

Memo

TO: Dir. Steve Lawson
CC: Agent Russell Fredericks
From: Agent Bill Cherry
Date: 08/08/2011
Subject: Agent Angie Gibson

On 08/07/2011 at approximately 3:13 AM I received a call from the Monroe County 911 Center. They advised me that Sgt. Adam Russell was working an accident on Hwy 68 in Madisonville TN that involved Agent Gibson's personal vehicle. Sgt. Russell requested that I contact him.

I called Sgt. Russell and he advised that Agent Gibson's personal vehicle had run off the roadway through two different yards causing property damage and extensive damage to the vehicle. The driver of the vehicle had fled the scene before police arrived. Police officers on the scene were conducting an inventory of the vehicle and had found prescription medication that was not in a bottle and Agent Gibson's DTF issued cell phone. Sgt. Russell asked if I could contact Agent Gibson and see if she was OK and who was driving her vehicle.

After ending the call with Sgt. Russell I called Agent Gibson's personal cell phone and received no answer. I then contacted Director Steve Lawson and advised him of the situation. It was decided that Director Lawson and I would go to the scene of the accident. I then called Sgt. Russell back and told him that I did not get in touch with Agent Gibson and that we were on our way to the scene.

I met Director Lawson at the DTF office and we went to the crash scene. Upon our arrival law enforcement officers from the Madisonville Police Department, Monroe County Sheriff's Department, and Tennessee Highway Patrol (THP) was on the scene. I saw that Agent Gibson's red Dodge truck had ran off the roadway, struck a brick mailbox in one yard and then a culvert in the neighboring yard. I spoke with Sgt. Russell and he stated that a State Trooper had gone to Agent Gibson's residence and was bringing her to the scene. He also showed me some items that were located inside of her vehicle. These items included an opened bottle of Jack Daniels whiskey, a loose hydrocodone tablet, a lithium battery, and cold medication that contained pseudoephedrine.

When the Trooper and Agent Gibson arrived on the scene Sgt Russell and other law enforcement spoke with her outside of my presence. After the conversation Sgt. Russell informed me that Agent Gibson was intoxicated and that she refused field sobriety tests and did not cooperate with the investigation. He stated that Agent Gibson had been rude to him. Sgt. Russell and the other officers conferred and it

was decided that they would release the vehicle and Agent Gibson without charges until further investigation.

Director Lawson and I then spoke to Agent Gibson. I advised her that due to what was located inside of her vehicle we were requesting that she take a drug test. Agent Gibson agreed. Agent Gibson then looked through her vehicle and found her personal cell phone. Director Lawson and I took Agent Gibson to Sweetwater Hospital where she voluntarily gave a urine sample to be tested for drugs. We then took Agent Gibson to her residence. While I was speaking to Agent Gibson I smelled an odor of alcoholic beverage coming from her breath. Director Lawson advised Agent Gibson that she was suspended with pay until this matter was looked into. Agent Gibson said she understood and that she was sorry that we had to come out in the middle of the night.



**STATE OF TENNESSEE
TENTH JUDICIAL DISTRICT
DRUG TASK FORCE**

Bradley, McMinn, Monroe & Polk Counties

Memo of finding regarding Internal Affairs Investigation 110808-IA-002

To: Director Steve Lawson

From: Agent Russell Fredericks, Agent Craig Frost

August 10, 2011

On Monday August 8, 2011 Director Steve Lawson met with Agent Craig Frost and Agent Russell Fredericks, along with Sgt. Bill Cherry and Lt. Don Williams regarding an incident that had occurred on Sunday morning August 7, 2011 involving Agent Angie Gibson. Agent Gibson's personal vehicle had been found wrecked on Highway 68 in Madisonville around 3:00 am and no one was around the vehicle. Sgt. Cherry had received a call from Monroe County 911 in reference to the incident and he and Director Steve Lawson responded to the scene. Agent Gibson was located at her house and transported to the scene by officers who were assisting with the investigation. According to reports Agent Gibson was intoxicated at the time.

