

# ELKTON POLICE DEPARTMENT

## *Internal Affairs Casebook*

### PROCESS PAGE

DATE ASSIGNED: 03/20/17

DATE COMPLETED: 03/30/17

INVESTIGATOR: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ 191 3/31/17

BUREAU COMMANDER: N/A

FINAL REVIEW BY: \_\_\_\_\_

DISPOSITION: Sustained

a.) FILE CLOSED      b.) DISCIPLINE ACCEPTED      c.) HEARING BOARD

(circle one of the above)

I.A. Case No. 17-001

Charge No. 1 of 3

### ELKTON POLICE DEPARTMENT Notification of Charges

To: Waldrige, Lawrence - Lieutenant # 151  
(Name & Rank) (ID No.)

Assignment: Operations Bureau - Commander

You are hereby notified that you are charged with the following violation of this Departments rules, policy, and procedures to wit:

**Charge** -- Violation of Elkton Police Department rules, policy, and procedures (Explain in detail - include specific chapter and section where applicable.)

*Chapter 5-II-C (1) - Unbecoming Conduct:*

*As the most visible representative of government, employees must display unblemished professional conduct. To that end, employees are duty bound to avoid excessive, unwanted, or unjustified behavior that would reflect poorly on themselves, the Department, or the City government, regardless of duty status. Employees will refrain from using harsh, violent, profane or derogatory language which would demean the dignity of any person.*

**Statement of Facts** (Include Dates):

There have been various occasions where Lieutenant Lawrence Waldrige acted in an unbecoming and discourteous fashion by making inappropriate comments directed at subordinates. These comments contained racially insensitive overtones.

Charge Preferred by:

Commander's Signature: [Signature]  
(Commanders signature denotes filing of charges)

Date  
Commander Signed: 5/9/17

**Note \* Once a commander signs the charge, it is deemed filed.**

Employee's Signature: [Signature]  
Signature acknowledges that the employee has been advised of the charge and supporting statement and understands same.

Date  
Employee Signed: 9 May 2017

I.A. Case No. 17-001

Charge No. 2 of 3

### ELKTON POLICE DEPARTMENT Notification of Charges

To: Waldridge, Lawrence Lieutenant # 151  
(Name & Rank) (ID No.)

Assignment: Operations Bureau - Commander

You are hereby notified that you are charged with the following violation of this Departments rules, policy, and procedures to wit:

**Charge** -- Violation of Elkton Police Department rules, policy, and procedures (Explain in detail - include specific chapter and section where applicable.)

*Chapter 5-II-C (3) - Unbecoming Conduct:*

*A supervisor will not injure or discredit a subordinate through unreasonable, unjust, arbitrary or tyrannical conduct or abusive language.*

**Statement of Facts** (Include Dates):

There have been various occasions where Lieutenant Lawrence Waldridge acted in an unbecoming and discourteous fashion by making inappropriate comments directed at subordinates. These comments contained racially insensitive overtones.

Charge Preferred by:

Commander's  
Signature: \_\_\_\_\_

(Commanders signature denotes filing of charges)

Date  
Commander  
Signed: \_\_\_\_\_

5/9/17

**Note \* Once a commander signs the charge, it is deemed filed.**

Employee's Signature: \_\_\_\_\_

Signature acknowledges that the employee has been advised of the charge and supporting statement and understands same.

Date  
Employee  
Signed: \_\_\_\_\_

9 May 2017

I.A. Case No. 17-001

Charge No. 3 of 3

### ELKTON POLICE DEPARTMENT Notification of Charges

To: Waldridge, Lawrence - Lieutenant # 151  
(Name & Rank) (ID No.)

Assignment: Operations Bureau - Commander

You are hereby notified that you are charged with the following violation of this Departments rules, policy, and procedures to wit:

**Charge** -- Violation of Elkton Police Department rules, policy, and procedures (Explain in detail - include specific chapter and section where applicable.)

*Chapter 5-II-Y (1) - Courtesy:*

*An employee shall be courteous to the public and to fellow employees. He shall be tactful in the performance of his duties, shall control his temper and exercise the utmost patience and discretion; he shall not engage in argumentative discussions even in the face of extreme provocation. While on duty or in the performance of his duties he shall not use coarse, violet, profane or insolent language or gestures toward the public or fellow employees. He shall not express any prejudice or use language which might be insulting or demeaning to the public or fellow employees concerning race, sex, religion, politics, national origin, lifestyle or similar personal characteristics.*

**Statement of Facts** (Include Dates):

There have been various occasions where Lieutenant Lawrence Waldridge acted in an unbecoming and discourteous fashion by making inappropriate comments directed at subordinates. These comments contained racially insensitive overtones.

Charge Preferred by:

Commander's  
Signature: \_\_\_\_\_

(Commanders signature denotes filing of charges)

Date  
Commander  
Signed: \_\_\_\_\_

5/9/17

**Note \* Once a commander signs the charge, it is deemed filed.**

Employee's Signature: \_\_\_\_\_

Signature acknowledges that the employee has been advised of the charge and supporting statement and understands same.

Date  
Employee  
Signed: \_\_\_\_\_

9 May 2017

**ELKTON POLICE DEPARTMENT**  
**Waiver of Law Enforcement Officers' Bill of Rights and Acceptance of Punishment**

I, Lieutenant Lawrence Waldrige, am familiar with the Law Enforcement Officers' Bill of Rights and pursuant to Public Safety Article, Title 3, '3-103(f), Annotated Code of Maryland, voluntarily waive all of my rights for the purpose of the disciplinary charge(s) that have been filed against me.

I plead guilty to such violation(s) and accept as punishment a penalty of:

- 1) **Suspension of two (2) days without pay, which will be May 10, 2017 & May 11, 2017**
- 2) **Loss of eight (8) hours of vacation time**

**Exact dates must be specified if the employee is suspended, deprived of leave, or loses police powers.**

I have received a copy of, and acknowledged by signature, the Notification of Charges filed against me. I am aware by waiving my rights under the Law Enforcement Officers' Bill of Rights; that I am waiving my right to appeal the finding and punishment.

Employee's Signature: Lt. Lawrence Waldrige Date: 9 May 2017

Counsel for Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Prosecutor: \_\_\_\_\_ Date: \_\_\_\_\_

Captain : \_\_\_\_\_ Date: 5/9/17

Chief of Police. : \_\_\_\_\_ Date: 5/10/17

Formal Counseling Record

To: Lieutenant Lawrence Waldrige

Tuesday, May 9, 2017

Re: IA# 17-001

**Problem Discussed:**

A complaint on the conduct of Lieutenant Lawrence Waldrige was received from [redacted]. The complaint stemmed from an interaction that occurred on Tuesday, March 7, 2017. The complaint indicates Lieutenant Waldrige may have made inappropriate comments and gestures, directed at Officer [redacted], which may have had racially insensitive overtones.

This interaction took place during the morning roll call and in front of several other officers (subordinate officers).

As a result of this complaint, [redacted] directed an Internal Investigation be opened and completed (IA#13-008) on Lieutenant Waldrige in reference to this conduct.

This investigation revealed there have been various occasions where Lieutenant Lawrence Waldrige acted in an unbecoming and discourteous fashion by making inappropriate comments directed at subordinates. These comments contained racially insensitive overtones.

The outcome of this investigation was a sustained finding under the policies for unbecoming conduct (Chap. 5-II-C (1 &3)) and courtesy (Chap. 5-II-Y (1)).

**Administrative Action:**

- Initiated and completed an Internal Investigation which rendered a sustained finding
- Lt. Waldrige received a two (2) day suspension without pay
- Loss of eight (8) hours of vacation time

**Corrective Action:**

- The policy on Harassment/Productive Work Environment was reviewed with Lt. Waldrige focusing on the expectation to act in a positive and professional manner - free of the behavior described in IA#17-001
- Lt. Waldrige was made aware of the serious ramification of his actions not only on a personal and professional level, but also the ramifications on the agency as a whole.
- Even though Lt. Waldrige has a Policy manual, individual copies of the above policies were provided to him for his review.
- Lt. Waldrige was also informed that remedial sensitivity training will be scheduled for him
- Lt. Waldrige was made aware any further incidents of this nature could result in more sever discipline to include possible termination of employment

**Bureau Commander's Comments:**

During this counseling session with Lt. Waldrige, I impressed upon him how as a police officer and especially as a commander, he is held to a higher standard of conduct, and the conduct exhibited by him, as revealed in IA# 17-001, did not meet that standard and is unacceptable. Not only is this type of conduct unacceptable in this organization, but it is the type of conduct that is unacceptable to society as a whole.

I also made sure Lt. Waldrige knew, the Conduct and poor judgment displayed, erodes employee confidence and support essential to the delivery of police services.

5/9/17  
Date

Lawrence W. Waldrige  
Lawrence Waldrige  
Lieutenant - Operations

9 May 2017  
Date

# **Elkton Police Department**

**Internal Affairs Case No. 17-001**

## **Report of Investigation**

**Respondent: Lieutenant Lawrence Waldrige ID#151**

**Date: March 7, 2017**

**Location: Elkton Police Department Roll Call Room**

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## Chapter 5 – Section IX Sexual Harassment / Productive Work Environment

5-IX-1

### A. Authority

Sexual harassment in the work place is prohibited by Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e); Maryland Human Relations and Discrimination Laws (Article 49B; Article 64A, Section 12A-E, Annotated Code of Maryland) and Town policy adopted by the Mayor and Commissioners of the Town of Elkton on June 7, 1995.

### B. Policy

It shall be the policy of the Town of Elkton to promote a productive, efficient and safe work environment and not to tolerate verbal or physical conduct by any employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile work environment.

### C. Guidelines

1. Employees of the Town of Elkton are expected to act in a positive and professional manner and contribute to a productive, efficient and safe work environment that is free from harassing or disruptive behavior and activity. No form of harassment will be tolerated, and special attention is called to the prohibition of sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
2. No supervisor or other employee is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or condition of employment. Similarly, no employee or supervisor shall promise, imply, or grant any preferential treatment in connection with another employee or applicant engaging in sexual conduct.
3. Other sexually harassing or offensive conduct in the work place, whether committed by supervisory, non-supervisory employees, or non-employees, is also prohibited. Such conduct includes, but is not necessarily limited to, the following:
  - a. Sexual Flirtations, touching, advances or propositions;
  - b. Verbal abuse of a sexual nature;
  - c. Graphic or suggestive comments about an individual's dress or body;
  - d. Sexually degrading words to describe an individual: and/or
  - e. The display in the work place of sexually suggestive objects or pictures, including nude photographs, drawings or other related depictions.



