

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SHERIL A. CARR,

Plaintiff,

v.

Civil Action No. 7:07cv0001

HANK HAZELWOOD,

Defendant.

Declaration of Hank Hazelwood

The defendant, Hank Hazelwood, says the following as his declaration in this matter:

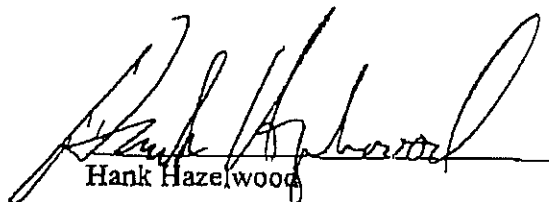
1. My name is Hank Hazelwood.
2. I am a deputy sheriff with the rank of Sergeant in the Pittsylvania County Sheriff's Office.
3. In 2006, I served in my current rank.
4. Among other duties, I worked in the jail. While there, I supervised inmates.
5. I know the inmate Sheril Carr. Ms. Carr is a drug user who has been in our jail on more than one occasion.
6. I have not touched Ms. Carr in any improper way. I have not tried to fondle her or touch her breasts or other private parts.
7. When Ms. Carr registered the current complaint, our office conducted an internal affairs investigation. A true copy of the report is attached to this declaration. In the ordinary course of operations at the jail, we conduct such investigations and keep the results in our files.

8. The report shows that the alleged witnesses to the events involving Ms. Carr and me do not say that Hazelwood had any sexually harassing contact with the plaintiff. Specifically, in the report none of the witnesses interviewed verified that I had any improper contact with Ms. Carr.

9. Further, Ms. Carr said that there was a letter from me in a backpack. The backpack was inspected and no letter was found.

10. The report concluded that the allegations against me were unfounded.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
November 13, 2007


Hank Hazelwood

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 10/26/2006 13:58

Pittsylvania Co Sheriff Office

OCA: 200603001

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Case Status: Case Mng Status: *NOT REVIEWED* Occured: 10/26/2006

Offense:**Investigator:** TAYLOR, M. W. (04)**Supervisor:** PLASTER, G. H. (01)**Date / Time:** 10/26/2006 12:29:30, Thursday**Contact:****Supervisor Review Date / Time:** NOT REVIEWED**Reference:** Investigative Progress

BACKGROUND

On 13 July, 2006 Sheriff Plaster met with Lieutenant James Crews and the reporting officer, Michael W. Taylor. Lieutenant Crews had informed Sheriff Plaster of a complaint made by Sheril Carr alleging that Sergeant Hank Hazelwood of the Pittsylvania County Sheriff's Office had sexually assaulted Sheril Carr, an inmate of the Pittsylvania County jail. Sheriff Plaster ordered an Administrative investigation into the allegations.

INVESTIGATION

On 13 June, 2006, Deputy Sheriff Linda Eaton was transporting Sheril Carr from Pittsylvania County to the Danville City jail. While in the vehicle Carr alleged that she had been sexually assaulted by Sergeant Hazelwood. Eaton, upon returning to Chatham met with Investigator Veronica Beauvais and told Beauvais what had been reported to her. Beauvais met with the reporting officer and Chief Investigator Ronnie Simpson to brief us on what Carr had alleged. Lieutenant Crews also learned of the allegations and reported those allegations to Sheriff Plaster.

On 14 June, 2006 Carr was interviewed regarding the allegations. Carr said that Hazelwood began the harassment in May 2004 after she was incarcerated in the Pittsylvania County jail in March 2004. It was during this alleged assault that Hazelwood placed his fingers inside Carr's vagina by having Carr back up to the trap door on Carr's jail cell. This assault went on for a few minutes. Carr stated there were two females in her cell that would be witnesses to this assault. In April 2006 Carr again was an inmate in the Pittsylvania County jail. Carr alleged that while incarcerated Hazelwood once again sexually assaulted her which caused Carr to bleed. Carr provided inmate names of "Pam, a blonde haired girl", "Bunny Rabbit" and "Shantae Gunn" of inmates that witnessed the assault. Carr states that the reason she is telling the story now is because she was afraid to tell it before. In addition, Carr stated that in August or September 2004, Corporal Pickeral slammed the trap door of the jail cell on her hand wherein Carr lost three fingernails.

