

Limited Liability Partnership

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CONFIDENTIAL INVESTIGATION REPORT ¹

TO: Jayson Phillips, Paulding County Attorney
FROM: Michael James Walker
DATE: TBD

I. Background and investigative conclusions

According to the Paulding County Board of Commissioner's Policy prohibiting sexual harassment, "Sexual harassment includes not only unwelcome or offensive sexual advances and requests for personal favors, but also other verbal or physical conduct of a sexual nature, such as, uninvited touching or sexually related comments of any kind." Complainant has alleged her supervisor, Paulding District Attorney Dick Donovan, has engaged in prohibited sexual harassment towards her. She filed a written complaint regarding the alleged harassment on April 26, 2019.

¹ This is the report of an investigation made into a complaint of sexual harassment. Pursuant to Paulding County Personnel Policies and Procedures Addendum, Sexual Harassment Policy (p.2), matters discussed as part of a complaint of sexual harassment "will be confidential" and "every attempt will be made to handle this sensitive subject without embarrassment." Accordingly, this report should be treated confidentially and disclosed only to the extent required by law.

Under the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq., public records generally must be made available for public inspection upon a proper request. Some public records may be excepted from disclosure. *See, generally* O.C.G.A. § 50-18-72. For example, disclosure of public records is not required where the disclosure would be an invasion of personal privacy. *See* O.C.G.A. 50-18-72(a)(2); *but see* Fincher v. State, 231 Ga.App. 49 (1998) (the public interest in obtaining information contained in the investigation report of a complaint alleging sexual harassment by a public officer outweighed the public officer's privacy interest in the information; thus, disclosure was not protected from disclosure under O.C.G.A. 50-18-72(a)(2)). Public records consisting of material related to the investigation of a complaint against a public officer or employee may not be disclosed until ten days after the same has been presented to the agency or an officer for action or the investigation is otherwise concluded or terminated. *See* O.C.G.A. § 50-18-72(a)(8).

Because this report may be subject to disclosure under the Open Records Act or some other controlling legal authority, the name of the Complainant is not included. Moreover, if this report must be disclosed under the Open Records Act or some other controlling legal authority, appropriate redaction may be in order to protect the privacy of and minimize the embarrassment to the Complainant consistent with Paulding County's Sexual Harassment Policy.

Complainant's allegations contained in her April 26, 2019 complaint were substantially supported with corroborating evidence. Moreover, many of her allegations were indirectly supported in whole or in part by Mr. Donovan's own statements provided in his May 22, 2019 affidavit given under oath. Based on the statements, materials, and other information reviewed as part of this investigation, there is clear and credible evidence to support that Mr. Donovan engaged in a somewhat continuous course of conduct from October 2017 through March 2019 in which: he repeatedly expressed his love for Complainant and suggested she loved him as well or would "one day"; he gave her substantial gifts (e.g., jewelry and money for the benefit of herself and her family) and other favors of value (e.g., use of an official vehicle and helping arrange for the dismissal of a shoplifting charge against her); he sent her letters, cards, notes, text messages, and even placed an ad in the local newspaper for her which included only the words "one day"; he engaged her in hours-long conversations behind closed doors during the workday about personal matters, including his feelings for her; and he kissed her, shared with her a story he wrote about two people spending a night together in a hotel room, and told her he wanted to make love to her. He did much of this after Complainant told him in writing on December 5, 2017 to stop and that she wanted their relationship to be professional only.

Mr. Donovan's conduct towards Complainant was upsetting to her. She felt that she had to go along somewhat with Mr. Donovan's conduct in order to keep her job and to maintain peace in the office. Complainant has essentially spent her entire career in a specific field of work that she loves. Her success in that field was highly important to her. Additionally, because the field is specific, there were not many options for her to consider elsewhere; so, if she wanted to keep doing the work she loved, she felt she essentially had to stay in Mr. Donovan's office. In order to stay, she had to endure a cycle of unwanted behavior from Mr. Donovan. Complainant described a cycle of behavior where Mr. Donovan would make efforts to pursue a personal relationship with Complainant (e.g., through lengthy personal conversations in the office or by giving her gifts) and if she did not respond as he had hoped, he would become upset with her and ignore her for days and weeks at a time. The cycle of behavior was upsetting and destabilizing to her. She said she felt anxious and sometime paralyzed by his silence. She was consistently worried about losing her job.

