facility because he believed Captain Johnson was watching [REDACTED] on the two camera systems. (See video for complete statement) He further described multiple events of unprofessional conduct by Captain Johnson including texting supervisors that Meghan Bales was a “bitch” and being smacked on his buttocks by Captain Johnson. He also described conduct that belittled officers including himself, and vulgar sexual comments being made to Sr. Lt. Christi Walls and Fast Access Healthcare employee Tina Smith.

12/29/2021 12:41 SCOGGINS, DEWAYNE

I called Tina Smith with Fast Access Healthcare and requested copies of the November and December 2021 schedule for all medical staff in case we needed to know who was working on a certain day or time to help identify possible witnesses. She stated she would gather copies and email those to me.

12/29/2021 12:45 SCOGGINS, DEWAYNE

I called [REDACTED] who is the husband of [REDACTED] and scheduled an interview with him on 12-30-21 at 10:00 am. He agreed to give a statement regarding his knowledge of what was happening with his wife.

12/29/2021 14:13 SCOGGINS, DEWAYNE

Sgt. Zech Pike and I conducted an interview with Lt. Jeremy Kanipes in my office. Lt. Kanipes stated that he had never observed any inappropriate comments or actions between Captain Johnson or [REDACTED] He did confirm that he observed [REDACTED] in Captain Johnson’s office frequently. He said that Captain Johnson calls many employees,

especially supervisors, into his office frequently and sometimes they talk about non-work-related topics.

12/30/2021 10:00 SCOGGINS, DEWAYNE

Sgt. Zech Pike and I interviewed ██████████ who is the husband of complainant ██████████. ██████████ did confirm that he heard Captain Johnson make inappropriate comments to his to his wife at the block party on October 31, 2021. He described hearing him say something about it being against the law to look so good and he wanted to arrest her and take her home. (See audio recording for exact wording) He also stated that he came to the Sheriff's Office one evening when his wife believed that Captain Johnson was waiting on her outside after work. He stated he waited in the parking lot observing Captain Johnson until he left, and his wife then came outside. This can be confirmed from video footage observed and placed in the file by Sgt. Zech Pike. The interview was audio recorded and placed in the case file. Sgt. Pike also took photographs of several text messages between ██████████ and ██████████ on his phone showing the discussion about this event. These text messages confirm some of his story about why he came to the Sheriff's Office and waited in the parking lot based on the perception of his wife.

01/05/2022 11:00 PIKE, ZECH

I located surveillance video from the Medical 2 camera recorded on November 29, 2021. The video captures Captain Johnson entering medical at 12:39:37 to speak with ██████████ while she is the Medicine Room with another nurse, Brenda Roberts. Captain Johnson leaves Medical at 12:51:02. This relates to the allegation that Captain Johnson came to medical after she hung up the phone on him and threatened to escort her out of the building. The video was added to the case.

01/06/2022 10:12 SCOGGINS, DEWAYNE

I asked Chief Brian Smith if he had any disciplinary documentation regarding Captain Jerry Johnson because Sheriff Lawson informed me that Chief Smith had counseled Captain Johnson on numerous occasions. Chief Smith told me that he had spoken to Captain Johnson on four (4) separate occasions regarding inappropriate conduct and behavior. He further stated that he had not documented any of the verbal counseling sessions in writing. I requested that Chief Smith write a statement regarding the verbal counseling given to Captain Johnson to be placed in the administrative investigation file.

01/06/2022 12:38 SCOGGINS, DEWAYNE

I called Captain Johnson and requested that he come to the office for an interview do discuss the specific allegations. Captain Johnson agreed and the interview was scheduled for Tuesday January 11, 2021, at 9:00 am.

01/09/2022 12:21 SCOGGINS, DEWAYNE

I received an email from Tina Smith of Fast Access Healthcare that included the November Fast Access time sheets. She did not send the December time sheets as requested. I later placed copies of the times sheets in the case file for reference if needed.

01/10/2022 02:30 SCOGGINS, DEWAYNE

Lt. David Shoemaker and I interviewed Lt. James Gregory of the Corrections Division in my office. He did not have any specific pertinent information to contribute regarding the sexual harassment allegations other than he did see ██████████ in Captain Johnson's Office

frequently. He also stated that he was in an office with former Sr. Lt. Justin Miller on one occasion when [REDACTED] came in and told Justin Miller she did not want to go by Captain Johnson's office because he called her in all the time, and she could not get any work done. Lt. Gregory then provided a copy of six documents written by him dating back to 2-22-21 relating to incidents involving him and Captain Johnson. These incidents were not specifically related to this investigation. Those documents were placed in the case file for reference.