Chapter 5 – Section IX  
Sexual Harassment / Productive Work Environment

5-IX-2

D. Procedure

1. Any employee who believes that a supervisor's, another employee's, or a non-employee's actions or words constitute unwelcomed harassment has a responsibility to report or complain about the situation as soon as possible. Such a report or complaint should be made to the employee's department head or to the Personnel Officer if the complaint involves the department head.
2. Complaints of harassment are to be handled and investigated under the Town of Elkton's grievance policy, unless special procedures are deemed appropriate. Regardless, all complaints of harassment are to be investigated promptly and in as impartial and confidential a manner as possible. Employees are requested to cooperate in any investigation. A timely resolution of each complaint is to be reached and communicated to the parties involved. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.
3. Any employee found to have engaged in harassment of another employee will be subject to appropriate disciplinary action, depending upon the circumstances, up to and including termination. The disciplinary action process for police employees will be in accordance with the guidelines specified under the Law Enforcement Officer's Bill of Rights.

**ELKTON POLICE DEPARTMENT**

*Intra-Office Correspondence*

**TO:**

**FROM:**

**DATE:** 03/20/17

**SUBJECT:** Internal Investigation: IA#17-001

**Employee(s) Involved:** Lieutenant Lawrence Waldrige

A complainant has been received from Sergeant [redacted]. The complaint stems from an interaction that occurred on the day of Tuesday, March 7, 2017. The complaint indicates Lieutenant Waldrige may have made inappropriate comments and gestures, directed at Officer [redacted], which may have had racially incentive overtones.

This interaction took place during the morning roll call on the above date (see attached written complaint).

[redacted] indicated, she was uncomfortable with the comment and hand gesture and she quickly ended the roll call session to terminate any further interaction with Lieutenant Waldrige and the other officers present.

Consider this correspondence authorization and direction to initiate and complete IA Investigation 17- 001.

We first need to gather all the factual information related to the event and then determine if any violations of law and/or policy have occurred.

As you know, the utmost care and importance should be given to confidentiality when conducting an internal investigation. The internal relay of information should flow through the appropriate chain of command.

Enclosures (1)

ELKTON POLICE DEPARTMENT

Chief \_\_\_\_\_

DATE 03/16/2017

FROM \_\_\_\_\_

For your information

Take charge of

As requested

For additional information

Approve and return

For comment/recommendation

Note and return

Give me facts so I can answer

See me

Prepare reply for my signature

Chief

This form 17 is written in response to your request for me to put in writing an incident that occurred on March 07, 2017 in the roll call room during morning roll call.

On Tuesday March 07, 2017 Squad D was conducting roll call and pass on information. Present in the room were the following personnel: myself, Corporal \_\_\_\_\_, Ofc. \_\_\_\_\_, Ofc. \_\_\_\_\_, Ofc. \_\_\_\_\_, Ofc. \_\_\_\_\_, Sgt. \_\_\_\_\_ and Lt. Waldrige.

As part of the pass on information there was discussion with Ofc. \_\_\_\_\_ about Ofc. \_\_\_\_\_ serving a warrant on \_\_\_\_\_ is known to officers through previous contact for several years. During the discussion, Ofc. \_\_\_\_\_ relayed that \_\_\_\_\_ had told him that he knew \_\_\_\_\_ when he was younger and had lived in the same neighborhood as well as \_\_\_\_\_ hung out with Ofc. \_\_\_\_\_ cousin. Ofc. \_\_\_\_\_ had relayed the same information to me and other members of Squad D on Monday when it had occurred and also that he was uncomfortable with the information that a suspect knew something personal about him.

When Ofc. \_\_\_\_\_ repeated on Tuesday morning the story, Lt. Waldrige made a hand gesture (similar to touching his chest with his fist and then extending his arm out as if making a gang sign) as he said something like; yo bro you my peeps. I believe that is what was said but I am not absolutely certain it was exactly that.

I was uncomfortable with the comment and hand gesture and quickly ended the roll call session.

Immediately after roll call, I approached \_\_\_\_\_ about it and she encouraged me to speak to Lt. Waldrige. I went directly to Lt. Waldrige and spoke to him about the incident.

# Elkton Police Department

Internal Affairs Case No. 17-001

## Report of Investigation

**Respondent:** Lieutenant Lawrence Waldrige ID#151

**Date:** March 7, 2017

**Location:** Elkton Police Department Roll Call Room

### Order to Investigate:

On March 20, 2017, I received a written order from \_\_\_\_\_ to conduct internal affairs investigation number 17-001. The order included a copy of a memorandum to Chief \_\_\_\_\_ from \_\_\_\_\_ providing some details of the allegation against Lieutenant Lawrence Waldrige. The order advised to "gather all factual information related to the event and then determine if any violation of law and/or policy have occurred".

### Investigation:

I reviewed information supplied by the United States Equal Employment Opportunity Commission regarding discrimination due to race, color, religion, national origin, or sex. Copies of the information reviewed are attached to this investigative file. The allegation to be investigated as provided in the memorandum did not appear to rise to the level of a harassment violation of Title VII of the Civil Rights Act of 1964. The allegation to be investigated as provided in the memorandum also did not provide any information that indicated that the actions/words of Lieutenant Waldrige had been related to and aspect (term or condition) of employment in violation of Title VII of the Civil Rights Act of 1964.

On March 21, 2017, I began interviews with the individuals reported to have been present during the time of the alleged acts and comments of Lieutenant Waldrige on March 7, 2017. A summary of each interview follows. Orders not to discuss were also provided to witnesses in writing and are attached to this investigative file.

## Witness Interview

March 21, 2017 at 2022

I met with [redacted] in the administrative conference room at the Elkton Police Department during her regularly scheduled duty assignment. The following is a summary of the audio recorded interview with [redacted] and should not be considered as a transcription.

I advised [redacted] that the investigation was regarding a complaint brought to the attention of administration by her and asked her to tell me what had occurred. [redacted] advised that, during morning roll call on March 7, 2017, they had been discussing [redacted]. She said that [redacted] had been arrested the previous day and that OFC [redacted] had transported him. She said that she thought OFC [redacted] may have brought up the subject but that they talked about [redacted] being polite and respectful. [redacted] explained that she had spoken with OFC [redacted] previously and that [redacted] had told OFC [redacted] that he knew him from growing up in Philadelphia and that [redacted] hung around OFC [redacted]'s cousin. She said that OFC [redacted] discussed another person he dealt with that also knew him from Philadelphia. She said that OFC [redacted] had discussed not liking this and it bothered him. She said that she was aware that OFC [redacted] was uncomfortable with this and people he had arrested knowing where he is from and his family. [redacted] explained that Lieutenant Waldridge had come in the room in the middle of roll call and sat where OFC [redacted] usually sits.

[redacted] said that Lieutenant Waldridge interjected and said something like "yo bro", tapped on his chest and put two fingers out, and said something like "yo bro, you my peeps". She said that Lieutenant Waldridge had a very mocking inflection in his voice. [redacted] said the actions made her very uncomfortable. She said she looked around and it appeared that everyone else was uncomfortable also. She said that Lieutenant Waldridge was smiling and thought it was funny but no one else laughed. [redacted] said that she changed the subject and ended the roll call.

[redacted] confirmed that the statement and actions with Lieutenant Waldridge's gestures were directed at OFC [redacted] physically and verbally. [redacted] did not believe Lieutenant Waldridge was trying to be malicious. She said she believed he was trying to be funny and it just wasn't funny. She said that he did not get that the atmosphere around the comments was not jovial but serious. I discussed further the actions and statements of Lieutenant Waldridge and whether this was racially motivated due to the inflection and tone used, words used, and body language or gestures. She agreed that it was a racial way of saying it. [redacted] said that she felt embarrassed and uncomfortable.

[redacted] advised that all of the squad tried to make OFC [redacted] feel better about the situation with [redacted]. She said that we all try to stay free of the criminal element but we all have someone who will say they know us. She said that she felt that the Lieutenant was mocking OFC [redacted] for it. [redacted] said that she was angry and upset about it. She said that her daughter has dated black males and she raised her kids to be unbiased. She said that everyone has unintentional biases. She said it upset her in more ways than one, especially coming from Lieutenant Waldridge, a supervisor.

[redacted] said she spoke with [redacted] for advice on what to do. She said that [redacted] encouraged her to speak to Lieutenant Waldridge about it. She said that this is what she wanted to do but wasn't sure if it was what she should do. She said that she did go and speak with Lieutenant Waldridge. She said that after that, she went to her vehicle and made some notes, then OFC [redacted] backed in. She said that she pulled [redacted] aside because Lieutenant Waldridge said that he was going to speak with OFC [redacted]. She said she told OFC [redacted] that she spoke with Lieutenant Waldridge and he planned to apologize. [redacted] said that OFC [redacted] said that it didn't bother him and she

told him that it did bother her. She said that OFC [redacted] told her he had heard it all his life and it didn't bother him. She said that she told him that because he heard it all of his life didn't make it right and he shouldn't have to hear it here. I explained to [redacted] that I was hearing that, if OFC [redacted] took Lieutenant Waldridge's comments as mocking him because a prisoner knew him, then he wouldn't have responded that he has heard it all of his life. I explained that it sounded as if OFC [redacted] took the comments and actions as racially motivated. [redacted] said that this was a good point, she agreed with me, and had not thought of that.

[redacted] said that she spoke with OFC [redacted] again because she had been told about skin color conversations between him and OFC [redacted]. She said [redacted] told her that Lieutenant Waldridge told her about a conversation he overheard between OFC's [redacted] [redacted] said that OFC [redacted] and OFC [redacted] have peer banter between them but that she had never heard anything from either of them that she was concerned about. She said that she had walked in on the two in roll call having a conversation (possible the same day) about the amount of pigment in your skin and its effects whether you get sun burned. She said that OFC [redacted] discussed again that Lieutenant Waldridge's comment had not bothered him. She said that she discussed whether he could see how it may bother someone else and OFC [redacted] agreed. She said that OFC [redacted] has thick skin and she wanted him to look at it objectively and take himself out of it. [redacted] said that Lieutenant Waldridge has had conversations with her in the past about how we are hiring new people with different cultural backgrounds and we have to watch how we address people, what we say, and what our people say. She said that, when he said what he said, it upset her and she wanted to tell him that he was doing something that we agreed not to do. She said she wanted to let him know before it became an issue. She said he was initially defensive but that didn't last long. She said that he said he got it and said she was right and he was sorry. She said you could tell he felt bad about it.

[redacted] said that OFC [redacted] did speak with Lieutenant Waldridge. She said that she did not ask OFC [redacted] about it at first but that she had spoken with OFC [redacted] who had spoken with OFC [redacted]. She said that OFC [redacted] was not happy with what OFC [redacted] told her happened. She said that OFC [redacted] told her that Lieutenant Waldridge had told him he had two things to talk to him about and asked him about the Bethel Street burglaries first. She said that OFC [redacted] told her that Lieutenant Waldridge said that he thought they were good enough buds that it wouldn't be a problem. She said it sounded like OFC [redacted] had stated and was not really an apology. I asked [redacted] if it meant that, if OFC [redacted] was not okay with the comments, they were not buds. [redacted] said that she thought it was a way for Lieutenant Waldridge to put it back on OFC [redacted], rather than himself. She said it makes it sound like OFC [redacted] is not a good friend if he was offended, and it makes the conversation about OFC [redacted] rather than Lieutenant Waldridge. OFC [redacted] said he was okay with it. She said that OFC [redacted] said he was used to it. She said that he told her, when he worked at RECOM and came into work, he would get stopped from his car to the building because he was black and wore a hoodie.