Additionally, Complainant felt she had to endure what she suspected was Mr. Donovan's jealousy of her professional relationship with a co-worker. She suspected this jealousy because

Mr. Donovan asked her if she was having an affair with the co-worker; he met with other members of the staff to ask them if Complainant was having an affair with the co-worker; he became angry when she let the co-worker drive her official vehicle; and he disciplined the co-worker, but not Complainant, for engaging in essentially the same conduct a Complainant. In December of 2018, Mr. Donovan called a staff meeting during which he discussed office rumors about Complainant's alleged affairs with the co-worker and himself. During this meeting he showed a picture of a Viagra pill and said that neither the co-worker nor he needed Viagra. Complainant said the meeting was the most humiliating experience of her life.

Since she filed her complaint on April 26, 2019, Mr. Donovan has essentially stopped speaking to Complainant, who remains part of the leadership team in his office. He has refrained from dismissing her, but he has altered the reporting structure in his office such that she no longer reports directly to him. He has communicated in writing a demand that she dismiss her complaint, and, "if she chooses to pursue this complaint, I will respond as necessary in the proper forum." Moreover, in his June 27, 2019 letter to Paulding County officials, Mr. Donovan impugned Complainant's reputation and character, which he said, "may be considered questionable at best." In the same letter, Mr. Donovan also alleged that Complainant's subordinates are afraid of her and that she has originated and promoted a hostile work environment. Thus, not only is there clear and credible evidence that Mr. Donovan engaged in workplace conduct that could be considered harassment prohibited by Paulding County policies, he may also be engaging in conduct that may rise to the level of retaliation.

With respect to Mr. Donovan's position, it is my impression that at one time he had genuine affection for Complainant. Indeed, during his interview, he did not disagree with me when I described his feelings for Complainant as "romantic love." (I will note, however, that Mr. Donovan's initial position during our interview changed somewhat after I informed him that Complainant had recorded some of their conversations. Whereas he initially indicated his "love" for Complainant was friendly in nature and little different than what he feels for many others, including others in his office; after he learned about the recorded conversations, he was willing to acknowledge his feelings for Complainant were more serious.) It is also my impression that Mr. Donovan seems to have taken some care to refrain from engaging in conduct which he believed would constitute harassment. In other words, he seems to believe that in order to rise to the level

of sexual harassment, conduct must involve the use of vulgar language and/or substantial unwanted physical contact, and he reasonably contends he refrained from such conduct with Complainant. Indeed, in his affidavit, he stated, “If it’s sexual harassment, it’s unlawful. But I am very, very reluctant to characterize it as sexual harassment because, again, I have never suggested we have sex, I have never offered to have sex with her, I have never said I wanted to have sex with her, I have never tried to have sex with her. I have never touched her anywhere that was inappropriate.”

Nevertheless, there is clear and credible evidence that he engaged in prohibited conduct with Complainant, even after Complainant made it clear she wanted their relationship to be professional. Even though Mr. Donovan engaged in conduct that could be construed as harassment prohibited by Paulding County policy, he may sincerely believe he has violated no rule or law because he was in love with Complainant and because he was not vulgar and did not engage in substantial unwanted physical contact.

With all due respect to Mr. Donovan as a member of the State Bar of Georgia and a duly elected official and constitutional officer of the State, there are disparities between the evidence provided by Complainant and his statements to me and in his affidavit and in his June 27, 2019 letter to Paulding County Officials. These disparities are significant to this investigation. The disparities do not concern ancillary matters; rather, they are essential to Complainant’s allegations. Much of what Mr. Donovan stated in his affidavit and during his interview seems plausible and is presumably true; yet, other statements are demonstrably false, such that one could conclude Mr. Donovan either misremembered key interactions with Complainant or has provided misleading information in his affidavit, his interview statements, and in his June 27th letter.

For example, in his affidavit, Mr. Donovan stated “I have never touched her inappropriately. I have never told her anything about any desire of mine—of any kind;” he also stated, “I have never said I wanted to have sex with her...”; he also stated he never said “he has needs” to Complainant or to any woman in his life, and he thinks it is a “vulgar expression” and “arrogant of a man to say to a woman.” (See Donovan Aff., pp. 76, 82 et seq., and 88). Similarly, during his interview he denied making such statements and in his June 27th letter he stated, “I have not harassed [Complainant] in any way. I have never suggested a sexual relationship as she claims, nor have I boasted of sexual prowess or ability.” Yet, during a March 16, 2018 conversation with Complainant, which she recorded, Mr. Donovan said, “I am in perfectly good health. Everything