Note: I am not certain if this interview was audio recorded as I failed to indicate this in the chronology. However, I do not believe the interview was audio recorded because I cannot find any recording of the interview in my Axon Capture application. Given that he had no specific information related to the current administrative investigation, it is likely I did not record the interview and just accepted his written documents.

01/10/2022 14:02 PIKE, ZECH

I downloaded two surveillance videos from 12/13/2021. One video is from the outside parking lot of F-Pod and the other is the outside parking lot near H-Pod. Both videos are during the timeframe of an incident where [REDACTED] husband [REDACTED] stated he came to the jail at the end of her shift due to Captain Johnson waiting for her in the parking lot. After observing the videos, you can see the white Toyota truck described by [REDACTED] pull into the parking lot as described.

01/11/2022 09:00 SCOGGINS, DEWAYNE

I interviewed Captain Jerry Johnson in the community room with the assistance of Lt. David Shoemaker because Sgt. Zech Pike was not available. The interview lasted 2 hours and 44 minutes. All aspects of the investigation were discussed with Captain Johnson, and he was given an opportunity to respond to the 17 specific allegations that were made by [REDACTED] point by point. The interview was audio recorded via the Axon Capture application and then uploaded to evidence.com and restricted. The recording was also attached to the case file. A Garrity warning form was discussed and eventually read and signed by Captain Johnson although it was not done until after the interview was already underway.

Captain Johnson denies creating a hostile, intimidating, or offensive work environment for [REDACTED] and stated that he was only doing his job. Captain Johnson stated that the memes he sent [REDACTED] were funny and not sexual in nature. He stated that he had never been alone in a closed-door environment with [REDACTED] other than one possible time after [REDACTED] sent him an email sometime in November 2021 forwarded from Tina Smith indicating that Fast Access Healthcare would not have likely taken the Bradley County Contract if they had known of pending lawsuits before signing the contract. Captain Johnson stated he can not remember if he had a closed-door meeting with [REDACTED], but she had requested one.

Captain Johnson stated that he had never closed the door and turned off the lights by saying "no", when asked. Captain Johnson stated that he did not stand in front of [REDACTED] in his office touching her legs and say do you like it in the dark by answering "absolutely not" when asked. He was then shown the video from 12-07-21 depicting him walking into his office where [REDACTED] was waiting and turning off the light and closing the door. Captain Johnson said he did not remember doing this after seeing the video and said he did not know why he did this. (See audio for full statement) (Also see specific complaints identified with responses)

01/11/2022 12:30 SCOGGINS, DEWAYNE

I briefly met with Sheriff Lawson to give a verbal report of the highlights of Captain Jerry Johnson's statement. Lt. David Shoemaker was also present. I told Sheriff Lawson that I would

be ready to give a verbal report by Friday 1-14-21. He requested that we call Bradley County Attorney Crystal Frieberg to be present at the meeting.

01/11/2022 14:00 SCOGGINS, DEWAYNE

I called Bradley County Attorney Crystal Frieberg via phone and requested she attend the verbal report meeting regarding the Administrative Investigation of Captain Johnson on Friday. She agreed to come at 1:30 pm.

01/12/2022 14:34 SCOGGINS, DEWAYNE

Chief Brian Smith brought me a written Memorandum regarding his verbal counseling with Captain Johnson that I had requested. The document was added to the case file for reference.

01/13/2022 13:30 SCOGGINS, DEWAYNE

I called Lt. Jeremy Kanipes for a follow up question related to the possibly of him being present during a conversation with [REDACTED] and Captain Johnson concerning her son. [REDACTED] claims that Captain Johnson made comments about needing to bring condoms for her 6-year-old son after she stated he would not hug her anymore because he had little girlfriends. Captain Johnson recalled that he did have a conversation with [REDACTED] about her son but stated that he never said anything about bringing condoms for her son.

Lt. Kanipes stated that he may have been present during the time a conversation was had relating to [REDACTED] son not hugging her, but he could not be certain. He also stated that he was never present when any comments were made about condoms being brought for her son that he recalls.