I asked [redacted] if she had any additional conversation with Lieutenant Waldridge and she said she had not. She said that she wanted to and actually went to look for him the following Thursday. She said he was not in his office but she saw him in the parking lot when she went out. She said that he was not parked but was stopped and was talking to Corporal [redacted]. She said that she went over to the car and asked him if he was leaving. She said that he was really rude to her and harshly said "no, why?" She said she became uncomfortable but told him she was going to talk to him. She described him shortly saying "Why?" She said that she told him to forget it and walked away. She said she decided then and there that she was not going to talk to him about it. She said that he texted her a couple of hours later, asking her if she needed something. She told him she was good. She said that she

was not going to talk to him when he was treating her that way because he was obviously upset with her.

I asked \_\_\_\_\_ if she kept the notes she had done and she had. I asked her to share them with me. She had the notes in her cellular telephone and took screen shots that she texted to my cellular telephone.

I asked \_\_\_\_\_ if there was anyone aside from her squad and those listed in her memo that I should speak with. She said that OFC \_\_\_\_\_ was the one who brought the situation with OFC \_\_\_\_\_ to the Chief's attention. She said that he felt he should as the F.O.P. president. She said that OFC \_\_\_\_\_ was obviously upset as a person but felt obligated for the department as the department was being placed at risk. She said that this was in reference to Lieutenant Waldrige calling OFC \_\_\_\_\_ "Jihad". She said that OFC \_\_\_\_\_ also brought up some incidents with Officer \_\_\_\_\_ as well. She said that Lieutenant Waldrige called OFC \_\_\_\_\_ a "spic" and stuff. She said that it has bothered OFC \_\_\_\_\_ this long.

I asked how the complaint regarding OFC \_\_\_\_\_ came to the attention of the Chief. She said that Lieutenant \_\_\_\_\_ went to him. \_\_\_\_\_ said that she wanted to confront Lieutenant Waldrige and be done with it. She said that she wanted to make sure we were good because she felt that we could get sued because one of our command staff is saying these things. She said she was concerned about whether she had done everything she could do or if she would get drug into federal court because she should have done more. She said that she wanted to make sure that she did whatever she should do to make sure something got done about it. \_\_\_\_\_ said that \_\_\_\_\_

said that she spoke with Human Resources and was told to go to the Chief so she did.

\_\_\_\_\_ said that the Chief called her in and spoke with her the morning she wrote the memorandum. She said that the Chief asked her to write it down so she did.

I asked \_\_\_\_\_ how long ago the incidents with OFC \_\_\_\_\_ occurred. She said that it was around the time that the squads were changed and that it had gone on some while OFC \_\_\_\_\_ was on her squad. She said that she believed it was pretty continuous from when he started to when it was addressed. She said that she heard it a couple of times and it bothered her a bit. She said that, when the most recent incident happened with OFC \_\_\_\_\_ she felt that she had not done anything regarding OFC \_\_\_\_\_ and she was not going to stand by again and not do anything. I asked her if she ever spoke with OFC \_\_\_\_\_ about it. She said that she had and he told her it didn't really bother him but he knew it was wrong and the agency could end up getting sued over it if the wrong person is offended over it.

\_\_\_\_\_ advised that there was also the comment told to her by OFC \_\_\_\_\_ regarding the Chick-fil-A and his "Black lives matter" comment that bothered her as well. She said that she wasn't going to continue to stand by and take it because, not only is it wrong for the department, she felt it was wrong in her core. She said that regardless of it being malicious or not, just immaturity, just not thinking, we all make mistakes but we have to change the way we think about things, set an example, and be professional.

\_\_\_\_\_ said that there is banter that goes on amongst officers that is good and she does not want the agency to go from one extreme to the other over this. She said that it has been commented "What if it had been \_\_\_\_\_" regarding the comments. She said that \_\_\_\_\_ made it clear that this would not have been okay with him. She said that times are changing and we have to change with them.

## Witness Interview

### Officer First Class

March 21, 2017 at 2152 and March 27, 2017 at 0727

I met with Officer First Class [redacted] in the administrative conference room at the Elkton Police Department during her regularly scheduled duty assignment. The following is a summary of the audio recorded interview with OFC [redacted] and should not be considered as a transcription.

I explained to OFC [redacted] that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldridge during roll call on March 7, 2017 and directed at Officer [redacted]. OFC [redacted] acknowledged that she was aware of what I referred to. I asked OFC [redacted] to tell me what she remembered happening that day and that I would interject with questions if needed. I told her it seemed it was standing out in her head and asked why. OFC [redacted] said it was because it was really uncomfortable.

OFC [redacted] explained that everyone on the squad has certain seats they sit in when in roll call. She said this seemed important to her because she did not know where OFC [redacted] had gone but that Lieutenant Waldridge came into roll call and sat down where OFC [redacted] usually sits. She said that it makes sense that it is important because Lieutenant Waldridge was then seated directly in front of her.

OFC [redacted] said that OFC [redacted] comes into roll call frequently to talk about things that may have happened during the shift before theirs. She said that she did not remember how the discussion began but believed OFC [redacted] had talked about an arrest of [redacted]. She said that Officer [redacted] was discussing how he had arrested [redacted] and [redacted] told him he knew Officer [redacted]. She said that somehow [redacted] knew Officer [redacted] family from where he grew up in Philadelphia. OFC [redacted] said that no one likes having someone they arrest know about them and their family. She said that everyone was kind of involved in the discussion and expressing their understanding of how no one likes when that happens. She said that Lieutenant Waldridge interjected by talking like "get down with your peeps" and did like a gang kind of mocking sign toward Officer [redacted]. She said that the whole room was silent and she was staring at Officer [redacted] as her back was against the wall. She said that she could feel Lieutenant Waldridge looking at her and he was smiling. She said that she was thinking "he wants me to laugh but it isn't funny". She explained how incredibly uncomfortable it was with the room quiet and him looking at her and wanting them to laugh. She said that she believed that the silence was finally broken up by Sergeant [redacted] changing the subject. I clarified that Lieutenant Waldridge thought it was funny. She said that he did and thought it was a big joke but no one else in the room thought it was funny. She said again that it was uncomfortable. She said that she believes that Lieutenant Waldridge is sometimes trying to relate with Patrol members or be friends with Patrol members by making jokes and being inappropriate but it doesn't go over well for him. She said it seems he tries to connect with the guys and it always comes across as uncomfortable and inappropriate.

I asked OFC [redacted] why Lieutenant Waldridge would say something like "get down with your peeps" and she said she believed it was because Officer [redacted] is black and he was trying to connect with him. She said [redacted] is part of the criminal element and he thinks it's funny and this was his goal there but it wasn't funny at all. I asked OFC [redacted] if Lieutenant Waldridge had ever made a

comment to her like that one. She said he had not but he has called Officer "Jihad Joe". She said that, when [redacted] worked here, he would ask [redacted] if he bombed any cities lately. She said that she heard that (referring to [redacted]) a few years ago. I explained to OFC [redacted] that my question was referencing the type of words and the gestures of Lieutenant Waldridge toward Officer [redacted] and if he ever spoke to her like that. She said he had not. I asked OFC [redacted] if she saw how Officer [redacted] responded. She said that she would like to say that she did because she was staring right at him but was so uncomfortable she didn't really see. She said her mind was on not looking at Lieutenant Waldridge and not giving him that gratification because it was so unprofessional. She said that she did not believe Officer [redacted] had a huge reaction as he takes things in stride.

I asked OFC [redacted] if there was any conversation about what happened. She said that they had a squad talk afterward because Sergeant [redacted] knew that people were uncomfortable. OFC [redacted] said that she told Sergeant [redacted] she thought it was inappropriate. She said that OFC [redacted] told her it didn't really bother him and that he had dealt with it his whole life. She said that Sergeant [redacted] felt he shouldn't have to deal with it at work. She said that OFC [redacted] felt that he had to be able to deal with it in this job. She said Sergeant [redacted] expressed that he was a respected member of the police force and that it was understood that you would have to deal with it from people on the street but not in the department and from your family. OFC [redacted] was able to confirm that what she was saying regarding OFC [redacted] saying he had dealt with it all of his life was clarifying that OFC [redacted] believed the comment was pointing out his skin color and not him as a police officer. She confirmed that OFC [redacted]'s response indicated that he believed the comment was racially motivated. She said that he was not asked that though and was merely asked if he had been offended.

OFC [redacted] advised that she believed that OFC [redacted] later received an apology from Lieutenant Waldridge. She said that Officer [redacted] said that he got called into the officer for an apology from Lieutenant Waldridge and it came in the form of thinking they were friends and he could talk like that. She said that the words were "I thought you were one of the guys". She felt that this was putting OFC [redacted] down again by saying he wasn't one of the guys because he couldn't handle the comment. OFC [redacted] said she told OFC [redacted] that wasn't an apology and he responded that Lieutenant Waldridge had called him in and it was okay, they were good. She said that OFC [redacted] is so awesome and doesn't hold anger against anyone.

OFC [redacted] said that a day or so later, she was in roll call with Officer [redacted] and she had just watched a documentary about skin color and melanonin (meant melanin). She said that this documentary discussed the levels of melanin in a person's skin and protection from the sun. She said they discussed how Officer [redacted] has a lot affecting his skin tone and she has very little. She said that she talked about the documentary about an albino soccer league in South Africa and their issues with burning from a lack of melanin. OFC [redacted] said that Lieutenant Waldridge walked in on the conversation, looked uncomfortable, and turned around and left. She said that she felt that Lieutenant Waldridge was aware of his comment and how it may have been viewed.

I asked OFC [redacted] if she had heard the comments of Lieutenant Waldridge made to OFC [redacted]. She said that she had but could not tell me a date or time but believed they had been by the

department mailboxes when she heard him call OFC [redacted] Jihad Joe. I asked her what that meant and she said she did not really know. She said that OFC [redacted] said that, if someone wanted a big check, they could definitely win one here. I asked OFC [redacted] if OFC [redacted] had ever complained about this. She said that he probably did not complain to administration but she was aware that OFC [redacted] said something about it to the Chief. She said that she remembered the squad being uncomfortable with it and having a discussion about it. She said that she knew OFC [redacted] said he was going to talk to the Chief about it as the F.O.P. president but she was not sure if OFC [redacted] had requested that he do so.

I asked OFC [redacted] how OFC [redacted] was handling everything. She said that he is uncomfortable that this is happening, uncomfortable that he is at the center of it, wanting it to be over, and she believed he didn't want to stir the pot because it is a lieutenant. OFC [redacted] said that this is a person that is supposed to be showing you how to act.