still works. I don't mind telling you everything still works, and I am not out of practice. I can't think of any experience I would relish or cherish more than to make love to you..." Mr. Donovan made these statements after acknowledging that Complainant had asked him to stop in December 2017, when he said, "I'm going to tell you what I have repeated in my mind and on paper so many times. I don't think that you believe for even a minute that I was going to read your email of December 5th and go, 'Oh, ok' and walk away without a fight. You would not love me like you do if you thought I was that kind of guy." Thus, even after acknowledging that Complaining had expressly asked Mr. Donovan to keep their relationship professional, he proceeded to suggest that Complainant loves him, that his sexual health and functioning are good, and the he would like to have sex with her (though he said it would not happen for many unstated reasons). In another example of Mr. Donovan's sworn affidavit and his interview statement being inconsistent with the evidence provided by Complainant, he denied the existence of a document he has written that has approximately 32,000 words and which is in whole or in part about Complainant. Yet, in the recorded conversation he had with Complainant on March 16, 2018, he said, "I don't even know if I want to tell you this. I have written almost, well a little over 32,000 words..." A few minutes later, he referred again to this writing, saying, "32,000 words. There's a lot that I think I could say but I won't say..."

Because Complainant's allegations are directly and indirectly corroborated in substantial part, and because of the critical disparities between the evidence and Mr. Donovan's statements regarding essential elements of Complainant's allegations, there is a reasonable basis to conclude that Mr. Donovan engaged in conduct that is prohibited by the Paulding County Board of Commissioner's Sexual Harassment Policy.

II. Allegations by the Complainant

A. April 26, 2019 Complaint

On April 26, 2019, Complainant submitted her complaint of harassment via email sent to Matthew Rollins, Chief Assistant District Attorney, Paulding District Attorney's Office; with CCs to: Brian Acker, Human Resources Director, Paulding County Board of Commissioners; Peter Skandalakis, Executive Director, Prosecuting Attorneys Council of Georgia; Chantalia Cooper,

Human Resources Director, Prosecuting Attorneys Council of Georgia; and Dick Donovan, Paulding District Attorney. The April 26th complaint includes the following allegations:

- In the fall of 2017, Paulding District Attorney Dick Donovan allegedly told Complainant that he was in love with her and had been in love with her for four years. Complainant further alleged, “I wasn't sure what to do about this new development and was afraid that anything I said could eventually lead me to bigger issues with my employment. At that time, I decided to tell no one what was going on and hoped that he would get the hint and eventually leave me alone. I explained to him that I was uncomfortable with his advances and that I only wanted a professional relationship. Eventually, I began to become very afraid of him and how uncomfortable I was around him.”
- Complainant alleges, “On December 5, 2017, I sent Mr. Donovan a text that clearly explained not to have any more contact with me that was not work related and that all contact should be done via my work email. At that time, he did stop contacting me and giving me gifts. He was very upset with me and barely spoke at all.”
- Complainant alleges, “Then, his contact started again beginning in February and by March 17, 2018 he stated that ‘you can't possibly think for one minute that I was going to read your text on December 5th and go away without a fight.’”
- Complainant alleges, “Mr. Donovan has given me gifts consisting of jewelry, cards, notes, newspaper article, fantasy writings, framed pictures to display in my office etc. Although he insisted that these gifts were just a way to show that he loved me, eventually if they were not met with an appropriate reaction of gratitude on my part, he would become cold, distant, and eventually would not speak to me. He would expect to see his gifts displayed around my office and on my desk. This became a major distraction at work for me and a constant source of anxiety and shame.”
- Complainant alleges, “Each and every time he would become upset he would not come out of his office or speak to me until I met with him to let him talk in private. These long conversations happened frequently and during the normal work hours at the office. I often felt the pressure from others in the office to ‘just go down there and talk to him and fix whatever is.’ I always knew that fixing things around the office for everyone just meant

me meeting privately to discuss his feelings and love towards me or asking about my personal feelings. These meetings were often held in my office with the doors closed. Most frequently, these were held in his office or conference room with the doors closed, or outside of the office located in a back hallway.” Complainant further alleged, “Sometimes my staff would know where I was and often times they did not and would be looking for me. These meetings were always behind closed doors and he has locked his office door as well. My staff members have noticed these meetings and will often ask me if everything is ok. It always appeared to my staff that I was ‘in trouble’ since I was in the boss’s office so long. These constant closed door meetings, slammed doors as well as my demeanor made me feel disrespected and a sense of loss of credibility with my staff. There were times that I left these meetings where it was noticeable that I had been crying. This became very disruptive to the work day and caused anxiety in my staff.”