01/14/2022 13:30 SCOGGINS, DEWAYNE

Lt. David Shoemaker, Sgt. Zech Pike (via Zoom conferencing), and myself met with Sheriff Steve Lawson and Bradley County Attorney Crystal Frieberg in his office at 1:30 pm. I gave a verbal report regarding seventeen (17) specific points of interest that had been identified as being relevant to any possible policy violations. Input from Lt. Shoemaker, Sgt. Pike, and myself relayed what all witnesses that had been interviewed stated to the best of our memories. We also discussed if any of the seventeen (17) specific points of interest had any corroboration from witnesses, text messages, video recordings, or phone logs. We all believed that some of the allegations would be at least partially confirmed with some evidence. We showed a video to both Sheriff Lawson and Attorney Crystal Frieberg of an event where Captain Johnson went into his office with [REDACTED] and shut the door and turned the lights off.

At the end of the meeting, I stated that in my judgement, I believe the totality of the circumstances constitute a violation of the Sexual Harassment Policy under 26.1.12 SEXUAL HARASSMENT: Subsection C: Such conduct has the purpose of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sheriff Lawson then requested that we conduct additional investigation by interviewing Sr. Lt. Christi Walls relating to an incident where she may have had sexual comments made to her by Captain Johnson, and Nurse Brenda Roberts because she may be a witness to an event in the Medical Medication room where Captain Johnson is alleged to have threatened to walk [REDACTED] out of the building.

Because of his request, Sgt. Pike and I requested a 30-day extension for the investigation to be concluded because policy requires a 30-day window to conduct the investigation. Policy also allows for extensions of the time if the Sheriff approves.

01/14/2022 16:00 SCOGGINS, DEWAYNE

Sheriff Lawson provided a letter authorizing a 30-day extension to the investigation. I told Sheriff Lawson that I would notify Captain Johnson and [REDACTED] of the extension the following Tuesday after the upcoming holiday weekend.

01/19/2022 15:39 SCOGGINS, DEWAYNE

I called Captain Jerry Johnson and informed him that Sheriff Lawson had authorized a 30-day extension for the investigation to be completed because he wanted two additional witnesses to be interviewed and the final report written and presented to him. Sgt. Zech Pike listened to the call.

01/19/2022 16:00 SCOGGINS, DEWAYNE

I called [REDACTED] and informed her of the 30-day extension. She stated that she left employment with Fast Access Healthcare because of problems with that company and not because of the Bradley County Sheriff's Office or what has occurred with Captain Johnson. The call was recorded and placed in the case file for reference. Sgt. Zech Pike listened to the call.

01/19/2022 16:30 SCOGGINS, DEWAYNE

I spoke with Sr. Lt. Christi Walls and requested that she submit to an interview related to Captain Jerry Johnson and she agreed. The interview was scheduled for Thursday 1-20-22 at 9:30 am.

01/20/2022 09:40 SCOGGINS, DEWAYNE

Sgt. Zech Pike and I interviewed Sr. Lt Christi Walls in the community room. I attached a copy of notes I created during the interview with her to the case file. During the interview she described some sexual comments and unprofessional comments made by Captain Johnson. She also stated that she had reported this to Chief Smith and Sheriff Lawson. (See audio recording or interview notes for further detail)

01/20/2022 13:14 SCOGGINS, DEWAYNE

I received a call from Denise Johnson the wife of Captain Jerry Johnson. She wanted to know if we planned to interview her as part of our investigation involving her husband. I told her that I did not see any reason why I would need to interview her unless she had relevant information regarding the allegations against her husband. She stated that she was with her husband coming back from Chattanooga, TN one evening when he called [REDACTED] regarding a nurse in the jail and knew this was work related. She said [REDACTED] did not answer and he had to go in to work to deal with the situation. She also stated that she had taken a photograph of some Christmas decorations depicting two deer and then texted it to her husband. She stated that both then began texting the photograph to their friends because they thought it was funny.

She had several questions about the investigation, and I tried to answer the ones that I could. She also brought up several other topics on the call however, I did not believe any of those topics were relevant to the investigation other than the reason for the afterhours call to [REDACTED] and the photograph she mentioned. I told Mrs. Johnson that I would look back

over my case notes and call her back for an interview if I believed she could provide any information regarding any of the specific points being investigated. The call lasted approximately 20 minutes.

Shortly after the call began, I placed my phone on speaker and asked Sgt. Zech Pike to step into my office to be a witness. Shortly after the call was completed, I saw Sheriff Lawson in the hallway near my office and mentioned to him that Mrs. Johnson had called and wanted to help and seemed concerned.

01/20/2022 15:14 SCOGGINS, DEWAYNE

Sgt. Zech Pike and I interviewed Nurse Brenda Roberts via a telephone conversation. She was unavailable to come to the office because she was sick. During the conversation she could not recall anything being said by Captain Johnson regarding being hung up on during a phone conversation or walking or removing ██████████ out of the building. She did think she remembered a time when Captain Johnson came to medical when she and ██████████ were in the medicine room. She said that she probably wasn't paying attention all that much because she was doing her work getting med pass ready to be distributed. The phone interview was audio recorded and placed in the file.