I spoke with OFC [redacted] again on March 27, 2017 to clarify information and go over additional information not covered in the first interview. I asked OFC [redacted] about the incident involving her and referred to by Sergeant [redacted] in her interview. She said "so awkward". She said that she was in the drive-thru at the Chick-fil-a and was on duty, in uniform, and driving a marked patrol vehicle for work. She said that Lieutenant Waldrige was not working, was not in uniform, and was there with [redacted] and someone else that OFC [redacted] did not know. She said that they were having lunch in the courtyard by the drive-thru while she drove through the drive-thru. She said that Lt. Waldrige screamed "black lives matter" as she was pulling around to get her order. She said that it was so awkward and he was loud enough for anyone in the area to hear it. She said that [redacted] laughed and the guy she didn't know laughed. She confirmed that this was around the time that a march had been scheduled for the Elkton jurisdiction and she was concerned about what to expect from the march regarding heated or angry individuals attending.

I also confirmed with OFC [redacted] that she did not witness the comments that were made to former officer [redacted] but had witness [redacted]'s comments about the notes that he had for a lawsuit. She was unsure who she had heard the actual comments from but believed she may have been told by Officer First Class [redacted].

## **Witness Interview**

### **Officer First Class**

**March 21, 2017 at 2237 and March 24, 2017 at 1622**

I met with Officer First Class [redacted] in the administrative conference room at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with OFC [redacted] and should not be considered as a transcription.

I explained that OFC [redacted] was said to have been a witness originally to the complaint being investigated but that interviews conducted since the initial complaint indicate that he may not have been. I explained that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldrige during roll call on March 7, 2017 and directed at Officer [redacted]. OFC [redacted]

confirmed that he was not in the room when this occurred but he heard about it later. He said he heard about it in a squad meeting in which they discussed EEOC violations and that some inappropriate hand gestures and statements were made. He said that he did not hear exactly what was said just that there were hand gestures and jive or lingo talk. I asked if OFC [redacted] had ever had any discussion with Officer [redacted] about that. He said he did not personally but that Officer [redacted] had discussed with the squad that he has pretty thick skin, due to the nature of our business, and he wasn't offended by it. He said that Officer [redacted] did see where someone else could be offended by it.

I explained to OFC [redacted] that his name had come up in the interviews conducted already relative to this not being the first time something like this has occurred. I explained that I understood he may have firsthand knowledge about that. OFC [redacted] said I was correct and said that there was an incident involving Officer [redacted] and some remarks made toward him. Officer [redacted] said that comments were in jest and referred to Officer [redacted] being Cuban. OFC [redacted] said that he expressed concerns to the chief as the F.O.P. president and due to the EEOC training and the huge liability to the agency if someone is offended. He said that he brought the issue to the Chief because Officer [redacted] had made a comment that he could get paid if he wanted to. OFC [redacted] said that the joking on that level did not fly with him and was inappropriate. OFC [redacted] said that Officer [redacted] said that he was not offended by it and he was not sure how the Chief handled it. OFC [redacted] denied remembering what the exact comment was that was made to OFC [redacted].

OFC [redacted] advised that, prior to that, there had been one other incident during the time that he was field training Officer [redacted]. He said that, during his termination process, Officer [redacted] mentioned that something should be done about the racist comments regarding his Hispanic background. OFC [redacted] said that nothing ever happened with that and he guessed Officer [redacted] never pursued anything. I asked OFC [redacted] if he remembered the comments made and he said that he did not but believed it was related to "wet back" or something similar regarding Officer [redacted] being Puerto Rican.

I asked OFC [redacted] if there had been any other discussion since the incident on March 7, 2017. He said there was just the squad meeting in which Sergeant [redacted] wanted to reaffirm the inappropriateness of what happened. He said that Officer [redacted] took it as a joke and said he was not offended but OFC [redacted] was aware that several others on the squad were troubled by it though. I asked OFC [redacted] if he had any other conversations with Officer [redacted] regarding a conversation with Lieutenant Waldridge. [redacted] said that Officer [redacted] did say that he was called in by Lieutenant Waldridge who apologized to him but he did not know the specifics. OFC [redacted] denied having any additional information that may be important to the investigation.

I spoke with OFC [redacted] again on March 24, 2017 to clarify information and go over additional information not covered in the first interview. I asked OFC [redacted] about a daily observation report completed by him while field training former officer [redacted]. The document was shown to OFC [redacted] and was dated November 23, 2009. This was the last day he was assigned to OFC [redacted]. I asked if this was the day he referred to when he spoke previously of Officer [redacted] claiming someone was biased toward him. OFC [redacted] was allowed to read the paragraph on the final page of the report and said that he could not be certain that this was the day but he would think it was that day as it was the last day he was assigned with him. I asked if Officer [redacted] had ever told him about anyone else being racist toward him and he said he had not. I asked OFC [redacted] if he remembered why Officer [redacted] went into remedial training. He said that it was just lack-luster performance where he would come in

day to day and just go through the motions. He said one incident that stood out in his mind was complacent when they witnessed a woman drive through a stop sign without even slowing down and he had to tell him to do something about it. I explained a little about what I read in the file and talked about a tour of duty after the statement made on his last day with OFC [redacted] in which Officer [redacted] had a car issue and couldn't make it to work. He said that he had a flat tire and the car slipped off of the jack. He said that Officer [redacted] sent him a picture of that. I explained that Officer [redacted] was terminated by December 3, 2009. I told OFC [redacted] that I had spoken with Officer [redacted]. I explained to him that Officer [redacted] had told me about speaking to OFC [redacted] about being treated in a racist way. I explained that Officer [redacted] was in the "fish bowl" and Lieutenant Waldridge came down the hallway saying "where's that spic?" I explained that Officer [redacted] said this was what he talked to you about, while in the car, and that OFC [redacted] had told him that it sucked. OFC [redacted] said that he did not remember it happening that way and that he remembered some banter back and forth between the two and he believed that was in the roll call room. He said that he said that he did not remember the incident in the hallway and said "that's so bad wow". I asked about the banter and OFC [redacted] said it was light hearted and joking and Officer [redacted] would laugh when it happened. He said that Officer [redacted] would never respond with anything racist back to Lieutenant Waldridge.

I asked OFC [redacted] if he remembered any banter with prior Officer [redacted]. He said yes. I asked what that was about and he said that Lieutenant Waldridge always treated Officer [redacted] like he was a terrorist and joke with him in that sense. He said that Lieutenant Waldridge would make comments about Officer [redacted] being a terrorist and Officer [redacted] would respond with something like, you better watch out or you might get blown up. I advised that I had been told that Lieutenant Waldridge would ask Officer [redacted] if he blew up any cities today. OFC [redacted] said it always surrounded terrorism and confirmed that it was because Officer [redacted] was middle- eastern.

I asked OFC [redacted] if he thought that Officer [redacted] was going to make it as a police officer. He said he did not. He said that he always takes a positive approach but consistently told Officer [redacted] that he needed to start producing and show something. OFC [redacted] said that, the only time OFC [redacted] discussed anything about being discriminated against, was after he was already being terminated. He said that Officer [redacted] knew that things were bad because he was going to remedial field training. I asked when Officer [redacted] found out he was being terminated. He said it was after he spent some time with OFC [redacted] not at that point. He said he had a dismal attitude about going to remedial training and seemed defeated at that point. OFC [redacted] advised that he did make the notation in the daily observation report, Officer [redacted] did tell him about the racial comments of Lieutenant Waldridge, and he never told him about any other racial comments by anyone else, so the notation in the report has to be from when Officer [redacted] told him about Lieutenant Waldridge.

#### **Witness Interview**

**March 21, 2017 at 2253**

I met with Corporal [redacted] in the administrative conference room at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with Corporal [redacted] and should not be considered as a transcription.

I explained to Corporal [redacted] that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldrige during roll call on March 7, 2017 and directed at Officer [redacted]. Corporal [redacted] acknowledged that he was aware of what I referred to. I asked Corporal [redacted] to tell me what he remembered happening that day and that I would interject with questions if needed. Corporal [redacted] advised that Officer [redacted] had locked up [redacted] he believed the previous day, and was talking about [redacted] knowing him from childhood. He said that nobody wants to have someone of that stature know them and the squad was discussing how this was terrible. Corporal [redacted] discussed that [redacted] is a regular criminal element contact of the agency, African American male, of the drug scene, street level drug dealer. He said that Lieutenant Waldrige chimed in with something like "you peeps" or "your peoples". I asked Corporal [redacted] why this statement would be relevant. He said that it is a slang term for friend but not one that he really uses. He said that he knows a certain sub-culture uses it more. He said it would be more of the inner city culture. I asked Corporal [redacted] how he felt about the comment and he stated that it was a little awkward because everyone was trying to sympathize with Officer [redacted] and Lieutenant Waldrige was there making light of it. I advised Corporal [redacted] that I had learned from other interviews that it was not just about the words spoken but the change in the tone and some gestures with his body. Corporal [redacted] advised that Lieutenant Waldrige beat his chest when saying "you peeps" and demonstrated the same movements as previous interviewees. I asked Corporal [redacted] if he thought he was referring to Officer [redacted] "peeps" being criminals. He said he did not think he took it in a criminal way but more of an inner city, ghetto way. I asked him if Lieutenant Waldrige would make the same comment to him and he advised "I don't think in the same way, no".

Corporal [redacted] said that he spoke with Officer [redacted] about the incident briefly. He said that Officer [redacted] says it didn't bother him, he's used to it, Corporal [redacted] guessed from growing up. I asked if he meant used to it as a person from the city, as an African American male, or he is used to criminals knowing him. He said that he was used to the comments and didn't take offense to it. Corporal [redacted] agreed that, in the gist of the conversation, the comment did not make sense. I asked if anyone thought it was funny and he said he didn't think so. I asked if anyone laughed and he said he didn't think so. He said that he did not want to put words into anyone's mouths but he believed the whole squad felt the same way. He said he felt awkward and it wasn't necessary.

I asked Corporal [redacted] if he was aware of this ever happening before or anything similar. He was hesitant in responding that he was. He said that he was aware of an incident with Officer [redacted]

I asked how he knew of this and he said he was present for portions. He said that he guessed that Lieutenant Waldrige believed that Officer [redacted] looked Middle Eastern. He said that Lieutenant Waldrige called Officer [redacted] Jihad Joe a couple of times back when they had the guy that was *unintelligible* born and was over there doing stuff. He said that, once again, Officer [redacted] said it didn't bother him. He denied witnessing any other incidents. Corporal [redacted] denied knowing of any other

information that he thought I should know about. Corporal [redacted] was aware that Officer [redacted] had stated that he was called in by Lieutenant Waldrige afterward and apologized to.

## Witness Interview

### March 21, 2017 at 2334

I met with Officer First Class [redacted] in the administrative conference room at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with OFC [redacted] and should not be considered as a transcription.