Sgt. Bill Cherry provided Agents Frost and Fredericks a copy of his report from the incident. In the report Sgt. Cherry states that Sgt. Adam Russell with the Madisonville Police Department was investigating the wreck. Sgt. Russell informed Sgt. Cherry that Agent Gibson's vehicle had run off the road through two different yards causing property damage and extensive damage to the vehicle and that the driver of the vehicle had fled the scene prior to law enforcement arriving on-scene. When Sgt. Cherry arrived on scene Sgt. Russell with MPD showed him some of the items located during an inventory of the vehicle. The items included an opened bottle of Jack Daniels whiskey, a loose hydrocodone tablet, a lithium battery, and cold medication that contained pseudoephedrine. Sgt. Russell also advised Sgt. Cherry that Agent Gibson was intoxicated, refused field sobriety tests, and was not cooperating with the investigation. Sgt. Cherry and Director Lawson asked Agent Gibson to submit to a urine drug screen and she agreed. Director Lawson and Sgt. Cherry transported Agent Gibson to the Sweetwater Hospital where she was given a urine drug screen and she also signed the necessary releases for the results of the drug screen to be released to Director Lawson at the Drug Task Force. Sgt. Cherry also advised

Agents Frost and Fredericks that during his interaction with Agent Gibson at the scene he smelled the odor of an alcoholic beverage.

After reviewing Sgt. Cherry's report Agent Craig Frost and Agent Russell Fredericks went to Agent Gibson's home in order to inform her she was the subject of an Internal Affairs Investigation in regards to the incident which had occurred on August 7, 2011 and to interview her however she was not at home. While at her house Agent Frost photographed Agent Gibson's red Dodge pick-up truck which was involved in the wreck. The truck had sustained extensive damage during the wreck. Agent Frost and Agent Fredericks then went to the scene of the crash on Hwy 68 and took photographs of the property damage that occurred.

Agent Frost spoke with Agent Gibson by telephone and she informed him that she was in Athens eating at Applebee's. Agents Frost and Fredericks went to Athens, TN and met with Agent Gibson in the parking lot of the K-Mart at approximately 1:45 pm. Agent Fredericks provided Agent Gibson with the Garrity Notice and Agent Gibson signed the notice prior to being interviewed. During the interview Agent Gibson was adamant that she was not the person who was driving her truck when it was wrecked and that she had not seen who was driving the truck. She stated that on Saturday August 6, 2011 she had attended PATH classes in Cleveland, TN during the morning. She stated that she got to her house that afternoon and did some laundry and she had received a phone call from Chief Randy Kirkland of the Vonore Police Department asking if she was going to the Marina that night to work. Agent Gibson stated that she did not call him back and that she also told him she would not be going to work at the Marina that evening. Agent Gibson stated that after texting a friend of hers named Wendy she then decided to go to the Marina was a good idea and that she wanted to hear the band, Southbound, that was going to be playing that night. Agent Gibson stated that while getting ready to go to the Marina she fixed herself a drink of Jack Daniels and coke. She stated she then went to the Wal-Mart and picked up Wendy and they went to the Marina in Agent Gibson's red Dodge truck. She said they arrived at the Marina between 7:00 pm and 8:00 pm and that while at the Marina she did not purchase any alcoholic beverages and did not drink while there. Agent Gibson stated she met a male friend and that Wendy met a male friend whom she left with sometime during the evening. Agent Gibson stated that she and her male friend went to the parking lot to her vehicle on several occasions during the course of the night. Agent Gibson would not provide the name of the male she was talking to at the Marina. Agent Gibson stated she left the establishment alone, prior to the band finishing, went home, used the restroom, fed her dogs, and then went to sleep. When asked Agent Gibson stated she fixed herself a drink of Jack Daniels and coke when she got home to help herself get to sleep. She said that she left her keys in her truck when she got home, as she normally does, and the only person she had seen at her house when she arrived was her son Cody. She stated that when law enforcement arrived at her home she was asleep and was unaware that her truck was gone and had been wrecked.

Agent Gibson was asked about the items that were located in her truck, including her cell phones, purse, blue lights, pseudoephedrine, and the hydrocodone. When asked about her cell phones Agent Gibson had initially stated she was talking to her male friend on her phone from her house after she got home. When Agent Frost asked how both cell phones ended up in her truck if she had used her personal phone from home and she was initially unable to explain how the phones ended up in her truck. She then

stated that she had been texting/talking to the gentleman on her way home, but her phone was dying so she put it on the charger and left it in her truck. When asked about blue lights in her truck Agent Gibson stated that she only had white wigwags in her truck and that she had them since she worked at Englewood and they were just for sitting in the parking lot playing. She stated there were no blue lights in her truck.