01/25/2022 10:06 SCOGGINS, DEWAYNE

I was able to get logged in to Captain Johnson's County issued email after making a request to Adam Lewis and Wrightcore to reactivate the account and set a temporary password. I was also able to locate an email described by Captain Johnson that was sent from ██████████ to him and it was dated 11-10-21. The email came originally from Tina Smith with Fast Access Healthcare to ██████████ and was then forwarded to Captain Johnson. During the interview with Captain Johnson, he stated that the only time he could remember having a closed-door meeting with ██████████ was just after she sent him this email possibly. This email was almost one month prior to the 12-07-21 event where the door was closed, and the light was turned off in Captain Johnson's office with ██████████ present.

02/01/2022 15:36 SCOGGINS, DEWAYNE

After a review of the case facts, it occurred to us that we had never looked in Captain Johnson's desk drawer to see if any handcuffs were present based on the statement by ██████████. Sgt. Pike and I went to Captain Johnson's Office and found a set of handcuffs with the name Captain Jerry L. Johnson engraved on them. They were located on the pull-out keyboard desk drawer of his desk. Photographs were taken to document the discovery. Those photographs were placed in the case file.

LIST OF WITNESSES

1. [REDACTED] - Complainant
 2. CAPTAIN JERRY JOHNSON - Accused Deputy
 3. JUSTIN MILLER
 4. [REDACTED]
 5. LT. JEREMY KANIPES
 6. SR. LT. CHRISTI WALLS
 7. NURSE BRENDA ROBERTS
 8. LT. JAMES GREGORY
 9. TINA SMITH
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CONCLUSION

Original Complaint

After investigation it is recommended that the original complaint of SEXUAL HARASSMENT be **SUSTAINED** pursuant to the Bradley County Sheriff's Office Policy 26.1.12.

The basis for recommending the policy violations are as follows:

With the totality of all circumstances considered, it is apparent that much of the statement of [REDACTED] has been corroborated by witness statements, video recordings, or text messages. Given the independent corroboration, it makes her a credible witness and therefore lends credibility to other parts of her statement that did not have independent proof.

The Bradley County Sheriff's Office Policies and procedures Sexual Harassment Policy 26.1.12 states:

26.1.12 SEXUAL HARASSMENT POLICY

It is the policy of the Bradley County Sheriff's Office that all personnel adhere to the provisions herein regarding the prohibition and reporting of sexual harassment.

Sexual harassment of any employee will not be tolerated. No employee shall sexually harass, either verbally or physically, another employee; nor shall any supervisor allow the harassment of any employee or any other person, either by Sheriff's Office employees or by individuals not employed by the Sheriff's Office.

It is the responsibility of supervisors to take all steps necessary to ensure that the provisions of this policy are enforced. Any complaint of harassment will be investigated immediately and corrective and/or disciplinary action taken if charges are determined to be founded.

Sexual harassment is defined as: Unwelcome sexual advances requesting sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to or acceptance of such conduct is made explicitly or implicitly a term or condition of employment; or
- B. Submission to or rejection of such conduct is used as the basis for employment related decisions; or
- C. Such conduct has the purpose of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment can also be in the form of comments, acts, or gestures. It is not limited to overt physical acts. Suggestive comments, jokes of a sexual nature, sexually suggestive objects or pictures, obscene gestures, sexually graphic stories, as well as unwanted touching, can all constitute sexual harassment.

Employees are encouraged to settle problems on an informal basis, but an employee who feels they have been subjected to sexual harassment may file a complaint directly with any supervisor without regard for the chain of command or with the State EEOC Coordinator.

A complaint of sexual harassment may be filed according to the following procedures. A complaint should be filed within seven (7) working days of the occurrence of the alleged harassment. If it is a continuing problem, the complainant should state when the conduct began and the progression of events to the time of the complaint. A complaint may be filed by a current employee, an applicant, or any other person. A complaint may be filed individually or as a group. Any complainant(s) shall have the right to have one representative of their choosing with them at all stages of the complaint procedure. The complaint procedure will ensure confidentiality to the degree allowed by law. Reprisal or retaliation against the complainant or witnesses participating in the investigation is prohibited and shall constitute grounds for disciplinary action.

