

CITY OF CLEVELAND
DISCIPLINARY ACTION REPORT

Jeff Griggs	05/12/2015
Employee Name	Date
Police	03/19/1992
Department	Date of Hire
Criminal Investigations	1st
Division	Shift
Employee Status: <input type="checkbox"/> Probationary <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Other	

Due to your actions as follows:

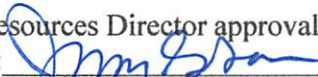
Violation of Policy 04-A/LL "General Rules and Regulations" Subsection 4-HH "Truthfulness"
Violation of Policy 08-H "Internal Affairs" Subsection C #1 and 5, which is also a violation of Policy 05-A/LL "Prohibited Behaviors" Subsection 05-AA "Disobeying Orders", #5 "Compliance with Direct Orders of Superior or Internal Investigation Officer".

See Attached Pages

The following disciplinary action will be administered after review by Human Resources Director and/or City Manager:

- Verbal Warning:** (Verbal Warnings to be documented above by Supervisor/Dept. Head and are not required to be signed by employee)
- Written Reprimand**
- Suspension:** For period of _____
Effective date/time suspension to begin: _____
24 hour notice to begin: _____ Notice period: paid unpaid
- Demotion**
- Dismissal:** Notice given: _____ Termination effective: _____
- Other:** Reassigned to Patrol Division as a Level 25
*Assigned to Alpha Team
-
-
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(Disciplinary Action Report form continued):

Human Resources Director approval prior to disciplinary action being administered:
Signature:  Date: 5/12/15

City Manager approval prior to disciplinary action being administered (if applicable):
Signature: _____ Date: _____

Supervisor Signature: _____
Date: _____

Department Head Signature: 
Date: 5/13/15

EMPLOYEE ACKNOWLEDGEMENT:

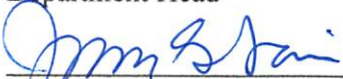
I hereby acknowledge that this action has been discussed with me and that I have received a copy. I understand that pursuant to the City of Cleveland Personnel Rules and Regulations Section VIII Separations and Disciplinary Actions, Subsection N., I have a right to appeal this action in writing to the City Manager within two (2) working days of receipt of notification of the disciplinary action.

I understand that continued unsatisfactory performance on my part will result in further disciplinary action.

I received notice of this action on (date): 05/13/15

Employee Signature:  Date: 05/13/15

FINAL APPROVAL:  5/13/15
Department Head Date

 5/13/15
Human Resources Director Date

City Manager Date

City of Cleveland

CLEVELAND, TENNESSEE
Police Department

100 Church Street NE
Cleveland, TN 37311-5330

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To: Human Resources Director Jeff Davis
From: Interim Chief Mark Gibson
Re: IA# C-15-01-DA (Crime Scene Tech. Jeff Griggs)

The following is the summary of findings reported by the District Attorney's Office. This portion of findings is related to the actions of Cst. Jeff Griggs and is included in Internal Affairs Investigation # C-15-01-DA report. I will include my recommendations at the end of this summary.

Findings:

In regards to the events of February 28, 2015, Officer Jeff Griggs was arrested for one count of domestic assault, but the charge was subsequently dismissed. In the Internal Affairs Investigation, it was determined the "bite marks" to Cindy Griggs' fingers were likely the result of her unintentional slip when wrestling for control of the memory card and hitting Officer Griggs in the lip and tooth. Although the reported reason for Captain Maddux and Mrs. Griggs' meeting was to discuss domestic abuse from Officer Griggs, no allegations of abuse, other than the "bite marks," have been reported by Mrs. Griggs. Therefore, Officer Griggs has not violated any Cleveland Police Department policies as relate to domestic abuse.

The Order of Protection against Officer Griggs that was obtained by Cindy Griggs was changed to a mutual restraining order. A restraining order does not prohibit the one restrained from possessing or carrying a firearm. Therefore, Officer Griggs is able to carry a firearm, which is required to be a Police Officer.

On March 03, 2015, Officer Griggs was arrested for violating the Order of Protection by being at his residence when the Order said he was not to be. Under policy 2-A/H "Code of Ethics" Subsection 2-E "Obeying Laws," the policy states, "Members shall obey all laws of the United States and of any state and local jurisdiction in which the member is present. Conviction of a criminal offense (felony) or of a misdemeanor involving moral turpitude shall be prima facial (**sic**) evidence of a violation of these rules and regulations. (Class A Violation)." However, the charge of violating the Order of Protection was

dismissed by Judge Sharp. Therefore, Officer Griggs was not convicted of violating the Order of Protection.