- Complainant alleges, “Mr. Donovan asks me to private lunches on a regular basis. These invites are always out of the county so that we aren’t seen. I have told him no each time and even explained on multiple occasions that it would not be appropriate. I am reluctant to ride with him after a Chamber of Commerce luncheon when riding back to the office he pulled off onto a back road and parked to ‘talk for a while.’ I was very nervous but tried to be courteous and nice so that it would just end and he would take me back to the office. I was concerned that others were returning from lunch and would wonder about where I was. During the last few times he has asked me to lunch he has gotten upset with me for not going to lunch with him. He has offered multiple times to take me to the mountains for the day.”
- Complainant alleges, “Mr. Donovan asked me to go on a walk with him back in January. It was a very cold day and I told him no. He left and came back very upset with me. He later told me that he was upset with me and that he walked back that day very upset and he felt like it was hopeless and that ‘he has needs.’
- Complainant alleges, “Mr. Donovan is a writer and has written a short story fantasy novel involving me and him taking trips together. He also has kept a running document that he tells me is a novel regarding ‘our story.’ This document contains over 32,000 words and

is on his office computer that he keeps minimized throughout the day, according to Mr. Donovan. He has given me a sample of one writing where we are taking a trip and sharing a hotel room together. He constantly reminds me of his fantasies about me and the fact that he is writing them.”

- Complainant alleges, “Mr. Donovan has openly referred to my staff meetings (2/5/2019, 3/6/2019) as ‘hen parties.’”
- Complaint alleges, “On December 17, 2018, Mr. Donovan held a staff meeting to address gossiping and rumors within the office. The rumors he talked about consisted mostly of affairs that I was allegedly having and especially regarding an affair with him. Mr. Donovan spent several days interviewing my staff outside the office in closed conference rooms inquiring of these rumors of affairs etc. He held this meeting with only the female staff members within the office because ‘they (women) do most of the gossiping anyway.’ This was incredibly humiliating. Several female staff members cried and openly stated in the meeting that they were offended at their requirement to attend such a meeting and embarrassed for me. I still feel embarrassment and do not leave my office or gather with other staff.”
- Complainant alleges, “The harassment is also physical. Mr. Donovan has held my hand, given me long hugs, grabbed both of my shoulders and kissed my eyelids as well as grabbed my shoulders and kissed my forehead, all without my consent and all even though I have made it clear to him that I reject his advances.”
- Complainant alleges she has “repeatedly tried to stop the sexual harassment that is the subject of this complaint by communicating directly with Mr. Donovan, to no avail.”
- Complainant alleges that since 2017, despite her efforts to stop Mr. Donovan’s conduct and maintain a professional working relationship, “he personally called me, texted me, sent me emails, given me gifts, jewelry, invited me to lunch and trips, posted encrypted Facebook posts, given money to my family because [of a family member’s medical condition], forced me to sit in lengthy private meetings behind closed doors during normal business hours, and repeatedly described such things as fantasies of me including his desire to be physical with me and explained how his private parts still function.”

The April 26, 2017 complaint concludes, “The last year has been a constant struggle for me each and every day. Mr. Donovan states often that he is ‘the most powerful man in Paulding County’ and makes it clear that he can fire any of us for any reason. He has so much power and control and pushes this power around on how he treats people, talks to them and interacts with them when he isn’t happy. He has used his power and control to make me feel like there is nothing I can do to stop the sexual harassment. I have felt the pressure of trying to keep the DA happy in order to first keep my job and second keep the peace of an entire office. Everyone walks around on eggshells frightened when he is ‘in a mood.’ I have been terrified to complain because I don’t want to lose my job... Mr. Donovan’s sexual harassment of me affects my work on a daily basis. This weight has been on my shoulders daily and I cannot mentally and physically function anymore without struggling. I have often felt paralyzed and in constant inner conflict about how to handle each and every interaction with Mr. Donovan. Lately, the episode of him being angry with me becomes more and more frequent, and I know that this harassment is not going to stop unless I get help. I am terribly afraid of submitting this complaint because I think it will result in me losing my job, rather than any change in Mr. Donovan’s conduct. Over the past several months, I have become depressed and constantly battling debilitating anxiety while at work all day. It is apparent his behavior will never stop, even after I have repeatedly begged for him to leave me alone and just let me do my job. I know that this sexual harassment is unlawful and that an employer has an obligation to stop the harassment and hostile work environment I am experiencing.”