When asked about the pseudoephedrine Agent Gibson stated they were probably from a traffic stop and they must have fallen out of a bag as she was transferring bags back and forth between her work vehicle and personal vehicle. When Agent Frost asked clarifying questions regarding this Agent Gibson changed her story saying the items were probably something she had bought but had been there a long time.

Agent Frost asked Agent Gibson about the hydrocodone that was located in her vehicle. Agent Gibson stated that she had been prescribed them in the past. She also stated that her son was currently prescribed them. Agent Gibson stated that items fall under her seats and that she does not clean her truck out so there was no telling how long the pill had been there but that it had to have been an old pill that had been there for a long time.

Agent Gibson was asked who may have been driving her truck or who she thought may have taken it. She stated that she did not know, that she had not seen anyone driving her truck. However, no one had permission to be using her truck and she was the only one who had been driving it. She stated she had not let anyone borrow her truck for a while. Agent Gibson refused to give any leads or ideas as to who may have been driving her truck. She was also asked again several times to provide the name of the gentleman she was with at the Marina in order to verify her story but she would not provide the name. The only name she would provide as a witness who could corroborate her story was Wendy. Again Gibson also provided a phone number for Wendy.

Agent Frost asked Agent Gibson if she would be willing to take a polygraph administered by someone he was familiar with from Bomb and Arson in Knoxville. Agent Gibson stated that she would not, saying she could not take a polygraph this time.

Agents Frost and Fredericks returned to the DTF office and contacted Wendy in order to set up a time to meet with her. Wendy stated she would meet around 8:30 pm at her house on August 8, 2011.

While going to meet with Wendy in Madisonville Agents Frost and Fredericks met with Agent Gibson again in Etowah to retrieve several items from her to be returned to the Drug Task Force. Agent Gibson was asked if she had spoken with Wendy on this date and she stated she had. Agent Frost again asked Agent Gibson for the name of the gentleman she was with at the Marina however Agent Gibson continued to refuse to provide his name. Agent Gibson was also asked again to submit to a polygraph test to which she again refused. Agent Fredericks informed Agent Gibson that under Garrity if she did not fully comply with the requests of the investigation that she could possibly face termination. Agent Gibson stated her understanding of this yet still refused to supply the name of the gentleman or to submit to a polygraph.

At approximately 8:30 pm on 8/8/2011 Agents Frost and Fredericks met with Wendy, who identified herself as Wendy Walden, at her home in Madisonville, Tn. Wendy stated that she and Agent Gibson had met at Walmart and traveled together in Agent Gibson's truck to the Marina. Wendy stated that she did not see Agent Gibson drinking alcoholic beverages at the Marina, however she stated she was not with her the entire time as a male friend of hers had met them and she was talking to him. Wendy stated that she left the Marina as the band finished playing with her male friend prior to Agent Gibson leaving and that she did not know what Agent Gibson did after she left.

At approximately 11:30 pm on 8/8/2011 Agent Fredericks spoke with Sgt. Russell of the Tennessee Highway Patrol who had been on-scene at the wreck. He stated that he had gone to Agent Gibson's house to see if she was there and assist in getting her to the scene of the accident. He stated that Agent Gibson informed him she was unaware of where her truck was or the accident. He stated that Agent Gibson initially told him she had friends over to her house but later changed her story stating she had gone to an establishment in Vonore however he could not remember which establishment she stated she had gone to. He also stated that aside from providing assistance to the Officers working the scene and meeting her at her house his only other direct interaction with Agent Gibson was to provide her with her Miranda Warning. He stated he did not offer her field sobriety tests however he did check her horizontal gaze nystagmus at her house to see if he believed she could driver herself to the scene.

On August 9, 2011 at around 5:30 pm Agents Frost and Fredericks met with Chief Breeden and Sgt. Russell of the Madisonville Police Department at Chief Breeden's office. Sgt. Russell provided Agents Frost and Fredericks with a preliminary report, copy of his evidence log, copy of the vehicle inventory, copy of a time line he had established based on witnesses, and a copy of his witness list. Sgt. Russell stated he had offered Agent Gibson field sobriety tests and she had refused, and that she was also uncooperative and rude. Sgt. Russell (MPD) stated that the majority of his interactions with Agent Gibson were recorded on THP Sgt. Russell's in-car camera as he had audio.