The Sheriff will be informed verbally when a sexual harassment complaint has been filed, followed by a written notification the next business day. The Sheriff will appoint an Internal Affairs investigator to follow up on the complaint. The Internal Affairs investigator shall document the complaint in writing. Internal Affairs shall document all aspects of the investigation and inform the complainant employee, in writing, of the results within thirty (30) days. Additional time may be granted if circumstances warrant. Failure to take action regarding sexual harassment shall be grounds for disciplinary action.

If the complaint is against any member who reports directly to the Sheriff, the complaint shall be filed directly with the Sheriff, and he shall conduct, or appoint someone else to conduct, the investigation.

If the complaint is against the Sheriff, it shall be filed with the State EEOC Coordinator for investigation.

If the investigation reveals the complaint is sustained, the appropriate corrective action will be taken in accordance with policy and law.

If the complainant is not satisfied with the investigation or the corrective action taken by the Sheriff's Office, he/she may file the complaint with the State EEOC Coordinator.

Of the seventeen (17) points of interest identified, the following issues have been at least partially confirmed by independent witnesses, video recordings, or text messages.

3. Frequently saying, "I see you" via text message or phone calls: According to the complainant [REDACTED] Captain Johnson frequently sent her text messages and called her on her cell phone saying things like "I see you". She stated this made her feel uncomfortable because she believed she was constantly being watched.

On at least five 5 separate occasions text messages were discovered where Captain Johnson sent [REDACTED] [REDACTED] text messages saying, "I see you" or "Smile" or something indicating he knew what she was doing. It is unknown what was said during any phone conversations; however, it is possible the comments could have been made during a phone conversation as reported by [REDACTED]

4. Watching her on camera inside the facility which made her feel watched: According to the complainant, she felt like she was being watched on camera frequently making her very uncomfortable in her work environment. Justin Miller gave a statement that he observed Captain Johnson with the cameras to medical displayed on his TV in his office on several occasions. Additionally, he (Miller) asked Richard Cobble with the Information Technology Division if he had any way of finding out who was watching which specific department video cameras and when.

Upon examination of Captain Johnson's office shortly after he left the premises, Sgt. Pike and I found a group of cameras displayed on Captain Johnson's TV in his office that also included two of the medical cameras on the Pelco NVR system. One of the medical cameras was highlighted. However, [REDACTED] [REDACTED] was not working on the day that this information was obtained and was not on the property.

Additionally, the fact that Captain Johnson sent text messages to [REDACTED] saying "I see you" along with other text messages stating "Looks like a little work and lotsa sitting & talking to me! 😊😂" as examples, could be an indicator that he was watching her on video cameras with the exception of the block party in downtown Cleveland where he likely saw her, in person.

Captain Johnson stated it was his routine to check cameras before he went to bed. He stated that he did see her on camera on one occasion after hours at approximately 11:00 pm on Thanksgiving weekend which matches one of the text messages she received. Captain Johnson did state that he was not specifically watching [REDACTED] on camera but was doing his job by staying on top of what was going on in the medical offices.

5. Calling her to his office frequently interfering with her ability to complete her work: According to the complainant, she was called to Captain Johnson's office usually three (3) or four (4) times per day for apparent work-related issues. However, the conversations quickly turned to discussing personal topics. She stated it became difficult to complete her work and this wasted her time. She also stated when she was alone with Captain Johnson in his office, he would make sexually perverted comments such as asking her if she liked to be tied up and would do so while showing her handcuffs from his desk drawer.

Many witnesses interviewed stated that Captain Johnson would call various different employees to his office frequently and it was hard to get away because he wanted to talk. Sr. Lt. Christi Walls described this behavior as being a joke among employees because they could not walk by his office without being called in to talk. The employees would treat walking by Captain Johnson's office according to her as being similar to the movie the Hunger Games where they would choose a person to send to his office as a sacrifice so others could continue their work.

Under subsection C of the Sexual Harassment Policy substantially interfering with an individual's work performance can be a violation if verbal or physical conduct of a sexual nature creates an offensive work environment. This appears to be exactly what [REDACTED] was describing.

9. Sending her sexual memes via text messages: According to the complainant, she was offended by the sexual photographs/memes sent to her by Captain Johnson on several occasions. Three separate photographs/memes were found in the text message content of [REDACTED] phone sent by Captain Jerry Johnson in late November of 2021. All three have a sexual overtone that a reasonable person may describe as sexual (see photographs collected). Captain Johnson admits to sending the photographs but stated that he did not believe they were sexual in nature, and he thought they were just funny. He also stated that if [REDACTED] would have told him these offended her, he would have stopped sending them. He recalls her laughing about them when discussed in person after he sent them. Captain Johnson also stated when asked that he had been sent to Sexual Harassment Training provided by Bradley County in the last few years. This type of behavior would have likely been reviewed in the Sexual Harassment Training and could be considered inappropriate.