B. June 2019 Charge of Discrimination

On or about June 13, 2019, the Complainant filed a Charge of Discrimination with the United States Equal Opportunity Employment Commission and the Georgia Commission on Equal Opportunity. The allegations in the complaint are similar to and consistent with her April 26th complaint. However, the Charge of Discrimination also adds: “Since my formal complaint, Mr. Donovan has not spoken to me and has used other managers in the office to circumvent my authority and supervisory responsibilities. The retaliation has added to an already extremely hostile work environment.” (Note: the undersigned spoke with Complainant on June 14, 2019 about the new retaliation claim. Complainant described some different office dynamics, particularly

involving Mr. Donovan's Operations Manager (Tiffany Watson), that had changed since she filed her complaint in April. In particular, she said Ms. Watson was speaking with staff about Complainant's allegations against Ms. Donovan. In another instance, Ms. Watson was sent by Mr. Donovan to check up on the performance of one of Complainant's staff members, which had not happened before and which Complainant believes should have been handled by Chief ADA Matthew Rollins. Complainant also reported the environment has been tense since she filed her complaint.)

C. Information and materials provided by Complainant

On May 17, 2019, the undersigned met with Complainant at the offices of the Paulding County Human Resources Department. During the interview, Complainant provided the following allegations and information. After the interview, Complainant provided additional information and substantiating evidence.

- Complainant began her employment with the Paulding District Attorney's Office in 2008, prior to Mr. Donovan's election to the position in 2010.
- After Mr. Donovan became District Attorney, Complainant and others in the office were interviewed to determine whether they would retain their positions. Complainant was retained in her existing position.
- Until 2018, Complainant believes she was an employee of the State rather than the Paulding County Board of Commissioners. She was a "PAC SPCR" employee, with PAC an abbreviation for the Prosecuting Attorneys Council of Georgia and SPCR meaning "state paid county reimbursed." In 2018, Complainant became an employee of the Paulding County Board of Commissioners. (See Attachment "A," included herewith.) Complainant advocated for the shift away from the SPCR arrangement, and she stated Mr. Donovan supported the shift as well. Complainant's accrued leave with the State was paid out in conjunction with the shift, and she was provided with a Paulding County policy manual. Complainant considers herself an employee of the Paulding County Board of Commissioners, although she acknowledges reports to and serves at the pleasure of the District Attorney.

- Complainant was promoted to her current position approximately one year later in 2011. In this position, she is part of the leadership team in the District Attorney's office. Upon her promotion in 2011, she was assigned to her current office, which she describes as a better office than some other members of the leadership team. Although she says she has the "better" office, she said she is not paid as much as other members of the leadership team.
- As part of the leadership team, Complainant had previously believed she was respected and appreciated as a team member. She felt like she "had the ear" of the District Attorney. She said her input was sought and heard, and sometimes her recommendations were followed. She said others in the office would ask her to seek Mr. Donovan's permission for casual days, for example, because she was his "favorite." She said she took "professional pride" in being the boss's "favorite." She believed she had worked hard and earned the special position in the office. She repeatedly commented on how important her professional success has been to her self-identity and sense of worth.
 - In light of the events upon which her complaint is based, Complainant says she now feels like she was "silly" to believe she was being taken seriously. Whereas she previously believed she was a trusted and respected member of the leadership team, she now questions whether her status in the office resulted from Mr. Donovan's non-professional interests in her.
- Complainant said she spent lengthy periods of time in Mr. Donovan's office. She said he was available to speak with her about wide range of topics, including work-related subjects. She said his availability to meet was not unique to her. Nevertheless, Complainant said on more than one occasion, earlier in the workday, Mr. Donovan would direct her to meet with him near the end of the day, after 4:00. She would then spend the rest of the day upset with panic and anxiety about the meeting. During some of these meetings, Mr. Donovan would tell her that no one else loved her or cared her for more than him. She said his comments not only made her uncomfortable, but also made her feel bad about her family situation.