Agents Frost and Fredericks went to the Tellico Marina to attempt to speak with staff. When Agents Frost and Fredericks arrived they observed a clearly marked sign at the gate of the establishment which read "Establishment Under 24 hour Surveillance." Agents were able to speak with the owners of the establishment as well as a waitress all of whom were working on the night of August 6, 2011. The male owner of the bar stated he had interacted with Agent Gibson when she arrived, believing her to be intoxicated when she got there. He informed Agents that she had also told him she had already been drinking and was not planning on drinking while there. He stated that during an altercation the took place at the bar during the night he heard Agent Gibson identify herself as an "Agent", then heard someone else tell Agent Gibson to "Put that away". After speaking with Agents the male owner showed Agents the video which showed Agent Gibson arriving walking arm-in-arm with Wendy just after 7:00 pm. Agents watched the video and it appeared Agent Gibson was unsteady on her feet. The male owner also advised Agents Frost and Fredericks that he witnessed Agent Gibson walk to the parking lot on several different occasions throughout the night. The female owner, who was also helping tend the bar, remembered seeing Agent Gibson and come in the bar and get two buckets of beer along with another female. She also observed Agent Gibson drinking one of the beers from the bucket. She stated they had purchased Michelob Ultra. The female owner advised that a bucket of beer contains five

bottles of beer. The female owner believed that Agent Gibson was intoxicated while at the establishment. The waitress stated that she knows Agent Gibson through Agent Gibson's son. She advised that she noticed Agent Gibson that night at the establishment on several different occasions walking around the establishment. She informed investigators that she believed Agent Gibson was intoxicated. This witness did advise investigators that she never witnessed Agent Gibson drink an alcoholic beverages but did believe that Agent Gibson was acting as if she were intoxicated.

On Wednesday afternoon August 10, 2011 Director Lawson informed Agent Frost and Agent Fredericks he received a phone call from Sweetwater Hospital stating Agent Gibson's drug screen had returned with negative results.

On Wednesday August 10, 2011 at approximately 4:45 pm Director Lawson met with Agent Fredericks and Agent Frost to inform them that Agent Gibson had tendered her resignation effective immediately. Director Lawson informed Agents Frost and Fredericks that there was no need to continue with the internal affairs investigation due to her resignation.

It is the belief of Agent Craig Frost and Agent Russell Fredericks, based on the evidence obtained through this investigation, that Agent Gibson violated the following policies:

- XIII. Court
 - B. Testifying:
 - Investigations: Members are required to answer questions, or render material and relevant statements to a competent authority in a Drug Task Force personnel investigation when so directed.
 - Truthfulness: Members are required to be truthful at all times whether under oath or not.
- XXXV. Evidence and Property Storage:
 - It is extremely important that officers use proper procedures in the handling and storage of confiscated and seized properties. Improper handling and/or documentation can lead to such things as the loss of an important court case or accusations of misconduct against the department. The evidence storage room is located at the Drug Task Force. All property other than vehicles and other motorized equipment, resulting from search warrants, immediate arrest, contraband and/or items taken from persons resulting from a court order are to be immediately identified by a property tag and turned over to the evidence officer for storage. Never is an agent to store property within his or her vehicle, place of residence, or at any location other than the evidence room. ...
- XXXVII. Disciplinary Actions:
 - A. Types of conduct resulting in disciplinary action
 - 4. Violations of rules and regulations of the task force or any other failure of good behavior which reflects discredit upon the officer or the task force
 - 5. Stealing, deceit, or other dishonesty
 - 6. Conduct below the standard of the task force

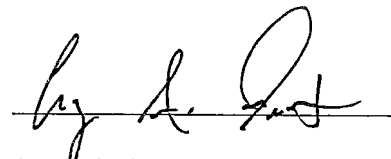
- XXXVIII. Officer Conduct:
 - A peace officer is the most conspicuous representation of government. DTF members conduct is closely scrutinized, and when actions are found to be excessive or unwarranted, they are the first to be criticized.
 - No arbitrary rule of procedure can be established which will embrace all situations. Any member of the task force aware of any infraction of the rules and regulations of the task force, or violations of any law, shall report such conduct to the Director.
 - Members of the task force shall not engage in any conduct which constitutes conduct unbecoming an officer or neglect of any duty.
 - Above all, an employee should always strive to do what is right.
- XL. Other Infractions – Standards of Conduct
 - B. Being intoxicated while on duty or being intoxicated in public when off duty or habitual intoxication, which may bring discredit to the task force
 - L. Conducting yourself in a manner unbecoming to a police officer (task force agent), or other employee of the Drug Task Force
- Garrity Notice
 - I wish to advise you that you are being questioned as part of an official internal affairs investigation by the 10th Judicial District Drug and Violent Crimes Task Force. You will be asked questions specifically directed and related to the performance of your official duties or fitness for office. You are entitled to all the rights and privileges guaranteed by the laws and the Constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself. I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to departmental charges that could result in your dismissal from this agency. If you do answer, neither your statements nor any information or evidence that is gained by reason of such statements can be used against you in subsequent criminal proceedings, **(except for perjury or obstruction of justice charges)**. However, these statements may be used against you in relation to subsequent departmental charges.