10. Waiting on her outside of the building for her to leave after work: According to the complainant, Captain Johnson waited on her outside after work on several occasions. She stated that she would often wait to ensure that he had left prior to leaving work because she did not want to talk with him outside the work environment and allow the same type of behavior to continue outside of work as well.

[REDACTED] the husband of [REDACTED], gave a statement that he called her on 12-13-21, because she was late leaving work and asked her if everything was, okay? She informed him that she was just waiting on "JJ" (Captain Jerry Johnson) to leave before she left work. [REDACTED] decided to come to the Sheriff's Office to intervene so his wife could leave. He provided text messages between him and his wife supporting his statement that can be reviewed in the case file. Video recordings were also discovered confirming [REDACTED] did come to the Sheriff's Office on that date driving a vehicle that he described.

Additionally, [REDACTED] informed Tina Smith about "JJ" waiting on her outside the building and Tina Smith then called Captain Johnson to distract him so she could leave work. These messages are also documented in the case file.

Captain Johnson stated that he was not waiting on [REDACTED] but was talking to night shift officers coming in for roll call on the evening shift which he would do sometimes if his wife was working late, and he did not need to be home.

It is unknown, based on the evidence whether Captain Johnson was waiting on [REDACTED] However, her perception is that he was waiting on her and the facts support her statement with the exception of Captain Johnson's intentions.

11. Taking photographs of her during a work-related meeting without her consent. According to the complainant, Captain Johnson took at least two different photographs of her with his cell phone during an October medical meeting between the Sheriff's Office Administration and Fast Access Healthcare without her knowledge or consent. She stated that he then showed those photographs to her in his office because he asked her to come to his office for a "debrief" after the meeting. She stated "that makes me feel violated" regarding the incident.

No photographs of [REDACTED] were found during a forensic examination of Captain Johnson's cell phone. However, Captain Johnson admitted to taking the photographs. He believed that he had texted those to [REDACTED] but admits he could have shown them to her on his phone instead of

texting the photographs. He also stated he was just trying to make her feel more comfortable and a part of the team because she was new and nervous before the meeting.

While taking the photographs does not violate policy, the event does provide credibility to [REDACTED] overall statement. [REDACTED] also pointed out that she did not see him taking photographs of other employees and then showing them the photographs. She believes this is just another example of his attraction or infatuation with her and felt that it was inappropriate.

13. Shutting his office door and turning the lights off with her in the office alone. According to the complainant, Captain Johnson called her to his office to discuss some work-related topics on 12-7-21, in the afternoon hours. She stated at some point he left his office while she was talking on her phone. When he returned a minute or two later, he turned off the light in his office, closed the office door and then began standing over her while she was sitting in a chair with his legs touching her legs and asked her if she likes the dark. It can be confirmed that Captain Johnson did turn off the light to his office and shut the office door while [REDACTED] was inside the office alone. It can not be confirmed what happened inside the office because no video recordings or witnesses are available.

The video recordings show the door to Captain Johnson's office stays closed for approximately nine (9) minutes and then shows [REDACTED] opening the door and walking out into the hallway. She steps back into the office at least one time and appears to be having a normal conversation with someone in the office. (No audio available on the recording) [REDACTED] actions after the office door was opened does not necessarily show the body language of someone who is scared and just wants to get out of the office. However, [REDACTED] stated in part, she sent a text message to Justin Miller when he turned the lights off because she was scared to death. She thought, what I am going to do. She described that it was pitch dark in the office and all you could see were the lights from his computer. She said, I was scared that he was going to hurt me, or touch me, or just being alone in that dark room with him made me uncomfortable. She stated she didn't know if she could get out because he was standing right beside the door. She also said, what was I going to do, move him out of the way? The entire event lasted approximately 15 minutes total. She stated she tried to act normal so he (Captain Johnson) could not see her freaking out.

Justin Miller confirms [REDACTED] statement that she texted him saying she had been locked in Captain Johnson's office and the lights were turned off. The text message to Justin Miller states "So JJ just closed the door and turned off the lights and locked me in here with him". (See text message for reference)

Captain Johnson initially denied ever being in his office with the door closed or the lights off by saying "absolutely not" when asked. He then had no explanation for why he closed the door or turned off the lights when presented with the video recording.