I explained to OFC [redacted] that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldrige during roll call on March 7, 2017 and directed at him personally. OFC [redacted] said that they were in roll call that day and he was talking about a guy that had a warrant and it came across that he knew him from when he was younger and went to school with his cousin. He said that he was not sure what Lieutenant Waldrige said and did not pay much attention but that it was something like "hanging with my peeps". He said that he was called into the officer later that day by Lieutenant Waldrige to apologize for saying it. OFC [redacted] said he told him it wasn't a big deal and he didn't think of it like that. I told him that the other members of his squad and people in the room said that it wasn't just about saying "your peeps" but he beat his chest and changed his tone. He said that he didn't really pay any mind and thought nothing of it. He said that he turned when he said it but he had been looking at his Corporal to his right and didn't really know. He said, when he got called in later, he told him not to worry about it, he didn't think anything of it, and he's not that type of person. OFC [redacted] said he didn't take it that way. I asked how Lieutenant Waldrige thought he took it. OFC [redacted] said that Lieutenant Waldrige thought he was offended by it. OFC [redacted] said that Lieutenant Waldrige said that he sometimes gets caught up in being one of the guys, his position is what it is, and he can't joke around like that. I asked OFC [redacted] how he thought his squad took it. He said that they were more offended than he was. He said that Sergeant [redacted] was and had spoken with him also. He said that his squad believed that he may not have been offended but, if it were someone else of my color in there that wasn't laid back like him and paid it no mind, someone else could have been very offended by what he said and his actions. He said that other people could have taken that and run with it. OFC [redacted] denied that he was offended and said he was surprised it got brought up like this. He said it was not the first time for him so he wasn't offended like they are.

I asked OFC [redacted] what he had heard about anything happening in the past. He said that he was not sure what was said but that something of this nature was said to Officer [redacted] when OFC [redacted] first started. He said he was witness to what was said to OFC [redacted] but he did not remember what was said. I asked if Lieutenant Waldrige jokes like this with him all of the time. He said he jokes with him but not always like this. He said that this was not the first time but he doesn't pay it any mind. He said he doesn't look at him like that and he's not that type of person. OFC [redacted] said that, compared to where he used to work, it's just the banter of the job. I asked what he meant by "he's not

like that". He said that he knows he's not a racist or anything like that. He said that, even though he's his Lieutenant, he looks at him like one of the guys and they laugh and joke together. He said Lieutenant Waldridge did apologize to him so he was a little bit hurt by it. I asked why he thought Lieutenant Waldridge apologized to him. OFC [redacted] said that he has to watch his words sometimes, sometimes he gets caught up, and he wasn't sure if OFC [redacted] was offended or not. He said Lieutenant Waldridge said it never crossed his mind and he wanted to make sure OFC [redacted] was not offended and was comfortable here.

## **Witness Interview**

### **March 21, 2017 at 2350**

I met with Officer First Class [redacted] in the administrative conference room at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with OFC [redacted] and should not be considered as a transcription.

I explained to OFC [redacted] that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldridge during roll call on March 7, 2017 and directed at Officer [redacted]. OFC [redacted] acknowledged that he was aware of what I referred to. I asked OFC [redacted] to tell me what he remembered happening that day and that I would interject with questions if needed.

OFC [redacted] advised that he believed it was in reference to the squad talking about a criminal that had been arrested and said he knew OFC [redacted] from the past, growing up but not friends. He said that Lieutenant Waldridge joked around about it being "your peeps". He said it was not something he would have said but it wasn't mean spirited or meant to cause anybody problems. I told OFC [redacted] that others were talking about a hand gesture. OFC [redacted] said "yeah" and demonstrated the same hand gesture tapping the chest and two fingers thrust out. OFC [redacted] said that he was not shocked by it but it was awkward. He added that it "wasn't overtly racist but awkward and he wouldn't have done it". He said if he knew someone better but not in that setting. I asked if he spoke with OFC [redacted] about it and he said they did in a meeting and OFC [redacted] didn't take any offense to it. OFC [redacted] said that we all get wrapped around the race stuff but that OFC [redacted] did not seem to be effected by it. OFC [redacted] said that other people may have been offended by it but OFC [redacted] didn't seem to be.

I asked OFC [redacted] if he was aware of any other incidents like this. He asked if I meant by the same people and I answered "possibly". He said that everyone jokes around but he knew of nothing racial. I asked if OFC [redacted] spoke with him about any additional conversations with Lieutenant Waldridge. He said that he hadn't really but he knew that OFC [redacted] had been called in and Lieutenant Waldridge apologized.

I asked OFC [redacted] how he felt about the comment. He said that it was awkward, he didn't take it as racial, but he wouldn't have done it. He said, maybe if you were really good friends and could

joke like that. I asked if he thought that they were like that. OFC [redacted] said it was a supervisor and officer relationship and seemed awkward.

## Witness Interview

### March 22, 2017 at 1413

I met with [redacted] in her office at the Elkton Police Department during her regularly scheduled duty assignment. The following is a summary of the audio recorded interview with Lieutenant Allen and should not be considered as a transcription.

I explained to [redacted] that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldrige during roll call on March 7, 2017 and directed at him personally. I advised that I did not have information that she witness what occurred but had spoken with Sergeant [redacted] advised that Sergeant [redacted] came to her office afterward and was pretty upset about a comment that Lieutenant Waldrige made in roll call. She said that Sergeant [redacted] asked what she should do and [redacted] told her she should go talk to him. [redacted] said that she is under the impression from Sergeant [redacted] and Lieutenant Waldrige that Sergeant [redacted] did go and talk to him.

[redacted] said that Sergeant [redacted] told her they were in roll call and a bunch of them were there. She said Sergeant [redacted] said they had arrested someone the day before and another officer said that the individual arrested was nicer to them. She said that Officer [redacted] spoke up and was said to have talked about him being nice to him also but said that they had known each other from childhood.

[redacted] said that it was described that Lieutenant Waldrige made a movement with his fingers, fist pumping his chest, extending his hand out and saying "oh you peeps bro" or something like that.

[redacted] said that Sergeant [redacted] said that she approached Lieutenant Waldrige about it and, several days later, Lieutenant Waldrige said that he had a conversation with Sergeant [redacted]. She said he didn't give any specifics but he led her to believe this was what he was talking about. She said she didn't remember what it was that led her to believe this.

[redacted] said that she only knew of the conversations with Officer [redacted] from Sergeant [redacted]. She said that she believed Lieutenant Waldrige told her he apologized to Officer [redacted], but only if he offended him. I asked [redacted] if she knew why Lieutenant Waldrige would have told her about this. [redacted] said that Sergeant [redacted] had come to her about conversation amongst her squad about the incident. She said that the concern was that Sergeant [redacted] wasn't sure if her going to Lieutenant Waldrige was enough. She said she told Sergeant [redacted] she didn't know but she could ask HR. [redacted] said that OFC [redacted] made a comment over the week end, she thought in jest, that he could have gotten a take home car out of this or maybe had him pay off my house. [redacted] said this prompted her to come and see if she was covered.

[redacted] said that she did go to HR and [redacted] was there. She said that she asked, hypothetically giving the scenario, if she was covered as a sergeant or if she needed to do more.

[redacted] said that she assumed [redacted] didn't know because she called [redacted]. [redacted] said that, when she told [redacted] she asked what the comment was so she gave her the back story.

said that she told her she believed it was the inflection and the hand motion along with what he said that was taken offensively. She said, right away, they both started asking if it was Lieutenant Waldridge and saying they needed to know. said that, as a result of that conversation, she was told she had to tell the Chief. said that she had a conversation with Lieutenant Waldridge and told him she went to the Chief with it. She said that Lieutenant Waldridge told her he went and talked to the Chief.

said that it was not her intention to make a complaint. She said that during all of the EEOC training we have had, it didn't cover that. She discussed being a witness supervisor and then her being a lieutenant knowing about it and what she has to do and whether it is enough. She said "what if he does it again?" I asked if she was aware of any other incidents. She said that she heard rumors but was never a witness to anything. She said that she is aware that people are either offended or they're not and she spoke with the Chief and he discussed that the problem is that no one wants to put it in writing. said that she didn't think there should need to be a complaint and that, if the agency knows about it, they should deal with it. said that HR told her that, what if Lieutenant Waldridge had to discipline Sergeant for something legit, they don't want her to say he is only doing this because she told him she is uncomfortable with what he said (assuming no official complaint was made). questioned what we are supposed to do as an agency. She said that we know, if you see something, say something and she agrees with that but, then what? She said that all of those years of training were never really clear on what or how to do it.

I started questioning about her hypothetical question to HR and whether she said "he" when she discussed a Lieutenant as Lieutenant Waldridge is the only male Lieutenant. I explained I was trying to determine if they knew something that we don't know. She said that she did not know if she said "he" in her hypothetical scenario. I told her that HR obviously did not believe her scenario was really hypothetical. said that she, because of the rumors heard, asked if HR was questioning whether it was Lieutenant Waldridge because of the Officer incident. She said that they told her that they knew the Chief had already talked to him about that. She then added "but I don't think he did". I asked her what made her think that. She was very quiet and obviously hesitant to answer. I asked her if Lieutenant Waldridge told he didn't and she said this was correct and Lieutenant Waldridge told her that the Chief didn't talk to him.

I asked if there was anything else she was aware of that may be relevant to the investigation. She said that she had only heard rumors. She said that she heard Lieutenant Waldridge had yelled "black lives matter" across the parking lot to at Chick-fil-a.

## **Witness Interview**

### **March 22, 2017 at 1509**

I met with Officer First Class in the administrative conference room at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with OFC and should not be considered as a transcription.

I explained to OFC that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldridge during roll call on March 7, 2017 and directed at Officer

OFC [redacted] advised that he wasn't in the room but was advised by someone that was in the room of what happened. OFC [redacted] advised that he learned what happened from Sergeant [redacted]. He said that he was told that Lieutenant Waldridge had been joking around with OFC [redacted] and said something like "my brother" or something that referenced OFC [redacted]'s ethnicity. He felt that it related to something with an arrest the day before that involved an arrest of OFC [redacted] who said something to him about Uncle Tom or working for the man. OFC [redacted] said that Sergeant [redacted] said she had to talk to Lieutenant Waldridge about it and how he can't do that and he was involved in something like that so he believed this is why Sergeant [redacted] talked to him. He advised he told her he was but "that was that". I asked OFC [redacted] what happened with him. He said that OFC [redacted] pulled him aside and told him that it was said that Lieutenant Waldridge had been saying things to him like Jihad Joe, mainly Jihad Joe and that they were offended by it. He said that it was brought to OFC [redacted] attention and then he brought it to the Chief's attention. OFC [redacted] said that the Chief brought him in and asked him about the situation. I asked OFC [redacted] why he would call him Jihad Joe. He said "because I look like an, I don't know". I asked OFC [redacted] what his ethnicity is and he said Cuban, Spanish. I told him he didn't look Middle Eastern to me. He responded that it was just banter. He said he never took any personal issue with it. He said that he spoke with the Chief twice about it. I asked how long ago this had happened. He said it was October or November.