- Complainant described Mr. Donovan as “very charming,” “very likeable,” and “very witty.” However, she also indicated he had a consistent sense of self-importance: he referred to himself as “Himself,” as if to say, “I am the District Attorney, himself.” The nameplate on his office door reads, “Himself.” He commonly refers to himself as “the most powerful man in Paulding County.” Complainant said Mr. Donovan is a “pretty good boss and manager except for his moods and tirades.”
- When asked about the general environment in the office and whether the environment included harassment-type conduct, Complainant reported she had not aware of any incidents of sexual harassment, other than her own situation. She said that because of the nature of the work done in the office, there is sometimes discussion that others might consider off-color, but not much that Complainant considered extreme. Complainant said one of her staff members regularly used off-colored language to describe her personal life and one time showed others a sexually explicit photo she received via social media. Complainant said that behavior “went too far,” but she did not report her. Complainant described one situation in 2015 when, after an off-color joke was told in her presence, she was called to meet with Mr. Donovan, who asked her if she was offended by the comment. Complainant said she responded with something to the effect of, “You’ll never see my name on the bottom of an EEOC complaint.”
- On Saturday, October 14, 2017, Complainant was with her young child shopping in a store and had “a cart full of stuff.” She went through the self-checkout where one of her items would not scan. She said she must have inadvertently taken the item anyway. She was approached by store security and charged with shoplifting. Complainant said she had a “full-fledged panic attack.” She was concerned that her daughter had seen this happen; but her first thought was that she was going to lose her job. After the police were called, she first made arrangements for her mother to pick up her child; she then called Mr. Donovan. Complainant said her primary concern was that he learn about the arrest from her rather than some other source. He offered to help her when they spoke, but she declined the offer. She was eventually booked in and out of custody. When she left the police station and walked outside, Mr. Donovan was waiting for her. According to Complainant, Mr.

Donovan had called her mother and told her he would pick up the Complainant. He drove Complainant back to her car at the store where she was arrested. She apologized for what happened and she thanked him for his help. Complainant says she was embarrassed, upset, and crying. She told Mr. Donovan he should fire her for what happened. To which he responded he was not going to fire her. He then told her he loves her and has been in love with her for four years. Complainant said she was still upset and crying about the circumstances, and that she was speechless about what he had told her. He pressed her for a response. She told him she did not know how to respond and that she did not know what to say. She said she felt “paralyzed” by what he had said. Complainant said Mr. Donovan repeatedly tried to get her to respond to his expression of love. He held her hand as she cried. They were in the car talking for approximately an hour. Complainant then drove to her parents’ house to pick up her daughter. She says Mr. Donovan called her several times pressing her for an answer. She says she did not know how to respond, and she said, “I don’t know” and “what does this even mean?” Later that night, Complainant told her husband about the arrest but did not tell him about her encounter with Mr. Donovan. She says she was afraid he would insist she quit her job. She did not want to quit her job because she carried the family’s health benefits, she had a flexible work schedule that allowed her to spend time involved with her kids’ activities, and because “my identity was wrapped up in my job.”

- Mr. Donovan contacted local authorities, and the charge against Complainant was dropped.
- In the days and weeks following the October 14, 2017 incident, Complainant thought she could “manage” the situation of an “old man having a crush on a younger woman;” and she hoped the issue would “go away.”
- On October 16, 2017, Mr. Donovan gave Complainant a card with a note that listed three events they were supposed to attend together away from the office and that concluded, “If being at any of these places or you’re going to Douglasville with me Thursday evening would be uncomfortable, just say so. I don’t know whether you were looking forward to seeing me this morning or dreading it.” The note is from “B.Loved.” (See Attachment “B.”)