14. Touching her shoulder and making sexual comments at the Cleveland/Bradley Block Party: According to the complainant, Captain Johnson sought her out at the Cleveland/Bradley Block Party on Halloween night in downtown Cleveland. She stated that she was with her husband and her son when Captain Johnson, after sending her a text message saying, "I see you", randomly came up behind her and grabbed her shoulder with one hand on her left shoulder. She states, he then started small talk saying things like how are you doing and then commented on her son's costume. He then leans over and said something to her, and she said "what did you say" because she could not hear him? He then said, it

should be a crime for somebody to look that good walking around here and he needed to arrest her and take her home or something similar to that. Her husband heard this and said excuse me what did you just say to my wife.

During the interview with [REDACTED], he confirmed this event giving a similar version about what was said by Captain Johnson to his wife. The exact wording of what was said was different but neither [REDACTED] nor [REDACTED] could give the exact wording said by Captain Johnson.

15. Putting his hand in her pocket and touching her hip with his hand: According to the complainant, Captain Johnson placed his hand in her pocket and touched her hip and removed a pulse oximeter out of her pocket. Her perception was, “why is any man putting his hand in her pocket” and that she is angered about these types of behaviors.

Captain Johnson’s stated that he did pull the pulse oximeter out of her pocket because she had told him her employees had lost all of them. He said to her, “did you find these?” He said it was not her pants pocket, it was her lab coat or sweater coat pocket. He was confident he did not touch her body and didn’t think it was inappropriate. He asked her if she had found the pulse oximeters since [REDACTED] had said they were missing. Captain Johnson described where everyone could have been standing and they may have been discussing an inmate being sent out of the facility for medical care.

17. Feeling that all actions stated has created a sexually hostile work environment”. According to the complainant, Captain Johnson’s actions created a sexually hostile work environment for her.

While it is not possible to determine how someone feels other than the individual stating their feelings, it is reasonable to believe that a person experiencing the events reported by [REDACTED] could feel sexually harassed or feel that the work environment was hostile, intimidating, or offensive. Although Captain Johnson said he had no intent to make her feel uncomfortable and he thought they were friends, intent is not the only requirement of sexual harassment according to policy.

Captain Johnson was asked if he were the one conducting this investigation would he believe his actions were a violation of the sexual harassment policy. His response was “no, because I have not done anything wrong”. He further stated he has not “done” any of the things she [REDACTED] says he has “done”.

The ten (10) allegations made by [REDACTED] listed above can be completely or partially confirmed. However, some of the other allegations made by [REDACTED] listed below may have merit. However, no independent proof could be obtained that confirms which version of events are true.

1. Inappropriate Comments regarding her looks: According to the complainant, Captain Johnson often made comments about her looks by saying things like “you look fine, no I mean really fine like everything is in the right place”, or “you look good”. She stated these types of comments would occur when they were alone together.

No evidence could be obtained to confirm or disprove the allegation.

2. Sexually perverted comments and sexual jokes about tying her up while showing her handcuffs: According to the complainant, Captain Johnson asked her on two (2) separate occasions if she liked to be

tied up and would then pull his handcuffs out of his desk drawer in his office. Additionally, she described that Captain Johnson told her he needed to bring condoms for her 6-year-old son when she told him her son did not want to hug her in front of his girlfriends.

While a set of handcuffs were located inside Captain Johnson's office recently, it would be expected that the Captain of the Bradley County Jail would have a set of handcuffs in his office. No video recordings of these 2 events could be found either because it did not occur, because the exact date and time could not be determined in order to review available video recordings, or the events occurred outside of video camera view.

Captain Johnson did have the video camera location moved on November 24, 2021, that pointed into his office so the camera could no longer see into his office. However, even prior to the camera being moved the viewpoint from the camera into his office did not show all of Captain Johnson's office from the hallway. Therefore, it may not have been possible to see the incidents described by [REDACTED]

Two different text messages from Captain Johnson were sent stating he hoped she got hugs from her son today. These messages did confirm that a conversation did likely occur about her son. However, Captain Johnson denies having said anything about condoms and no witnesses or other evidence could be discovered to confirm the comments.

6. Calling or texting her after hours for no legitimate work-related reason in her opinion: According to the complainant, Captain Johnson would often call her after hours for no legitimate purpose. Although 4 calls to [REDACTED] phone can be confirmed after hours, the specific purpose of the calls are not able to be confirmed.

Captain Johnson states that he called [REDACTED] 4 times one evening because a nurse who had allegedly failed a drug test showed up for work without him knowing she would be on the property, and he needed to speak to her to possibly have her replaced by another nurse. [REDACTED] states that she had already informed Captain Johnson that they were waiting on a more accurate drug test and that he was aware of this fact and had no reason to call her after hours.

