



Granbury Police Dept

Incident #: G11021376

Reporting Officer: Russell Grizzard

Report Time: 12/07/2011 12:33:26

Incident

Incident Nature

Address

2000 W Pearl St
Granbury, Texas 76048.

Occurred From

12/06/2011 14:00:00

Occurred To

12/06/2011 14:15:00

Received By

Rodriquez April

How Received

911 Line

Contact

[REDACTED]

Disposition

For Information Only

Miscellaneous Entry

mun court

Disposition Date

12/29/2011

Cleared

N

Judicial Status

Cleared Date

Clearance

Cleared by Investigator

Cargo Theft Related

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Responding Officer(s)

Zac Anderson

Jeremy Ballew

Russell Grizzard

Circumstances

School or College

Offenses

Assault

Completed?

C

Method Of Entry

Gambling Motivated?

Premises Entered?

Location Type

Cargo Theft Related?

Statute

Description

Category

Persons

Wayman, Donald C Offender

Address

3713 Dry Creek Rd
Granbury Texas 76049

Phone

(817)326-6356

DOB

Race

N-White, Non-Hisp

Sex

M

Ethnicity

Height

6'01"

Weight

195

Narratives

Original Narrative

01/02/2012

08:14:53

12/07/2011 - Grizzard R

On 12/07/2011, I met with [REDACTED] and her daughter, [REDACTED] in reference to a possible sexual offense at Granbury High School. [REDACTED] is 17 years of age and is currently enrolled in the ROTC program at Granbury High School. Officer Ballew, Officer Anderson and I met with [REDACTED], and she reported the following:

On 12/06/2011 at approximately 2:00 pm, [REDACTED] was in her ROTC class, and the period was almost over. She asked the teacher, Colonel Donald Wayman, about his vacation, and he told her to come to his office and they could discuss it.

[REDACTED] went to Mr. Wayman's office, and he asked her what she really wanted to talk about, and she told him she wanted to talk about his vacation. Mr. Wayman told her about his trip, and he made a comment about his daughter being beautiful. Mr. Wayman then told [REDACTED] that she ([REDACTED]) was beautiful. As the conversation progressed, Mr. Wayman asked [REDACTED] if she is interested in girls. [REDACTED] told him she is interested in girls, and Mr. Wayman told her he thinks that is "hot". [REDACTED] began feeling uncomfortable, so she told Mr. Wayman she is a virgin thinking he would discontinue the conversation. Mr. Wayman then told her he would be able to please her. [REDACTED] told him to stop making those remarks because she did not want him to get into trouble, and he told her as long as neither one of them told anyone, they would have nothing to worry about. [REDACTED] was standing in front of Mr. Wayman's desk, and Mr. Wayman walked around to where she was standing, moved next to her side, and rubbed his genital area against her upper leg/hip area. She believes Mr. Wayman's penis was erect when he rubbed it against her. [REDACTED] backed away from him, and he approached her again and rubbed his penis against her hip again (through his clothing). She pushed him away, and he sat down on his desk. Mr. Wayman asked [REDACTED] when her birthday is, and she told him it is in six months (when she turns 18). She then told him he would have to wait for six months, and he asked her if she promised.