- On October 17, 2017, Mr. Donovan sent Complainant text messages which read, “If this sounds too silly, tell me. Just text me 91221 when you first think of me each day, if you can. [¶] We all need validation, even big guys and bosses” and “Remember I love you, because I do. Remember that I’ll always be here for you, because I will. Remember that your smile means the world to me, because it does.” Then, on October 18, 2017, at 12:10, Mr. Donovan sent Complainant a text message that read only: “91221.” (See Attachment “C.”)
- On October 18, 2017, Mr. Donovan sent Complainant a note which reads, in part, “Remember that I love you, because I do. Remember that I’ll always be here for you, because I will. Remember that your smile means the world to me, because it does. [¶] I typed these lines Saturday evening on the way home from Cedartown after having held your hand for nearly an hour...” The note is from “B.,” as are several other notes. According to Complainant, the “B.” stands for “Beloved.” (See Attachment “D.”)
- On October 19, 2017, Mr. Donovan was attending a Taskforce meeting with Complainant and others. During the meeting, he sent he this text: “If you keep your hands down where I can’t see them, I have to stare at your face – and people will talk...” (See Attachment “E.”)
- On October 19, 2017, Mr. Donovan invited Complainant on a trip to the mountains. (See Attachment “F.”)
- On or about October 20, 2017, Mr. Donovan sent a 2-page letter to Complainant referring to the October 14th incident. The letter refers to “one day.” (See Attachment “G”). “One day” is also the content of the ad placed in the local newspaper on November 9, 2017 (see below).
- Most likely on or about November 2, 2017, driving back from an out-of-office function with Complainant, Mr. Donovan pulled off the main road and parked the car. Complainant was scared because she knew no one knew where she was; they had pulled off the main road; and she knew Mr. Donovan had at least one weapon in the car. Mr. Donovan was speaking of his feelings of love for her. According to Complainant, Mr. Donovan continued to lean closer and closer in her direction. He did not kiss her, but he kept getting closer.

Complainant said she was so afraid that she was prepared to go along with whatever he tried to do just to get it over with be back to her job and her kids. After that incident, she vowed never to ride alone in a car with him again. She said she may have done some one or two more times, because he would get in a bad mood when she refused to drive with him.

- On or about November 9, 2017, Mr. Donovan placed an ad in the local newspaper (The Dallas New Era) that read simply, “One Day.” (See Attachment “H.”)
- On November 14, 2017, Mr. Donovan gave Complainant a bracelet made of white gold and scarab stones. The note accompanying the gift reads, “I had this made for you a little while back. It was offered only in yellow gold, so I had to have it made in white gold to match most of your other jewelry. It has special meaning to me, but that is of no consequence. If you don’t like it, please consider giving it to one of your sisters or someone else who might like it.” (Note: A similar bracelet recently posted on the website www.amazinite.com lists the bracelet at \$660.) (See Attachment “I.”)
- On November 28, 2017, Mr. Donovan told Complainant, “I love you... I am in love with you, and I know you don’t like to hear those things.” Complainant did not respond. Mr. Donovan asked if he was making her uncomfortable. Complainant responded, “Yes.” Mr. Donovan replied that he was sorry for making her feel uncomfortable but then told Complainant he intended to continue to tell her of his love until he convinced her. Later that evening, Mr. Donovan sent a text to Complainant, which read:
 - “Thank you for that smile. I’ll make it last. Chamber of Commerce Thursday the 7th? I’ll let you drive the Suburban and I’ll sit in the back. [¶] I can lend you my hand cuffs. [¶] ...Although I have always carried a handcuff key. [¶] I don’t own a straitjacket. [¶] But I’ll buy one if you would prefer that level of safety. (See Attachment “J.”)
- By December 2017, Mr. Donovan had given Complainant gifts, sent her notes, and texted her, such that she was uncomfortable with his attention. Although she had hoped the situation would go away, it had not gone away, so Complainant sent Mr. Donovan a text

on December 5, 2017 telling him he should stop any contact with her that was not professional. The text read:

- “It is best if from here on you do not text, email or come by to see me or have me come to your office in a personal nature etc. I would like for our relationship to be purely professional. If you need me for anything work related please feel free to use my work email or my state cell phone. At this time all texts, cards, letters, gifts, etc of a personal nature need to stop. If you feel led to help my [family member], please use the gofundme account that my [family member] set up. My reasons for saying all of this are personal. Please respect my wishes. Thanks.” (See Attachment “K.”)
- Mr. Donovan responded via text with: “Certainly. Thank you for your note. The grocery money was to help you (by taking that worry/burden off you); however, I will certainly respect your wishes.” He responded further via an email dated December 6, 2017, which read:

- “With apologies, there is one last thing. Your text was received when my iPhone was reactivated when I landed yesterday. I have three Christmas gifts for you: one is identical to Watson’s, which [redacted] and I bought for you (and her); [redacted] will ask about how you both liked them. One is a gift that only you and I would understand and about which we could laugh. The third is a miniature hand-carved figure of a girl being held in the palm of God’s hand, which made me think of you. If you want one or any or some or none, tell me by return email. If your response does not contain a question, this is the final non-professional communication.”

(See Attachment “L.”)