I asked OFC [redacted] if he ever spoke with Lieutenant Waldridge about it or received an apology. He said that they had talked and he didn't mean anything by it and it is just a new age. He said that Lieutenant Waldridge apologized and said that he sometimes gets caught up in these little rants and raves. He said that Lieutenant Waldridge stopped that completely and he hasn't had an issue with him and they've been fine. I asked if he knew how the Chief handled that and he said he did not as he left it with the Chief and didn't hear anything further. I asked if he knew whether the Chief spoke with Lieutenant Waldridge as he said that Lieutenant Waldridge had apologized to him. OFC [redacted] said he was going to explain what happened. He said that he and Lieutenant Waldridge were supposed to go get coffee and Lieutenant Waldridge texted him but he was in with the Chief so he texted back that he was in with the Chief. He said Lieutenant Waldridge asked about what. He said that he responded honestly that it was about the comments made about Jihad Joe. He said Lieutenant Waldridge texted back with a long apology about how he was sorry if he offended him. He said that he told him it was about the comments but he didn't know if they talked after that or what transpired. He said that he just knows that, from that day on, he stopped making comments like that.

I asked OFC [redacted] what number he used to text with Lieutenant Waldridge, his personal or work cellular number. He didn't know. He denied having the texts presently but did have the number he uses to converse with Lieutenant Waldridge. He looked in his phone and advised the only number he had for Lieutenant Waldridge, 443-945-1023 (Lieutenant Waldridge's personal cellular number). He said they only text now about a change in schedule or something like that.

I asked about any other situations regarding ethnicity aside from Jihad Joe that he is aware of. He said that everyone around here says things but it is just banter. I asked what type comments and he said Spanish and tacos, just banter. He said it is just banter and no one means any harm by it. He said that he has no hard feelings and, if he did, he would address it with that person.

I asked OFC [redacted] if he had talked with OFC [redacted] about what was said to have happened. He said he did not and didn't believe it was his place. He said that, when he heard about it, he thought "this isn't going to be good" because of the situation he was already in with Lieutenant Waldrige. I asked if he knew why Sergeant [redacted] had talked to him about it. He said he didn't but that they had been talking for a while. He said that he goes to Sergeant [redacted] for advice and he thinks he may have brought up Lieutenant Waldrige and said something like "he's losing it" and she said "well the other day in roll call". He said that she felt bad about it and knew what had happened with him already. I told him that Sergeant [redacted] thought he had been in roll call that day. He said that he does sometimes come into roll call but that he definitely was not there that day. He confirmed that Sergeant [redacted] knew about his situation because he had talked to her because he trusts her.

I asked OFC [redacted] if he was aware of any other situations such as this or aware of any other witnesses to such situations. He said that Sergeant [redacted] apparently learned about what happened with OFC [redacted] because he had a discussion in their squad's roll call about being careful about what you say as someone could be offended. He said that he just reiterated the EEOC stuff.

I asked OFC [redacted] if there was anything that he thought I should know for this investigation that I did not already ask him about. He said there was not. He then added that he felt that Lieutenant Waldrige was a good person and he still respected him. He said that he understands that, what has to be done, has to be done. I asked who was around when Lieutenant Waldrige made comments to him. He said that he didn't know but knew that someone talked to OFC [redacted] so someone was there. He said possibly OFC [redacted] because he worked with him often. He said he didn't know but that he had said it a couple of times out loud. I told him that I had learned this generally happens around the mailboxes and roll call. OFC [redacted] confirmed this and added the fish bowl.

## **Witness Interview**

### **March 22, 2017 at 1546**

I met with Sergeant [redacted] in the administrative conference room at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with Sergeant [redacted] and should not be considered as a transcription.

I explained to Sergeant [redacted] that the complaint stems from allegations regarding comments and possibly actions of Lieutenant Waldrige during roll call on March 7, 2017 and directed at Officer [redacted]. I asked Sergeant [redacted] was familiar with any description of the allegations I was advising and he said he was not. He said he had heard nothing about this until I approached him to obtain an interview. He said that he was putting two and two together because he heard comments of people saying they had to keep quiet. He said that no one has ever said who it was or what it was about and he was blindsided. I provided more detail about the comments alleged to have been made and the gestures described. Sergeant [redacted] said that he has seen Lieutenant Waldrige do that gesture before but not for the present allegations. He said that he would have used that with "that's your boy". He said

that he could have used that with anyone but he could also see how that could be offensive if he said it that way to OFC .

I asked Sergeant if he was aware of any other off hand comments such as this by Lieutenant Waldridge. He said that the only thing he has heard over the years was the one related to OFC but this wasn't first hand. He said it was in reference to Jihad Joe. He then said that, when Officer was in field training, he said something to OFC about making a complaint about something Lieutenant Waldridge said to him. He did not know the words said. He said that Officer was fired about a week later. I asked who may have heard what was said to OFC Sergeant said maybe OFC or OFC

### **Witness Interview**

#### **March 23, 2017 at 0843**

I met with Officer First Class in the administrative conference room at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with OFC and should not be considered as a transcription.

I explained to OFC that prior employee, Officer may have made allegations in the past and I had seen in his file that he was transferred from FTO to him during the time of the allegations. OFC denied any knowledge of or any complaints to him from Officer during the minimal time he was his FTO. He said that Officer handled the calls and what was asked of him but came across as nervous. OFC felt that Officer knew that he was under the spot light because he was transferred to him. OFC was asked why Officer was transferred to him and he said he recalled that "they" thought there was some deficiency in his work and they couldn't put their finger on it so they wanted OFC to evaluate him for a short period of time.

I asked OFC about the time when he worked with prior officer, and whether he remembered any racially motivated comments made to him. OFC did not recall any comments. I advised of a specific comment regarding "did you blow up any cities today" and OFC said he had not heard that. I asked if he heard any comments made to OFC and he said he had not heard any of that. He also denied hearing any statements made to OFC

### **Witness Interview**

#### **March 27, 2017 at 1105**

I met with Officer First Class my office at the Elkton Police Department during his regularly scheduled duty assignment. The following is a summary of the audio recorded interview with OFC should not be considered as a transcription.

I explained to OFC [redacted] that it came to my attention that he had previously worked closely with former officer, [redacted]. I explained that there were allegations of banter with Officer [redacted] and him being a terrorist and asking whether he blew up any cities today. OFC [redacted] denied recalling hearing anyone say this to Officer [redacted]. He denied hearing Lieutenant Waldrige make any comments like or similar to this to Officer [redacted]. OFC [redacted] said that he remembered that things would be said such as this to Officer [redacted] back then but he could not remember who said it or exactly what was said. OFC [redacted] denied knowledge of any racially motivated comments made by Lieutenant Waldrige and added that he is rarely ever in the office.

## Victim Interview

### Essex County Sheriff's Office – Newark, NJ

I was able to locate information through an internet search indicating that former officer [redacted] may be working with the Essex County Sheriff's Office in Newark, New Jersey. I called that agency [redacted] and learned that he is employed there and received a return call from [redacted] shortly after leaving a message. I explained to [redacted] that I was conducting an internal investigation regarding possible racial remarks made by one of our officers and, during my interviews, I had learned that something like that may have happened to him. Deputy [redacted] said that it had and quickly stated that it was the Lieutenant. He confirmed he was speaking of Lieutenant Waldrige and said that he called him a "spick". I asked him to tell me about that. Deputy [redacted] advised that he was working on a report (he described the fish bowl) and [redacted], his FTO, had stepped out. He said that Lieutenant Waldrige came down the hallway and was asking "where's the spic" loudly. He said that he saw Lieutenant Waldrige as he approached the fishbowl after making the comment and saw that he was visibly nervous seeing that [redacted] was there and heard the statement. He said that He and OFC [redacted] talked about the racial comment being made to him later while they sat in the patrol car. He said that OFC [redacted] thought that comments made like that were "fucked up". Deputy [redacted] said that he never made an issue of it but wished he had. He said that he felt lucky that he had bounced back and was doing well now because his experience with Elkton Police Department screwed him up for a couple of years. Deputy [redacted] provided his contact number and advised that he would assist with the investigation in any way needed.

## Document Review –

I obtained the police department personnel records of [redacted] that included the records of his field training. The following is a time-line of relevant information regarding [redacted] employment with the Elkton Police Department:

May 18, 2009	Conditional Offer of Employment signed.
August 21, 2009	First day of field training with OFC [redacted].

November 15-19, 2009 OFC [redacted] writes in the Daily Observation Report on each of the three dates that Officer [redacted] is almost where he needs to be in order to be released from field training.

November 20-22, 2009 Not scheduled for duty.

November 23, 2009 OFC [redacted] reports in the Daily Observation Report that Officer [redacted] was to be placed in training with OFC [redacted] on 11/27/2009. OFC [redacted] also writes "On this date I spoke with Ofc [redacted] regarding his transfer to a different FTO and his lack of interest in being here. I told him not to let this defeat him. He said that it wasn't going to but he believed that there were officers with personal bias against him because of his race. I advised Ofc [redacted] that I did not believe that to be the case. I told him to keep his head up and focus on the job and being active during the shifts. He said that he would but did not think it would make a difference. Ofc [redacted] did not do anything proactive during this shift and seemed as though he was just going through the motions."

November 24, 2009 OFC [redacted] reported that Officer [redacted] was feeling sick that shift but was not permitted to leave due to having been employed less than six months. Officer [redacted] rode in the vehicle all day and did not answer calls for service.

November 25-26, 2009 Not scheduled for duty.

November 27, 2009 OFC [redacted] reported his first day as FTO for Officer [redacted]. Officer [redacted] had a minor vehicle accident in which he struck a pole in a lot while backing up.

November 28, 2009 OFC [redacted]'s second day with Officer [redacted] assigned – Officer [redacted] is unable to make it for shift due to vehicle issues.

November 29, 2009 OFC [redacted]'s third and final day as FTO of Officer [redacted]. Officer [redacted] was reported to be quiet, didn't say much, and appeared frustrated.

November 30-

December 1, 2009 Not scheduled for duty.

December 2, 2009 Officer [redacted] is terminated from employment.

December 3, 2009 Lieutenant Waldrige provided a memorandum to the Human Resources Department advising that Officer [redacted] was released from employment on December 2, 2009 for performance related matters.

**Additional Investigation:**

This investigator did not make contact or attempt contact with former officer, [redacted]. This decision was made due to this investigator having had contact with him during another internal investigation, just after his departure from employment with the Elkton Police Department, in which he boldly lied to this investigator during an interview. This investigator also checked for updated information for [redacted] knowing he had begun employment with Amtrak Police out of Reno,

Nevada after leaving Town of Elkton employment. A Google search quickly identified multiple articles regarding Amtrak officer [redacted] in which a federal judge was "troubled by the lack of credibility which permeates the [redacted] testimony". This investigator believes any statements made by [redacted] would lack credibility in this investigation.

I made contact with [redacted] of the Town of Elkton Human Resources Department and obtained a copy of the spreadsheet she held regarding training received by members of the Elkton Police Department regarding Equal Employment and discrimination. The document provided that Lieutenant Lawrence Waldridge received training on 07/02/1987, 11/21/2012 (three hours), 11/06/2013 (three hours), 06/18/2014 (three hours), and 07/14/15 (three hours). The document is attached to this investigative file.

I checked the in-house records management system and located information regarding the individual referred to in interviews, [redacted] and the information is included in this investigative case file. I located the incident report regarding [redacted]'s arrest on March 6, 2017 as described in the interviews as well. This information is also included in this investigative file.

