



Sheriff Carlton Speed

Banks County Sheriff's Office
160 Windmill Farm Road • Homer, Georgia 30547

DATE: June 18, 2020

TO: Chief Deputy Shawn Wilson

FROM: Major Matt Allen
Captain Carissa McFaddin

SUBJECT: Rabun County Sheriff's Office External IAI Findings & Conclusion

I.A. INVESTIGATION ORDERED

On 15 June 2020, Chief Deputy S. Wilson of the Banks County Sheriff's Office instructed Major Matt Allen and Captain Carissa McFaddin to report to the Rabun County Sheriff's Office on 16 June 2020 at the request of Rabun County Sheriff Chad Nichols. Sheriff Nichols decided to utilize an outside agency to conduct an independent internal affairs investigation involving an employee of the Rabun County Sheriff's Office. The investigation was requested based on an accusation of sexual harassment against Captain Richard Hunter of the Rabun County Sheriff's Office that occurred on 4 June 2020. The allegation presented centers around a call made by Captain Hunter to the wife (Autumn Harvey) of a subordinate (Sergeant Scott Harvey). Scott Harvey resigned his employment with the Rabun County Sheriff's Office before the Banks County Sheriff's Office was requested to conduct this investigation.

FINDINGS AND CONCLUSION:

In regards to Scott Harvey's original complaint regarding Captain Richard Hunter using his position as his supervisor to have a conversation with his wife, Autumn Harvey, in his presence via telephone for sexual harassment purposes is founded as sustained. This conversation was also confirmed through phone logs to have happened on Rabun County Sheriff's Office cell phone that was issued to R. Hunter. This was confirmed through the interviews of S. Harvey, A Harvey and R. Hunter. Further information provided by additional interviews of J. Ulm, C. Sanders, and M. Carnes confirmed sexual talk is common practice with R. Hunter, especially after consuming alcohol. Furthermore, from interviews conducted, it has been discovered that after consuming alcohol, R. Hunter is known to contact subordinates and talk inappropriately. It has been

confirmed through the agency's previous Professional Development Plan, R. Hunter has failed to meet requirements set forth by Sheriff Nichols in July of 2019.

In addition to failing to meet the PDP, the investigation has led Major M. Allen and Captain C. McFaddin to find R. Hunter to be in violation of the following policies of Rabun County Sheriff's Office:

- 1.01(II) – Oath of Office

*“...I do further swear or affirm that I will **abide by the Law Enforcement Code of Ethics as adopted by this agency.**”*

- 1.02(I)(C)(1) – Code of Conduct; Unbecoming Conduct

*a. Employees shall conduct themselves at all times, **both on and off duty**, in such a manner as to **reflect favorably on the Sheriff's Office.***

*b. Conduct unbecoming an officer shall include that which brings the department into **disrepute or reflects discredit upon the deputy as a member of the department**; that which impairs the operation or efficiency of the department or the deputy; or causes the public to lose confidence in the agency or Rabun County government.*

- 1.02(I)(c)(2) – Code of Conduct; Immoral Conduct

*a. Employees shall maintain a level of moral conduct in their **personal and business affairs**, which is in keeping with the **highest standards** of the law enforcement profession.*

*b. Employees **shall not** participate in any incident involving moral turpitude that impairs their ability to perform as law enforcement employees or **causes the department to be brought into disrepute.***

- 1.02(I)(c)(17) – Code of Conduct; Use of agency equipment and facilities

*“Employees shall use agency equipment **only for its intended purpose ...**”*

- 1.02(I)(C)(29) – Code of Conduct; Sexual harassment

*a. Rabun County Sheriff's Office employees have the right to work in an environment **free of all forms of harassment.** The Rabun County Sheriff's Office **will not tolerate, condone or allow any form of unlawful employee harassment based on race, color, religion, gender, marital status, age, national origin, handicap, sexual orientation or veteran status.***

b. The Rabun County Sheriff's Office shall take direct and immediate action to prevent such behavior and to remedy all reported instances of harassment and discrimination.

- 1.02(I)(C)(34) – Code of Conduct; Violation of established policies and/or procedures

a. *Employees are responsible for being knowledgeable of and obeying to the best of their ability, all established policies and procedures as promulgated in official agency directives.*

- 1.02(I)(C)(44) Code of Conduct; **Employees are prohibited from using their official position to secure privileges for themselves or others.**
- 1.03(II) – Code of Ethics; Law Enforcement

*...I WILL keep my private life unsullied as an example to all;... maintain courageous calm in the face of danger, scorn or ridicule; **develop self-restraint**; and be **constantly mindful of the welfare of others**. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and **the regulations of my department**.*

- 2.04(II) – Workplace Violence; Prohibited Acts

*Employees of the Sheriff's Office shall be **prohibited from committing** the following acts toward fellow employees....*

E. Sexual Harassment