The reasons for these finding are as follows:

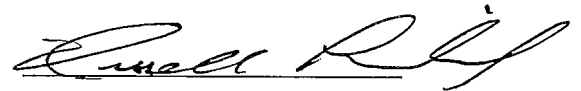
- XIII Court.
 - B. Testifying:
 - Agent Gibson did not answer all questions asked of her during the Internal Investigation. She withheld key witnesses and refused to submit to a polygraph test. Based on the discrepancies in her stories between the interviews and deception Agents followed up to confirm or negate her story. During this follow up it was found that Agent Gibson had been less than forthcoming with information regarding the events in question on the specified dates.

- XXXV. Evidence and Property Storage:
 - Based on Agent Gibson's statements during interviews she was unable to positively determine if the boxes of pseudoephedrine located in her personal truck were from a traffic stop or bought for personal use. She stated several times they were probably from a traffic stop or case. There was no information with the pseudoephedrine to tie it to an active case nor was it packaged in an appropriate and approved manner. The boxes of pseudoephedrine were also located in her personal vehicle which she stated they may have fallen out of a bag as she transferred items between her DTF issued vehicle and her personal vehicle
- XXXVII. Disciplinary Actions
 - 4. Based on the investigation Agent Gibson failed to cooperate not only with the internal affairs investigation but also with the law enforcement officers who were investigating the wreck in which her truck was involved. Her actions on the night in question and the resulting criminal investigation have depicted not only Agent Gibson but also the Drug Task Force in a negative light in the eyes of the public.
 - 5. Throughout the interviews conducted with Agent Gibson she was unable to provide a thorough and accurate account of her actions on the night in question. Her story changed multiple times during interviews. Numerous discrepancies were also noted in her statements. In attempting to confirm Agent Gibson's account of the events evidence was discovered that contradicts multiple statements made by Agent Gibson during her interviews.
 - 6. Agent Gibson's actions not only during the night in question, but also during the investigation, are below what is to be expected by a law enforcement officer. The public has an expectation of a law enforcement officer to be upstanding, moral, honest, and of good character. During the investigation it was found that Agent Gibson was less than truthful with investigators, deceptive, and withheld information regarding an ongoing investigation. It is the belief of the Drug Task Force as well as the general public that these types of behaviors are not acceptable of a Task Force Member.
- XXXVIII. Officer Conduct
 - Reports from law enforcement officials who are investigating the incident reveal that Agent Gibson was uncooperative. Agent Gibson also refused to fully cooperate with DTF Agents who were performing the internal investigation
- XL. Other Infractions – Standards of Conduct
 - B. Based on information gathered during the investigation Agent Gibson was intoxicated the night of the incident. The intoxication is not the issue however her interactions with the public and law enforcement while being intoxicated on the evening of August 6, 2011 have brought a negative light onto the Drug Task Force.
 - L. As evidenced in previous statements it is apparent that Agent Gibson conducted herself in a manner unbecoming of a Drug Task Force Agent.
- Garrity Notice:

- Agent Gibson was provided with a Garrity Notice to read while Agent Fredericks read the Garrity Notice to her. Agent Gibson signed the Garrity Notice acknowledging her understanding. During questioning Agent Gibson still refused to provide the name of a key witness and refused to submit to a polygraph. Agent Gibson was reminded a second time that refusal to answer questions and comply with requests during the internal investigation could result in her termination. Agent Gibson acknowledged her understanding of this fact yet still refused to fully cooperate with the investigation.

A handwritten signature in cursive script, appearing to read "Craig Frost", written over a horizontal line.

Agent Craig Frost

A handwritten signature in cursive script, appearing to read "Russell Fredericks", written over a horizontal line.

Agent Russell Fredericks