

May 26, 2018

The Honorable Henry Kerner  
Special Counsel  
U.S. Office of Special Counsel  
1730 M Street, NW, Suite 300  
Washington, DC 20036

Re: OSC File DI-17-4244

Dear Mr. Kerner:

I am writing with comments on the May 4, 2018 investigative report regarding my complaint that Hines VA police, specifically [REDACTED], aided and abetted by [REDACTED], abused his authority when he forcibly arrested me for parking tickets, resulting in serious bodily injury. I am sorely disappointed in the quality and accuracy of the investigation conducted by the Agency. They are making a mockery of this whole process.

As noted in my initial complaint, and as substantiated by the Agency's report, no one at Hines VA has been arrested for parking tickets. Multiple officers confirmed this to me personally. My agreement with the report ends, for all intents and purposes, at that point. The report itself is full of false statements on the part of the officers interviewed. The investigators also omitted statements that support my claims as well as failed to interview other officers with important information. There are too many falsehoods to list them all, so I am going to list the major problem areas in the report.

**1. [REDACTED] met me many times before he arrested me**

In my role at Hines, I have met most of the officers. I met [REDACTED] several times before the day he arrested me. [REDACTED] came to me to ask about tuition reimbursement, the issue that started the retaliation, well before he ever raised any parking tickets with me. [REDACTED] came to my office with [REDACTED], now the criminal investigator, to ask me to alter his documents to

make it appear that the it was a travel event and not school. I advised him that I could not and that he was asking me to commit fraud. He asked my suitemate and colleague, [REDACTED], if he would do it, and [REDACTED] declined saying it would be unethical. [REDACTED] slammed his hand on the door and stormed off. [REDACTED] who was questioned by the Agency investigators (though the omitted his testimony) witnessed [REDACTED] talking to me in our office several times.

**2. [REDACTED] was wrongly paid for his tuition**

Contrary to the investigator's claim the reimbursement policy was violated not followed. For a tuition reimbursement, an employee has to pay ahead of time. [REDACTED] tuition was paid for without actually [REDACTED] paying in advance and then he tried to get a reimbursement for money he never paid, basically [REDACTED] was trying to steal money from the government.

**3. [REDACTED] did not take annual leave or vacation as he was supposed to for his class**

[REDACTED] was not supposed to receive paid time to go to school. That's a violation of VA policy. An employee has to use their own time to take classes. For example, [REDACTED] took the same class as [REDACTED] and used his own vacation time. [REDACTED] was stealing from the U.S. government and taxpayers by getting paid while he was taking classes.

**4. [REDACTED] sent the subpoena to the wrong address**

[REDACTED], who knew exactly where I worked, sent the summons to the wrong address, and then, without even checking if I was served, arrested me.

**5. [REDACTED] handcuffed me**

[REDACTED] did not handcuff me, [REDACTED] handcuffed me.

**6. [REDACTED] did not link two sets of cuffs together**

When [REDACTED] saw me in distress I was already handcuffed. He informed [REDACTED] that I was in pain, that I had surgery, and to move the handcuffs to the front if necessary. [REDACTED]

did not remove the handcuffs, link two together, and then re-handcuff me. He simply put on a second set of cuffs higher up my arms. The investigators questioned [REDACTED] but omitted his testimony.

[REDACTED] indicated to me that this technique is improper but that [REDACTED] does this because it is how he was trained at another other police department where [REDACTED] worked or currently works. [REDACTED] also indicated that this technique was improper and that I would not have been arrested had he been there that day.

**7. [REDACTED] ignored my distress**

When [REDACTED] handcuffed me I told him about my physical condition. [REDACTED] confirmed this to [REDACTED] but he ignored him, like he ignored me. While driving to court I complained that I was in distress. I told [REDACTED] that I could not breathe. [REDACTED] again ignored me and turned up the volume on the radio. [REDACTED] told him that I said I could not breathe but [REDACTED] ignored her. After that she did nothing.

**8. [REDACTED] did not call the ambulance**

When we arrived at court the U.S. Marshall noticed my distress and called an ambulance. [REDACTED] opposed such an action.

**9. Injury**

I did not merely have breast implants, I had a double-mastectomy because of breast cancer, which meant that I have weakened skin and no chest wall. [REDACTED] tried to explain my physical issues to [REDACTED] but [REDACTED] ignored him. The investigators, who omitted [REDACTED] testimony, also did not ask me for medical records. However, because of the injury I had to have surgery which required me to take two months off work.

**Conclusion**

The investigation appears to be a cover-up by the Agency. It is clear from the report that the investigators had no intention of investigating the matter properly. The investigators omitted key testimony that corroborates my claims while including blatant falsehoods. Their claim that [REDACTED] tuition reimbursement was appropriately handled is also completely false. From other officers it is my understanding that this is not the first cover-up that OS&LE has engaged in with respect to wrongdoing at Hines VA. In light of the Agency's failure to conduct a proper investigation, I am requesting that a new set of investigators be assigned to investigate this matter properly.

Respectfully,

[REDACTED]  
[REDACTED]