

Supervisor Inquiry 2022-047

D/S R. Perry. Allegation by 119.071(2)(h)1

Complainant: 119.071(2)(h)1

Complaint: Unprovoked inappropriate comments/behavior from D/S R. Perry.

Details of Investigation:

On April 25, 2022 at approximately 1230 hours, Sergeant K. Smith, Internal Affairs Supervisor, informed me of a complaint he received from K. Wagner, Clay County School Board Chief of Police. Sergeant Smith stated Chief Wagner sent him a text message explaining the details of the complaint that he received from 119.071(2)(h)1. Subsequently, Sergeant Smith forwarded me the text message. The text message was attached to the complaint.

On April 26, 2022 at approximately 1430 hours, I met with the complainant, 119.071(2)(h)1 who invited me to her residence for an interview. The recorded interview was conducted at her dining room table. The following is a summary of the interview. To obtain complete details, review the recording in its entirety. 119.071(2)(h)1 provided the following sworn testimony.

119.071(2)(h)1 has known Deputy Perry for approximately 20 years. Their interaction was solely based on Deputy Perry responding to calls for service at her previous residence(s) for various issues involving her daughter. 119.071(2)(h)1 stated their interaction was strictly professional and there was nothing out of the ordinary. Approximately three years ago 119.071(2)(h)1 began working at the 119.071(2)(h)1. 119.071(2)(h)1 Since that time, Deputy Perry has entered the business on a routine basis while he was on duty. Throughout the timeframe, Deputy Perry would often compliment 119.071(2)(h)1. Specifically, he would make the comments along the lines of "You have nice hair" and "You're beautiful." 119.071(2)(h)1 stated she appreciated the compliments and she did not think anything of it.

Approximately two weeks prior to the Easter holiday, during the mid-morning or mid-afternoon hours, 119.071(2)(h)1 was standing outside of the business smoking a cigarette. Subsequently, while he was on duty, Deputy Perry arrived, approached 119.071(2)(h)1 and engaged in conversation. According to 119.071(2)(h)1 Deputy Perry without provocation stated, "I want to fuck you." 119.071(2)(h)1 initially ignored Deputy Perry's comment believing it was a joke. Subsequently, 119.071(2)(h)1 informed Deputy Perry that he was married and she did not get involved with married men. After 119.071(2)(h)1 clearly explained her thoughts and stance regarding his comment, their conversation ended and Deputy Perry departed.

The next alleged inappropriate interaction 119.071(2)(h)1 had with Deputy Perry was at the business during the mid-morning hours of Sunday, April 24, 2022. Deputy Perry, while he was on duty, entered the business, approached 119.071(2)(h)1 and engaged in conversation. According to 119.071(2)(h)1 Deputy Perry asked something to the effect of, "Are you going to go off with me." Again, 119.071(2)(h)1 informed Deputy Perry he was married and she did not get involved with married men. Additionally, 119.071(2)(h)1 commented to Deputy Perry something to the effect of, "If you don't stop talking to me like this, I'm going to slap the shit out of you." Allegedly, Deputy Perry responded something to the effect of, "If you do that, you'll be in handcuffs. Not the handcuffs that you like." Subsequently, 119.071(2)(h)1 ended the conversation and walked away. That was the last interaction 119.071(2)(h)1 had with Deputy Perry.

The following day, April 25, 2022, Chief Wagner entered the business, noticed 119.071(2)(h)1 was behaving differently, and asked her what was wrong. Subsequently, 119.071(2)(h)1 informed Chief Wagner of the aforementioned behavior of Deputy Perry. Chief Wagner informed 119.071(2)(h)1 he would forward her complaint to the Clay County Sheriff's Office and someone would be contacting her to investigate the complaint. The interview was subsequently concluded. Prior to my departure, 119.071(2)(h)1 provided the name and contact information for the store manager, who she stated would have access to the store's surveillance system. It should be noted, 119.071(2)(h)1 stated there was not any witnesses to any of the aforementioned conversations/interactions she had with Deputy Perry.

On April 27, 2022 at approximately 1130 hours, I met with the store manager of 119.071(2)(h)1 and inquired about obtaining surveillance footage. Subsequently, informed me the surveillance system has been inoperable for several weeks and he was still waiting for a response to the maintenance request he

submitted. 119.071(2)(h)1 further informed me that corporate personnel had remote access to the surveillance system and might be able to obtain the footage. 119.071(2)(h)1 provided me with the name and contact information of a corporate representative, specifically

119.071(2)(h)1 At 1227 hours, I called the aforementioned telephone number and left a message. At 1259 hours, I received a call back from a corporate representative call taker, who subsequently documented my request for surveillance footage and provided me a confirmation email. The email was attached to this complaint.

On April 28, 2022 at 1236 hours, I received an email response from 119.071(2)(h)1 who confirmed the surveillance system was inoperable hence the surveillance footage I requested was not available. The email was attached to this complaint.

On May 2, 2022 at approximately 1630 hours, I met with Deputy Perry at the Internal Affairs Office. After informing him of the details of the complaint, I provided Deputy Perry with a compact disc. The disc contained this complaint, the information provided by Chief Wagner, my correspondence with 119.071(2)(h)1 and the recorded interview with 119.071(2)(h)1 Subsequent to his review, I instructed Deputy Perry to provide a sworn written statement addressing the allegation made against him by 119.071(2)(h)1 Due to Deputy Perry's work schedule and preapproved leave, I instructed Deputy Perry to provide his statement to me on Wednesday, May 11, 2022. Deputy Perry confirmed his understanding and the meeting was subsequently concluded.

On May 11, 2022 at approximately 1630 hours, I met with Deputy Perry at the Internal Affairs Office. After Deputy Perry reviewed his statement and attested to its content, the meeting was concluded. The following is a synopsis of Deputy Perry's statement. To obtain complete details, review the statement in its entirety.

Deputy Perry described to what he believed was a mutual flirtatious relationship between himself and 119.071(2)(h)1 Deputy Perry stated until he was notified of this complaint, he had no idea 119.071(2)(h)1 had any problem(s) with the aforementioned relationship. Deputy Perry explained he and 119.071(2)(h)1 often exchanged compliments and flirtatious behavior, all the while they were smiling and laughing with one another, hence he believed 119.071(2)(h)1 enjoyed their conversations. After listening to the interview with 119.071(2)(h)1 who expressed her anger and disappointment, Deputy Perry admitted he made inappropriate comments during his conversations with 119.071(2)(h)1

Additionally, Deputy Perry expressed his regret and remorse regarding how his comments upset 119.071(2)(h)1. Though he was adamant both he and 119.071(2)(h)1 enjoyed the aforementioned flirtatious relationship, Deputy Perry acknowledged 119.071(2)(h)1 complaint and subsequently apologized for his inappropriate and unprofessional behavior.

End of Investigation.