I researched information regarding "Jihad Joe" and found the reference to be regarding an American who goes to war in the name of Islam. The term or name "Jihad Joe" represents a man/hundreds of men from every imaginable background that have walked away from the traditional American dream to volunteer for battle in the name of Islam. This information was copied and is included in this investigative case file.

I researched the meaning of someone hits their chest with their fist and does a peace sign. The information I was able to locate was open blog and discussion type information in which random individuals provided input (this information is attached to this investigative file). The answers were as follows:

"Hitting the chest twice- it would appear that he is half gorilla and half human. The peace sign – means peace, of course. It is just odd to still be using it today, 4+ decades after it was popular."

"I got love for you...Peace. The fist to the chest is a gesture of camaraderie and then the peace sign is a farewell. A gesture from the African American culture. life life life...peace out!"

"It's a gang sign typically found by members of the Comps that indicate you're next to get hit. JK. It ust means peace out, homes. Typically it's by African American but you do see it from time to time with other cultures typically who reside in low-income areas."

I researched the term "Spick" and found it to be defined as an offensive term for persons of Latin American descent, a communication that belittles somebody or something, a slur on someone's race or language, etc. This research was copied and is attached to this investigative file.

## **Respondent Statement**

**Lieutenant Lawrence Waldridge ID#151**

**March 27, 2017 at 1026**

On March 27, 2017, I served Lieutenant Waldridge with Notice of Administrative Investigation, Order to Submit to Interrogation, and Order Not to Discuss. These documents were served in the

presence of [redacted] Lieutenant Lawrence Waldrige was provided opportunity to read the documents. He advised that he did not wish to have representation for interrogation. I provided him a few minutes to complete a task he had been in the middle of and then met with him in the administrative conference room for interrogation. The following is a summary of the audio recorded interrogation of Lieutenant Waldrige and should not be considered as a transcription.

I explained that I believed he was probably familiar with the allegations regarding March 7, 2017 in the roll call room. I told him that it was in reference to statements made to or directed at Officer [redacted] and asked if he recalled that and he stated he did. I asked him to tell me how that went, what was said and what wasn't said. Lieutenant Waldrige said that there was conversation about an arrest that OFC [redacted] made in which the person indicated he knew OFC [redacted] when they were children or younger. He said that the mood was light and there was banter going on back and forth in the roll call. Lieutenant Waldrige said that he made a statement that contained the word "peeps" and said something about needing to be careful because he will be calling him kin folk next or something of that nature. He said that it was made in gest and was not meant to be harmful or derogatory in any manner. He said that it was based off of the mood in roll call and, obviously, he misjudged that. I told him that I had been told about a hand gesture during interviews that involved tapping on the chest. He said that he did not remember that but, if I had done interviews and they said I did, than obviously it occurred. I asked if it was a normal thing for him to use "peeps" here. He said that it is used all of the time here and he has used it before in normal conversation and also uses Kin folk in conversation. He said that he was not going to make excuses and had made the statements in roll call, bad or not, he got caught up in it as we do on several occasions. He said "I spoke out of context". I asked if his use of the word "peeps" was related to Officer [redacted] race. He said it was not. He said in no way was it involving a racial epithet. I explained that the people in the room believed that the change in his voice, the words used, and the hand motions/gestures used were racially motivated. He said that it was not and not how it was put out.

I advised that I had learned in my interviews that the officers felt this was not the first time something like this had happened and that they referred most recently to OFC [redacted] and comments made to him. I told him I believed he was familiar with comments related to Jihad Joes. Lieutenant Waldrige asked if we were investigating the incident with Officer [redacted] or the incident with Officer [redacted] because, when he had a conversation with the Chief, the Chief that this was taken care of and that wasn't being investigated. He asked if that is a continuation of this or a separate incident. I told him I was looking at whether or not there is a pattern. Lieutenant Waldrige said that he and Officer [redacted] were bantering around and OFC [redacted] was calling him "pop pop" and "old man". He said that OFC [redacted] came into work in camouflage pants and he did make the statement toward him. I asked him if it was just the one time. He said that he and OFC [redacted] had engaged in conversations in the roll call and in the fish bowl again with the banter back and forth about "pop pop" and old man and he said that. He said that it was probably two occasions that he recalls.

I explained that I had been told of statements made to [redacted] in reference to him being a terrorist. Lieutenant Waldrige was silent for a period and then said "say what?" I provided the specific statement regarding whether he blew up any cities today and he said "no way". He said that he never said anything to [redacted]

I told him I was also told of statements he made to [redacted] regarding his Hispanic background. I told him he was said to call him a "spick". He said no, he did not. He then continued that OFC [redacted] got mad at him when he was being terminated and made those allegations but he never

said that. He confirmed that he was denying making any statements regarding race or cultural background to [redacted] or [redacted].

I advised that I was also told about an incident that occurred around the time of a scheduled march in town in which OFC [redacted] was in the drive-thru of chick-fil-a in her patrol vehicle. I described that he was said to be off duty, in the courtyard area and yelled to her "black lives matter". He remained silent and I asked if this was familiar. He said "no".

Lieutenant Waldridge said that he didn't know what was trying to be painted here. He said that he will own up to what happened in roll call and his conversations with Officer [redacted] but he will not be painted as a racist in this department. I asked if there was anything he thought I should know about that I hadn't asked about. He answered "I don't know what else to say [redacted]". He said that this was not the way he was raised, not the way he conducts his personal life. He said that the comments made to [redacted] and in roll call were taken illy, he took responsibility for. He said that he would not for the statements alleged toward [redacted]. He said that he remembered specifically when he fired [redacted] that he made those allegations after he was terminated. I asked who he made the allegations to. He said they were made to people he was friends with on Facebook that came to him and told him he made the allegations. I asked if he was saying he didn't believe the allegations were made before he was terminated. He said he didn't know and didn't think so.

I told him I was advised that he made the comments to OFC [redacted] because he believed he looked like he was Middle Eastern. He denied this and said it stemmed from OFC [redacted] calling him "pop pop". He said OFC [redacted] said that people thought he was Hispanic or Mexican and then he said he was Dominican Republican. He said they joked back and forth and that was how that evolved.

I told Lieutenant Waldridge I was trying to figure out why it would seem or feel okay to make the comments to the officers. He said that it was just back and forth and he said, when he said it, he thinks it was something on t.v. that was in roll call and it popped in his head. He said OFC [redacted] said pop pop, he said that, they laughed. He said, after he got sighted for that, he refrained from calling him that.

I asked if he had already talked to the Chief about the present investigation. He said he just asked what direction we were going to go.

After the recording was ended, I advised Lieutenant Waldridge that I would be completing the investigation as quickly as possible as to not leave it hanging. He stated "let this be a lesson to us all". He then started to talk about how [redacted] had said that he can't go out in the rain because chocolate melts. He said that he walked in on a conversation between [redacted] and [redacted] the other day in which they were talking about getting sun burned and he just turned around and walked away. He said that, when [redacted] first started, someone coined him Micalicious. I did not continue the conversation and left the conference room.

### **Summary of Findings:**

On March 7, 2017, Lieutenant Lawrence Waldridge made a statement to Officer First Class [redacted], an African American male, in the presence of several other police employees. Although the exact statement could not be determined, it was consistent at its core: "yo bro, you my peeps", "get down with your peeps", "you peeps", "your peoples", "your peeps", and "oh, you peeps bro".

When the statement was made by Lieutenant Lawrence Waldrige, it was in response to a conversation regarding the arrest of a subject by Officer First Class \_\_\_\_\_ in which the individual claimed to have known Officer First Class \_\_\_\_\_ and his family from childhood. The arrested person that was being discussed is an African American male with an extensive history of criminal involvement with law enforcement and is known to the officers present for the conversation.

The witnesses provided that the statement made by Lieutenant Lawrence Waldrige was accompanied by actions and gestures of Lieutenant Lawrence Waldrige. The witnesses consistently described that Lieutenant Lawrence Waldrige tapped or hit his chest with his fist and extended his arm in a forward motion with two fingers pointed in a peace type sign.

The witnesses consistently described that Lieutenant Lawrence Waldrige's statement was made in a different tone and inflection and was not his usual or typical conversational tone and inflection.

The witnesses consistently described that the statement and actions described of Lieutenant Waldrige were perceived as racially motivated. The witnesses described the combination of the statement, gestures, and tone as making them feel embarrassed, uncomfortable, incredibly uncomfortable, and awkward. The witnesses did not believe that this statement would have been made to them by Lieutenant Lawrence Waldrige in the same way and that it was made the way that it was because Officer First Class \_\_\_\_\_ is an African American male.

This investigator researched the internet and found that other random individuals outside of the law enforcement community would also perceive the gestures/actions of Lieutenant Waldrige as referencing the African American culture.

Lieutenant Lawrence Waldrige admitted to making the statement using "peeps" as described but added the use of "kin folk" that was not described by any witness. He further did not recall using the hand gestures described but acknowledged that, if the witnesses said he did, than he must have. Lieutenant Waldrige denied that his statement, gestures, or voice inflection was racially motivated.

This investigator was advised by witnesses during the investigation of several additional comments of Lieutenant Lawrence Waldrige that were perceived as racially motivated. These comments made to other police employees of a race or cultural background other than Caucasian indicate a pattern/history of racial bias by Lieutenant Lawrence Waldrige.

This investigator spoke with witnesses and learned of statements made by Lieutenant Lawrence Waldrige to Officer First Class \_\_\_\_\_ an individual of Cuban and Spanish decent. The statements were said to be relating to OFC \_\_\_\_\_ being called "Jihad Joe". Lieutenant Lawrence Waldrige admitted to calling OFC \_\_\_\_\_ Jihad Joe on more than one occasion but denied it was related to his cultural background.

This investigator spoke with witnesses and learned of statements made by Lieutenant Lawrence Waldrige to former officer \_\_\_\_\_, an individual of Middle Eastern decent. The statements were said to be relating to \_\_\_\_\_ being a terrorist. Lieutenant Lawrence Waldrige denied the allegations regarding \_\_\_\_\_ after being confronted with witness statements.

This investigator spoke with witnesses and the victim and learned of statements made by Lieutenant Lawrence Waldrige to former officer \_\_\_\_\_ an individual of Puerto Rican decent. The statements were said to be relating to \_\_\_\_\_ Hispanic background and specifically provided that Lieutenant Lawrence Waldrige referred to him as a "spick". Lieutenant

Lawrence Waldrige denied the allegations regarding [redacted] after being confronted with witness statements and claimed they were alleged because he fired [redacted]

This investigator reviewed the records pertaining to [redacted] and found that OFC [redacted] had documented [redacted]'s complaint of racial bias on November 23, 2009, prior to termination from employment. The documentation further indicated that OFC [redacted] believed that [redacted] was almost ready for release from field training and gave no indication that [redacted] would have believed he was going to be terminated.

The time line of events regarding [redacted]'s disclosure of racial bias regarding Lieutenant Lawrence Waldrige and his termination from employment indicate the bias reported was a contributing factor to his demeanor and motivation that lead to his eventual loss of employment.