She said she did, and they shook hands and said "deal". The bell rang to end that class, and Mr. Wayman grabbed [REDACTED] by her hips, pulled her to him, and kissed her on her lips. [REDACTED] then left, went to her next class, and reported the incident to her teacher in that class. [REDACTED] stated Mr. Wayman is commonly somewhat flirtatious with other females in the class, but she is not personally aware of any similar incidents with other girls. She also explained that during the entire incident, she was uncomfortable and was unsure of how to handle the situation or of what to say to Mr. Wayman. [REDACTED] provided a written statement detailing the incident. Subsequent to my speaking with [REDACTED], I learned that Assistant Principal Patti Sanderson reported the incident to the Police Department. I contacted Mr. Wayman, and he later met with me at the Police Department. I advised Mr. Wayman of his rights, and he agreed to waive his rights and answer questions. Mr. Wayman stated he did not know what was being alleged or who reported it, so I asked him to tell me about any students he had contact with in his office on 12-06-2011. Mr. Wayman provided two names and stated he has students in his office frequently, but he did not mention [REDACTED]. I questioned Mr. Wayman about his meeting with [REDACTED], and reported the following: [REDACTED] asked him about his vacation and he told her he would talk to her about it in his office. He described his office space as being an outer office and an inner office. It was the outer office Mr. Wayman said [REDACTED] was in, and he stated he was standing in the doorway of his inner office. The inner office is the area which contains his desk, and it is that area [REDACTED] described. [REDACTED] asked him about his trip to New Orleans to see his daughter and her fiancée, and she began asking him about going to clubs and going dancing. Mr. Wayman felt she was asking questions which were too personal, so he changed the subject back to his daughter. Mr. Wayman claimed [REDACTED] never entered his office and they only spoke for approximately 2.5 minutes. He denied any physical contact with [REDACTED], including accidental contact, and he denied having any conversation with [REDACTED] as she described. Mr. Wayman described [REDACTED] as "clingy", and he mentioned that [REDACTED] has tried to hug him twice, but he only hugged her once. He also stated [REDACTED] has told him she loves him more than once. Mr. Wayman agreed to submit to a polygraph examination, so I contacted Investigator Robert Young at the Hood County District Attorney's Office and arranged for a polygraph at 9:00 am on 12-08-2011.

12/08/2011 - Grizzard R

On this date, Investigator Young administered a polygraph examination with Mr. Wayman. Investigator Young advised me the test results indicated deception on relevant questions pertaining to this case. Investigator Young and I questioned Mr. Wayman at length, and he adamantly denied the allegations. During the post-test interview, Mr. Wayman mentioned that he and [REDACTED] were back in the classroom before the bell rang for the next class. [REDACTED] had stated she was in Mr. Wayman's office when the bell rang, and that is what caused her to leave his office. It was at that time she said Mr. Wayman grabbed her and kissed her.

12/09/2011 - Grizzard R

On this date, Mr. Wayman contacted me and advised me he had spoken to some students, and that one of them ([REDACTED]) told him [REDACTED] and her mother approached her at HEB where she was working on 12-08-2011. Mr. Wayman stated they took Ms. Williams into an office and questioned her about Mr. Wayman, trying to get her to say something negative about him. Mr. Wayman also said [REDACTED] and her mother are talking to other students about this case and trying to get other students to come forward with information. I later spoke to [REDACTED], and she confirmed that she and her mother went

to HEB and they saw [REDACTED], but they did not speak to her about this matter and they did not take her to any office. I also asked her about the timing of the bell ringing during the reported incident, and she stated she believed she was still in Mr. Wayman's office when the bell rang but it is possible they were back in the classroom when it rang. She indicated that regardless of the timing of the bell, the incident occurred as reported.

I spoke to [REDACTED] mother, and she also told me they did not take [REDACTED] anywhere and did not speak to her about the incident. She also stated the only reason [REDACTED] is talking to other students is because the GISD superintendent, Ron Mayfield, asked her ([REDACTED]) to have [REDACTED] talk to other students. I told both of them to stop talking to other students, and that if anyone else asked them to talk to people they were to refer that person to me. [REDACTED] reported that another student, [REDACTED], had been sending her text messages accusing her of lying about this incident, and saying that he had talked to a "cop", and that the "cop" was on Mr. Wayman's side.

12/13/2011 - Grizzard R

On this date, I went to Granbury High School and conducted interviews with the students listed below:

[REDACTED] - [REDACTED] reported that she did see [REDACTED] and her mother at HEB on 12-08-2011, but they did not talk to her about the reported incident. However, she told me they did apparently talk to her supervisor, and he later called her to his office and asked her if everything was ok with her at school. [REDACTED] stated Mr. Wayman called her on 12-09-2011 and left her a voicemail asking her to call him. She later called him back, and he was asking her what was going on with the situation at the school.