The fact that Captain Johnson did not know the nurse would be on the property of the Sheriff's Office until the results were available is a legitimate purpose.

While there are some other examples of after hours contact such as the text messages with the photographs/memes sent to [REDACTED], those photographs are detailed in another allegation and do not apply necessarily to this point of interest.

7. Getting angry if she did not comply with his requests to come to his office and was threatened to be escorted from the building for hanging up on him when he made an inappropriate comment:

According to the complainant, Captain Johnson called her to come to his office and she told him she could not because she was busy. He responded by saying "I guess if I were the Sheriff, I would be getting more attention than I am right now". She claims she then hung up the phone and he immediately came to the medical unit in the medication room where her and nurse Brenda Roberts were working, and he was angry. He told her that hanging up on him was disrespectful and that she would do what he told her to do, or he would have her walked out of the building.

A video recording was obtained that shows Captain Johnson in the medication room of the medical unit as described by [REDACTED]. However, the only other witness in the room, Nurse Brenda Roberts could not confirm anything was said to [REDACTED] about being escorted from the property or being disrespectful to Captain Johnson by hanging up on him while talking on the phone.

Additionally, prior to Captain Johnson going to the medical department, the video recording does not show [REDACTED] on the phone as she sits at the medical desk. It can not be confirmed that the video recording reviewed is the same event that was reported.

8. Attempting to walk with her outside after work or waiting on her and following her out of the building if she did not agree to be walked out: According to the complainant, Captain Johnson would often call her and want to walk her out of the building after work. If she did not agree he would wait around for her and try to catch up to her in the hallway to walk out with her. She stated this behavior made her uncomfortable and she tried to avoid the situation by staying in her office longer in hopes Captain Johnson would leave.

No evidence could be obtained to confirm or disprove the allegation. However, see item #10 waiting on her outside of the building for her to leave after work.

12. Calling the nurses station when she was alone and making inappropriate comments: According to the complainant, Captain Johnson would often call in the medical unit while all other nurses on duty were not in the medical unit. She stated he would say things like, "I see you running to please your Captain".

No evidence could be obtained to confirm or disprove the allegation.

16. Touching her by standing close to her (shoulder to shoulder) in medical making her uncomfortable: According to the complainant, Captain Johnson on at least one occasion came into the medical unit and stood beside her at the medical desk. He then got very close to her and bumped his shoulder into hers. When she moved away, he moved closer and bumped her again.

No evidence could be obtained to confirm or disprove the allegation.

It is recommended that any reviewer of facts consider the following highlighted portions of the Bradley County Sheriff's Office Sexual Harassment Policy to assist in making a decision regarding potential policy violations:

Sexual harassment is defined as: Unwelcome sexual advances requesting sexual favors and other verbal or physical conduct of a sexual nature when:

A. Submission to or acceptance of such conduct is made explicitly or implicitly a term or condition of employment; or

B. Submission to or rejection of such conduct is used as the basis for employment related decisions; or

C. Such conduct has the purpose of substantially interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment can also be in the form of comments, acts, or gestures. It is not limited to overt physical acts. Suggestive comments, jokes of a sexual nature, sexually suggestive objects or pictures, obscene gestures, sexually graphic stories, as well as unwanted touching, can all constitute sexual harassment.

Additionally, multiple examples of unprofessional conduct in the form of inappropriate comments, some sexual, have been described by witnesses during the investigation. It was considered that other policies may have been violated under the Code of Conduct section of the Bradley County Sheriff's Office Policy Manual.

However, because the precise date and time of the reported incidents could not be confirmed, and Captain Jerry Johnson had already received 5 verbal counseling sessions from both Chief Brian Smith and Sheriff Steve Lawson related to similar events, it could not be determined whether or not Captain Johnson had already received some type of progressive disciplinary action in the form of verbal counseling for those incidents.

Therefore, no recommendation for additional policy violations for misconduct not based on the original complaint is being made for code of conduct violations pertaining to these witness statements.

END OF REPORT

Date Report Submitted: 02/03/2022

Report Prepared by: Lt. Dewayne Scoggins

Reviewed by: Sgt. Zech Pike

Original Case File Delivered to Internal Affairs file room

This report is being submitted for informational purposes to the Bradley County Sheriff's Office Administration to assist in making a final decision regarding any potential policy violations related to the investigation at hand. Any recommendations or opinions by the author of this report are for consideration purposes only. Any subsequent decisions or disciplinary action taken will be handled and decided by the appropriate authority.