This investigator learned from witnesses of statements made by Officer First Class [redacted], Officer First Class [redacted], and former officer [redacted], believed to be in jest, regarding getting paid in some form or fashion for the statements made by Lieutenant Lawrence Waldrige relating to their racial background. The statements caused the witnesses to believe that the Town of Elkton and/or the Elkton Police Department had some liability risks related to Lieutenant Lawrence Waldrige.

Lieutenant Lawrence Waldrige has held a supervisory, administrative position of Lieutenant or higher with the Elkton Police Department since November of 1998 and was a member of administration at the rank of Lieutenant during all alleged incidents of racial bias.

Lieutenant Lawrence Waldrige received Equal Employment and discrimination training on 07/02/1987, 11/21/2012 (three hours), 11/06/2013 (three hours), 06/18/2014 (three hours), and 07/14/15 (three hours). The document is attached to this investigative file.

The statements and gestures made by Lieutenant Waldrige are obviously motivated by the race of Officer First Class [redacted] but are not overtly malicious. The allegations at hand regarding Officer First Class [redacted] do not rise to a violation of Title VII of the Civil Rights Act of 1964 and are not viewed by this investigator as Harassment under that law.

This investigator spoke with witnesses and victims of statements of racial bias by Lieutenant Waldrige prior to the present allegations and found documentation and consistency indicating their truthfulness. Lieutenant Lawrence Waldrige, however denies two of the allegations and places a level of blame on one victim by accusing him of calling him "pop pop" or "old man" first.

The witnesses and victims interviewed consistently report that Lieutenant Waldrige appears to attempt to connect or be friends with subordinate officers and this leads to his use of inappropriate or offensive statements and intended jokes. In the case of Officer First Class [redacted] it became offensive to subordinate employees that Lieutenant Waldrige's attempt to apologize lead OFC [redacted] to possibly not be his "bud" if he was offended by Lieutenant Lawrence Waldrige's statements/actions.

**Recommendation:**

Elkton Police Department Policy and Patrol Manual

Chapter 5, Section II, Paragraph C (Unbecoming Conduct)

1. *As the most visible representative of government, employees must display unblemished professional conduct. To that end, employees are duty bound to avoid excessive, unwarranted or unjustified behavior that would reflect poorly on themselves, the Department, or the Town government regardless of duty status. Employees will refrain from using harsh, violet, profane or derogatory language which would demean the dignity of any person.*

-Sustained-

Elkton Police Department Policy and Patrol Manual

Chapter 5, Section II, Paragraph C (Unbecoming Conduct)

3. *A supervisor will not injure or discredit a subordinate through unreasonable, unjust, arbitrary or tyrannical conduct or abusive language.*

-Sustained-

Elkton Police Department Policy and Patrol Manual

Chapter 5, Section II, Paragraph Y (Courtesy)

1. *An employee shall be courteous to the public and to fellow employees. He shall be tactful in the performance of his duties, shall control his temper and exercise the utmost patience and discretion; he shall not engage in argumentative discussions even in the face of extreme provocation. While on duty or in the performance of his duties he shall not use coarse, violet, profane or insolent language or gestures toward the public or fellow employees. He shall not express any prejudice or use language which might be insulting or demeaning to the public or fellow employees concerning race, sex, religion, politics, national origin, lifestyle or similar personal characteristics.*

-Sustained-

Report Completed By: \_\_\_\_\_

Date: \_\_\_\_\_

03/30/17

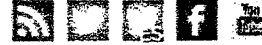


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Overview

## Laws Enforced by EEOC

Laws

Regulations

Guidance

Memoranda of Understanding

Discrimination by Type

Prohibited Practices

### Title VII of the Civil Rights Act of 1964 (Title VII)

This law makes it illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate applicants' and employees' sincerely held religious practices, unless doing so would impose an undue hardship on the operation of the employer's business.

- The Pregnancy Discrimination Act

This law amended Title VII to make it illegal to discriminate against a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

### The Equal Pay Act of 1963 (EPA)

This law makes it illegal to pay different wages to men and women if they perform equal work in the same workplace. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

### The Age Discrimination in Employment Act of 1967 (ADEA)

This law protects people who are 40 or older from discrimination because of age. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

### Title I of the Americans with Disabilities Act of 1990 (ADA)

This law makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination

investigation or lawsuit. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.

Sections 102 and 103 of the Civil Rights Act of 1991

Among other things, this law amends Title VII and the ADA to permit jury trials and compensatory and punitive damage awards in intentional discrimination cases.

Sections 501 and 505 of the Rehabilitation Act of 1973

This law makes it illegal to discriminate against a qualified person with a disability in the federal government. The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.

The Genetic Information Nondiscrimination Act of 2008 (GINA)

***Effective - November 21, 2009.***

This law makes it illegal to discriminate against employees or applicants because of genetic information. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about any disease, disorder or condition of an individual's family members (i.e. an individual's family medical history). The law also makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

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# U.S. Equal Employment Opportunity Commission

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## Race/Color Discrimination

Race discrimination involves treating someone (an applicant or employee) unfavorably because he/she is of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features). Color discrimination involves treating someone unfavorably because of skin color complexion.

Race/color discrimination also can involve treating someone unfavorably because the person is married to (or associated with) a person of a certain race or color.

Discrimination can occur when the victim and the person who inflicted the discrimination are the same race or color.

### Race/Color Discrimination & Work Situations

The law forbids discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment.

### Race/Color Discrimination & Harassment

It is unlawful to harass a person because of that person's race or color.

Harassment can include, for example, racial slurs, offensive or derogatory remarks about a person's race or color, or the display of racially-offensive symbols. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

### Employer Coverage

15 or more employees

### Time Limits

180 days to file a charge  
*(may be extended by state laws)*

Federal employees have 45 days to contact an EEO Counselor

For more information, see:

- ▶ [Facts About Race/Color Discrimination](#)
- ▶ [Title VII of the Civil Rights Act of 1964](#)
- ▶ [Policy & Guidance](#)
- ▶ [Statistics](#)

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

### Race/Color Discrimination & Employment Policies/Practices

An employment policy or practice that applies to everyone, regardless of race or color, can be illegal if it has a negative impact on the employment of people of a particular race or color and is not job-related and necessary to the operation of the business. For example, a "no-beard" employment policy that applies to all workers without regard to race may still be unlawful if it is not job-related and has a negative impact on the employment of African-American men (who have a predisposition to a skin condition that causes severe shaving bumps).

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U.S. Equal Employment Opportunity Commission

## Harassment

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.

## Employer Liability for Harassment

The employer is automatically liable for harassment by a supervisor that results in a negative employment action such as termination, failure to promote or hire, and loss of wages. If the supervisor's harassment results in a hostile work environment, the employer can avoid liability only if it can prove that: 1) it reasonably tried to prevent and promptly correct the harassing behavior; and 2) the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer.

The employer will be liable for harassment by non-supervisory employees or non-employees over whom it has control (e.g., independent contractors or customers on the premises), if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action.

### Employer Coverage

15 or more employees under Title VII and the ADA, 20 or more employees under the ADEA

### Time Limits

180 days to file a charge (may be extended by state laws)

Federal employees have 45 days to contact an EEO counselor

### For more information:

- ▶ [Title VII of the Civil Rights Act](#)
- ▶ [The Age Discrimination in Employment Act](#)
- ▶ [The Americans with Disabilities Act](#)
- ▶ [Policy & Guidance](#)
- ▶ [Statistics](#)

When investigating allegations of harassment, the EEOC looks at the entire record: including the nature of the conduct, and the context in which the alleged incidents occurred. A determination of whether harassment is severe or pervasive enough to be illegal is made on a case-by-case basis.

If you believe that the harassment you are experiencing or witnessing is of a specifically sexual nature, you may want to see EEOC's information on [sexual harassment](#).

Formal Counseling Record

To: Lieutenant Lawrence Waldridge

Tuesday, May 9, 2017

Re: IA# 17-001

**Problem Discussed:**

A complaint on the conduct of Lieutenant Lawrence Waldridge was received from [redacted] complaint stemmed from an interaction that occurred on Tuesday, March 7, 2017. The complaint indicates Lieutenant Waldridge may have made inappropriate comments and gestures, directed at Officer [redacted] which may have had racially insensitive overtones.

This interaction took place during the morning roll call and in front of several other officers (subordinate officers).

As a result of this complaint, [redacted] directed an Internal Investigation be opened and completed (IA#13-008) on Lieutenant Waldridge in reference to this conduct.

This investigation revealed there have been various occasions where Lieutenant Lawrence Waldridge acted in an unbecoming and discourteous fashion by making inappropriate comments directed at subordinates. These comments contained racially insensitive overtones.

The outcome of this investigation was a sustained finding under the policies for unbecoming conduct (Chap. 5-II-C (1 &3)) and courtesy (Chap. 5-II-Y (1)).

**Administrative Action:**

- Initiated and completed an Internal Investigation which rendered a sustained finding
- Lt. Waldridge received a two (2) day suspension without pay
- Loss of eight (8) hours of vacation time

**Corrective Action:**

- The policy on Harassment/Productive Work Environment was reviewed with Lt. Waldrige focusing on the expectation to act in a positive and professional manner - free of the behavior described in IA#17-001
- Lt. Waldrige was made aware of the serious ramification of his actions not only on a personal and professional level, but also the ramifications on the agency as a whole.
- Even though Lt. Waldrige has a Policy manual, individual copies of the above policies were provided to him for his review.
- Lt. Waldrige was also informed that remedial sensitivity training will be scheduled for him
- Lt. Waldrige was made aware any further incidents of this nature could result in more sever discipline to include possible termination of employment

**Bureau Commander's Comments:**

During this counseling session with Lt. Waldrige, I impressed upon him how as a police officer and especially as a commander, he is held to a higher standard of conduct, and the conduct exhibited by him, as revealed in IA# 17-001, did not meet that standard and is unacceptable. Not only is this type of conduct unacceptable in this organization, but it is the type of conduct that is unacceptable to society as a whole.

I also made sure Lt. Waldrige knew, the Conduct and poor judgment displayed, erodes employee confidence and support essential to the delivery of police services.

Captain/Executive Officer

5/9/17  
Date

Lawrence W. Waldrige  
Lawrence Waldrige  
Lieutenant - Operations

9 May 2017  
Date

Waldridge

---

**From:**  
**Sent:** Tuesday, May 09, 2017 1:54 PM  
**To:**  
**Cc:**  
**Subject:** Administrative Action

Tuesday, May 09, 2017

Re: Administrative Action

As the result of an administrative action, Lieutenant Lawrence Waldridge has received a suspension of two (2) days without pay, which will be May 10<sup>th</sup> & 11<sup>th</sup>, 2017. He will also lose eight (8) hours of vacation time. The suspension time will be noted on his next time sheet. Can you see that the loss of vacation time is reflected in his next pay sheet. Do you need any other information from me? Feel free to contact me with any questions you may have.

Professionally,

Elkton Police Department  
100 Railroad Avenue  
Elkton, MD 21921  
Phone# 410-398-4200 ext 18  
Fax# 410-398-3645