[REDACTED] - [REDACTED] stated [REDACTED] told her what Mr. Wayman allegedly did in the presence of [REDACTED]. When asked what [REDACTED] told her, [REDACTED] told me the same details which were provided to me by [REDACTED]. [REDACTED] stated [REDACTED] changed her story immediately after that when it was just she and [REDACTED] present, so I asked her what part of the story changed and she told me [REDACTED] said she didn't do anything to stop Mr. Wayman and that she just "went with it". That was the only thing [REDACTED] reported as different, and it is not different from [REDACTED] original story. [REDACTED] had text messages on her cell phone between her and [REDACTED], and she believed the messages prove [REDACTED] is lying. I read the messages, and [REDACTED] does indicate at some point in the messages that she believes [REDACTED] is not telling the truth, but she does not elaborate so it is not known why she does not believe [REDACTED]. [REDACTED] had no direct information pertaining to this case.

[REDACTED] - [REDACTED] is the person who was sending the text messages to [REDACTED], and he acknowledged that fact. [REDACTED] stated he does not believe [REDACTED] story because he does not think Mr. Wayman is capable of such acts and [REDACTED] has been acting differently than what he believes she should be acting about the incident. I asked him about the officer he has reportedly spoken to, and he stated it is his mother's boyfriend, Shawn Cox, who works for another agency. Mr. Cox reportedly told [REDACTED] he believes [REDACTED] actions are strange for a legitimate victim. Mr. Cox, however, has never met nor observed [REDACTED]; he is basing his opinion on what [REDACTED] has told him. [REDACTED] had no direct information pertaining to this case.

[REDACTED] - [REDACTED] claimed no direct knowledge of this incident, but she indicated that she does not believe [REDACTED]. When questioned about why she does not believe [REDACTED], she stated Mr. Wayman is like a father figure to her and she just does not believe he is capable of doing anything like this.

12/14/2011 - Grizzard R

On this date, I met with [REDACTED] at Granbury High School. [REDACTED] told me she did think [REDACTED] was lying at one time, but after thinking about the situation, she now believes her. [REDACTED] reported that in approximately November 2011, she and [REDACTED] were working out with weights when Mr. Wayman approached them and made a comment about them working the muscles in their mouths (talking). At that point, the following conversation took place. This is not a transcript of the conversation, but it is how [REDACTED] remembered the conversation.

[REDACTED]: You know you love us.

Mr. Wayman: Well, I love food too but at some point it's just food.

[REDACTED]: Well we're the good tasting food.

Mr. Wayman: I don't know how you taste but come back when you're 18.

[REDACTED] was adamant that [REDACTED] was present for the entire conversation.

12/15/2011 - Grizzard R

On this date, I met with [REDACTED] again at Granbury High School. I questioned her about the above detailed conversation which was reported by [REDACTED]. [REDACTED] confirmed the entire incident, almost verbatim, with the exception of the last statement reportedly made by Mr. Wayman. She stated she did not hear him say that in her presence. When I questioned her about that particular statement, she was clearly uncomfortable, her face became somewhat flushed, and she broke eye contact with me. Based upon my observations of [REDACTED], I believe she was not being completely truthful about the conversation.

12/27/2011 - Grizzard R

After meeting with the students who were interviewed, it is clear none of them witnessed the incident, and their opinions regarding Mr. Wayman's innocence or guilt are based solely upon their personal feelings for or against him and/or [REDACTED]. There is no video of the reported incident, nor any eyewitnesses or physical evidence. [REDACTED] made an outcry immediately after the reported incident, and the teacher to whom she reported it stated [REDACTED] was visibly upset. [REDACTED] has also recounted the incident to me more than once, and she has told several other people and the substance of her story has not changed. In my opinion, those things are more indicative of a truthful person. Based upon the circumstances, probable cause exists that the incident occurred as reported. After researching the Texas codes, it appears the only offense that is appropriate as written based on the elements is Assault - Offensive Touch.

12/29/2011 - Grizzard R

On this date, Mr. Wayman was issued citation #064329 for Assault - Offensive Touch. This case is closed.