On March 13, 2015, Officer Griggs was interviewed for the Internal Affairs investigation. His attorney, Jimmie (sic) Logan, was present. During the course of the interview, Investigator Rockholt asked Officer Griggs about his being able to locate Cindy Griggs and Captain Maddux, and whether he used a tracking device or not. Officer Griggs stated he just drove around and found Mrs. Griggs car, but would not answer whether he used a tracking device or not. Investigator Rockholt made it clear to Officer Griggs he was not answering the question concerning the tracking device. Mr. Logan asked that the interview continue without the question being answered. Officer Griggs never answered whether he used a tracking device or not.

During the interview, Officer Griggs stated he was in front of 156 Main Street when he asked Wes Davis to check the address for him. Yet, Officer Griggs' cellphone pinged to the Ocoee, TN cell tower, which is close to his house. When speaking with Mr. Davis, it was obvious that Officer Griggs was not viewing the location he was inquiring about. He said 156 Main Street could be a residence or a business. It is obvious when on scene, 156 Main Street is a residence and 146 Main Street is a business. Officer Griggs also told Lieutenant Tyson on the way to Calhoun he believed Mrs. Griggs was in Charleston. He knew that before he arrived apparently because he was using a tracking device. Because Officer Griggs was untruthful in his interview, he violated Policy 04-A/LL "General Rules and Regulations" Subsection 4-HH "Members must speak the truth at all times. In cases where departmental policy does not allow the divulging of all facts known, members should inform the other party of such and refer them to the member's immediate supervisor. Any employee found to lie at anytime will be dealt with strongly.

This department will not tolerate any form of lying, and if an employee is found to lie he/she will receive discipline up to and including termination. This section shall not apply to Undercover Operations and Case Investigations wherein untruthfulness would be deemed a professionally acceptable practice. (Violation of this policy is a Class A violation)."

Summary:

I have reviewed the findings of the Internal Affairs Investigation conducted by the 10th Judicial District Attorney's Office Investigator Calvin Rockholt and Cleveland Police Department Detective Cody Hinson. Crime Scene Technician Jeff Griggs was arrested in McMinn County for one count of Domestic Assault. This was later dismissed in McMinn County General Session's Court. It is clear from the IA investigation that the initial allegations and injuries (bite marks) suffered by Cindy Griggs do not accurately represent what occurred on 02/28/2015. After reviewing the facts and injuries to both parties it is unclear as to who was the primary aggressor in this altercation. Cindy Griggs was admittedly having an extramarital affair with then Interim Chief Dennis Maddux. On 02/28/2015 she was meeting Maddux in Calhoun, TN as she had done before. Jeff Griggs located them and took multiple photographs of Maddux and Cindy Griggs engaged in either a hug or kiss. An altercation took place after Dennis Maddux left Cindy with Jeff. An altercation began as a result of Cindy Griggs attempting to take the memory card from the camera. Cindy Griggs did remove the card and did destroy the memory card. Her efforts to destroy evidence of an extramarital affair on that SD card resulted in a physical altercation and injuries to both parties.

An Order of Protection was obtained by Cindy Griggs following the events of 02/28/2015. On March 03, 2015 Jeff Griggs was arrested for violating the Order of Protection. Jeff Griggs used poor judgment that day by not completely understanding the restrictions of the Protection Order, but there was no indication that he intentionally violated the order. That charge was also dismissed in Bradley County Sessions Court. The Order of Protection has been dropped and both parties have agreed to a mutual restraining order.

CST. Jeff Griggs was initially charged with two criminal offences, which have been dismissed. Also the TBI was requested by the District Attorney General to investigate other criminal allegations involving Jeff Griggs related to the use of a tracking device. The TBI isn't expected to present any other criminal findings that would be prosecuted by the District Attorney's Office. Any criminal violations involving Jeff Griggs related to IA # C-15-01-DA are unfounded. The internal affairs investigation did find that CST. Jeff Griggs did violate policy 04-A/LL "General Rules and Regulations" Subsection 4-HH, "Truthfulness" and also policy 08-H Internal Affairs, Subsection C # 5. As part of the internal affairs inquiry it was alleged that Jeff Griggs used some type of means to illegally track the location of his wife, Cindy Griggs. The TBI was requested by the DA's office to investigate this allegation. It also became an aspect of this internal affairs investigation.

The IA report indicates that Jeff Griggs was interviewed on March 13, 2015 by DA's office Investigator Calvin Rockholt and Detective Cody Hinson. Griggs had his attorney Jimmy Logan present with him during the interview. He was interviewed about the events beginning with 02/28/2015 through 03/03/2015. During the interview Jeff Griggs was asked if he used a tracking device to locate his wife in Calhoun, TN. The investigative report shows that Griggs was asked several times about the tracking device but didn't answer the question to the satisfaction of either investigator. Investigator Rockholt made it clear that he wasn't answering the question. Attorney Jimmy Logan asked them to move on and Jeff Griggs never answered the question related to using a tracking device or not.