On 7 July 2006 Kimberly Inman was interviewed regarding problems she may have experienced while an inmate at the Pittsylvania County jail. Inman said that she had no problems while an inmate. Inman had to see the nurse 2-3 times a day because of a cyst on her breast and would be escorted by a male deputy but never had any problems. Inman said she never told anyone that there were sexual incidents while she was an inmate. Inman said the statements alleged by Carr were not true that there were no sexual incidents.

On 10 July 2006 Amanda Harris was interviewed. Harris said in March 2006 while using the telephone in the Pittsylvania County jail Hazelwood unbuttoned 4-5 buttons on her jumpsuit and touched her breast for about 3-4 minutes. Harris said she was scared and did not tell anyone. Harris told Tammy Hall about the incident. Carr overheard this conversation and gave Harris the telephone number to the Investigators.

On 13 July 2006 Carr was polygraphed on the allegations made against Sergeant Hazelwood. Three relevant questions

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Investigator: *TAYLOR, M. W. (04)*

were asked of Carr by examiner Boyd Arnold. Arnold's final call regarding the polygraph examination was "inconclusive". Arnold comments in the polygraph report that in his prior encounters with Carr he believes Carr to be a "good con artist".

On 18 July 2006, Larry Dickerson was interviewed at the Gretna Car Wash. Dickerson gave permission to search a book bag that was alleged to have the letter that Hazelwood wrote to Carr. No letter was found as described by Carr.

On 21 July 2006, Penny Lynn Haskins stated that while in the jail cell with Carr in 2005 Carr was talking to the male inmates of which female inmates were not suppose to do. A guard came through and shut the trap door. Haskins did not see any injury to the hand of Carr. Carr alleged in her complaint against Sergeant Hazelwood that Deputy Marvin Pickeral had slammed the trap door on her (Carr's) hand. Haskins did not know why Carr would give her name because she did not see anything and would not lie for Carr.

On 13 August 2006 Sandra Raymond said that Hank Hazelwood made the comment to her while she was being booked "thank God it is cold out and you are not wearing a jacket or bra". Hazelwood allegedly then placed Raymond in a cell with her shoes and strings. Raymond said she brought this to Hazelwood's attention. Hazelwood then made the comment to Raymond how he used her sister (Carr) and that her sister had a lot of spirit and spunk.

On 28 August 2006 Mary Hooker, inmate of the Lynchburg City Jail was interviewed. Hooker said she was a cellmate of Carr's in 2005 for 2-3 days. Hooker did not recall anything unusual about her time at the Pittsylvania County Jail.

On 31 August 2006 Pam Dowell was interviewed in reference to this investigation. Dowell was a cellmate of Carr. The only problem that Dowell remembered was that Carr got her fingers caught in the trap door, however Dowell did not see how it happened. Dowell said she never saw anything inappropriate occur while an inmate. Carr had stated in an earlier statement that when Hazelwood had stuck his finger in her vagina that Pam had pretended to be asleep. After the incident Pam was alleged to have made the statement "why do you let him do that to you?" Dowell denied ever have saying anything like that and she advised she never witnessed anything like that.

On 4 October 2006 the reporting officer met with Sergeant H.W. Hazelwood. Hazelwood was read his Garrity Warnings. The form was signed by the reporting officer and Hazelwood. Hazelwood denied the allegations made by Carr.

CONCLUSION

There is no reliable, credible or substantiating evidence to support the allegations that Sergeant Hazelwood sexually assaulted Sherrill Carr. It is recommended that this complaint be adjudicated as "not sustained" as defined in the Pittsylvania County Sheriff's Office Policy Number 1-9, Complaints Against Law Enforcement Personnel, VI. A. 3. and all concerned parties to this matter are notified.