Policy 08-H "Internal Affairs" Subsection C#1 requires, "all employees involved in an investigation, either as an accused or witness, shall be required to submit written statements and/or be interviewed. Failure to provide a statement, submit to an interview or waive their constitutional rights will constitute insubordination and subject them to disciplinary action and/or dismissal." **Policy 08-H "Internal Affairs" Subsection C#5**, states "An employee or member may be ordered, at any time, to truthfully answer questions and cooperate with an internal investigation." **Policy 05-A/LL "Prohibited Behaviors" Subsection 05-AA "Disobeying Orders", #5 "Compliance with Direct Orders of Superior or Internal Investigation Officer"** states that "Personnel shall obey lawful and proper orders of internal affairs investigators or superior officers to answer questions related to the internal investigation of misconduct. (Violation of this policy is a Class A violation). The investigation does support that Jeff Griggs failed to answer relevant questions during an internal affairs investigation and was in violation of the above mentioned policies.

Jeff Griggs was also questioned about a phone call he made to the Bradley County 911 Center. The Internal affairs investigators reported that Jeff Griggs was untruthful about where he was when he made the phone call. Jeff Griggs's phone records, statements from Lt. Steve Tyson, and Wes Davis do not

support Jeff Griggs's version of events. The report shows sufficient proof that Jeff Griggs made this phone call from an area close to his home and not from Calhoun as Jeff stated. The findings also further support that Griggs was using a device to track his wife. The investigation does support that Jeff Griggs was untruthful during this portion of the Internal Affairs Investigation.

Policy 04-A/LL "General Rules and Regulation", Subsection 4-HH "Truthfulness",

"Members must speak the truth at all times. In cases where departmental policy does not allow the divulging of all facts known, members should inform the other party of such and refer them to the member's immediate supervisor. Any employee found to lie at any time will be dealt with strongly. This department will not tolerate any form of lying, and if an employee is found to lie he/she will receive discipline up to and including termination. This section shall not apply to Undercover Operations and Case Investigations wherein untruthfulness would be deemed a professionally acceptable practice. (Violation of this policy is a Class A violation)."

Recommendations:

CST. Jeff Griggs did violate two Class A policies during this event. I feel that Jeff was under a tremendous amount of emotional stress during this time. Jeff Griggs's wife was engaged in an extramarital relationship with the Interim Chief Dennis Maddux. Not only was Dennis Maddux the highest level supervisor at the Cleveland Police Department, he was also a close longtime friend of Jeff Griggs. It is clear that he had his suspicions that his wife was having an affair and that it was with Dennis Maddux. Jeff Griggs has a good work history and doesn't have a history of any significant disciplinary issues. The fact is that Griggs's actions are not characteristics of any behavior he has ever displayed in his 20 year career. However, Jeff Griggs was assigned to the Criminal Investigation's Division and was working as a crime scene technician at the time of this event. He has been to numerous schools dealing with digital / computer forensics. He is in a position and would be involved in a majority of major crimes and would be tasked with exams on cell phones and computers on a regular basis. It is critical to have a person in this position that is at the highest level of trust and whose credibility is proven. Jeff Griggs's credibility has been compromised as a result of this event. Also any future appearances in court will subject Griggs to critical cross examination by defense counsel. His testimony in court could cause a great risk to major cases and a huge burden on Jeff Griggs.

The investigation shows that Dennis Maddux and Cindy Griggs have a greater role and are the cause of these events, but Jeff Griggs has a responsibility to maintain his high level of professionalism. I do sympathize with Jeff but also understand that police officers are held to a higher standard and must use their best judgment on and off duty. CST. Griggs violated two Class A policies, which are justification to terminate his employment with the Cleveland Police Department. Any Class A policy violation will result in termination unless there are mitigating factors involved to justify reduction of punishment. The discipline chart was revised last year and previously would not allow for a reduction of punishment involving two Class A violations. In this matter there are multiple mitigating factors that were mentioned above. I do not recommend that Jeff Griggs be terminated from his job. Jeff Griggs can continue to be a police officer with this department. I am going to recommend that Jeff Griggs be demoted from a level 26 to a level 25 and be removed from his current assignment. Facts support that Jeff Griggs used his training to track the location of his wife and that he was untruthful about his actions.

There is a great risk to the integrity of current and future major cases to have Griggs serve in his current role at the department. Based on his past history I believe that he can continue to serve on a patrol team as a level 25 patrol officer and still remain an asset to the department.