- According to Complainant, Mr. Donovan was upset by her text and he barely spoke to her for weeks.
- In February 2018, on or about Valentine’s Day, Mr. Donovan sent Complainant a note with a heart on it. Complainant was concerned that what she had hoped would stop after her December 5, 2017 text to Mr. Donovan was starting again.

- On March 16, 2018, Mr. Donovan sent an email to Complainant asking her to meet with him in his office. Complainant recorded her conversation with Mr. Donovan, which lasted nearly two hours. Nearly the entire meandering conversation was concerning Mr. Donovan's feelings for Complainant. Of particular note during the conversation, Mr. Donovan said: "You give the impression that you are hiding from me, and you are avoiding me." He went on to say, "I don't even know if I want to tell you this. I have written almost, well a little over 32,000 words..." A few minutes later, he referred again to this writing, saying, "32,000 words. There's a lot that I think I could say but I won't say. But I am going to tell you one more thing...I will tell you this. I've said this. I've said this every day, and I've written it down probably fifty times always in almost the same words, and I don't even know if I can get it out. But I am going to say it anyway. And you can tell me to leave if you want to, and I'll go. [Pause] I am such a coward; I have chickened out more times. When did I tell you I needed a minute or two? A while ago. You wrote it down. [Brief exchange with Complainant about how she never forgets anything because she writes things down.] I spend the evening writing, and the mornings, during the night, and I think, and I plot and plan, and I get up the next morning and I chicken out. I have done that so many times it's routine." He also said, "I'm going to tell you what I have repeated in my mind and on paper so many times. I don't think that you believe for even a minute that I was going to read your email of December 5th and go, 'Oh, ok' and walk away without a fight. You would not love me like you do if you thought I was that kind of guy." Complainant responded, "I didn't believe it, but I was hoping that that would be kind of how things went, though." Later in the conversation, Mr. Donovan told Complainant she is "drop dead gorgeous." He later said, "I am in perfectly good health. Everything still works. I don't mind telling you everything still works, and I am not out of practice. I can't think of any experience I would relish or cherish more than to make love to you. That's not going to happen, for a number of different reasons. For a lot of different reasons that's not going to happen. Even if you were to come to me—and I have had this conversation with you several times in my mind, too—even if you were to come to me one day and say, 'I'm ready.' No. We're going to talk for a long, long time about what this means; and what it

means to even consider something like that. It ain't going to happen. I know myself better than that. I'd like for you to know me better than that."

- On March 19, 2018, Complainant made a note about the March 16, 2018 conversation, writing in part, "I just feel really bad and sick about the whole conversation. I was holding back tears the entire time and just wanted to run away and cry...I have cried all weekend and just can't seem to shake the fact that I am in a hopeless situation...It is Monday and I am still very down. I can't describe how or why I feel the way I do. I feel like I am going to have to give up my wonderful job and the only career I have ever known..." (See Attachment "M.") Complainant was also troubled by the fact that Mr. Donovan had discussed her with someone else. (During the March 16th meeting, Mr. Donovan told Complainant about a friend with whom he said he shared a "special relationship" he insisted was not physical. He wanted Complainant to talk with his friend, so his friend could convince Complainant to love Mr. Donovan.)
- On or about August 24, 2018, Mr. Donovan sent Complainant a note which read, in part, "When we talked on July 30th, you said a couple of things, one of which I am still processing, but the other thing that you said straight out was that you were afraid of me... You really are afraid of me... For whatever I've done to make you afraid of me, I am truly sorry..." (See Attachment "N.")
- In December 2018, Mr. Donovan called a staff meeting to address office gossip concerning Complainant's alleged affairs. With Complainant in the room, Mr. Donovan spoke of rumors that Complainant was having affairs, with an investigator and with Mr. Donovan. Addressing one particular rumor—a piece of blue candy had been found in one of the office's vehicles and jokes were made about it being Viagra in connection with Complainant—Mr. Donovan posted a blown-up picture of a Viagra on the wall during this meeting. Complainant said the meeting was the most humiliating experience of her life: having to sit there among her colleagues and staff as her boss discussed rumors of her alleged affairs.
 - By way of background: In the weeks/months prior to this meeting, Mr. Donovan had been questioning people about whether Complainant was having an affair with

an investigator in the office, according to Complainant. Complainant believed Mr. Donovan was jealous of her professional relationship with the investigator. According to Complainant, Mr. Donovan once asked her if she was having an affair with the investigator. Another time, Mr. Donovan became angry at learning the investigator had driven an office vehicle that was typically used by Complainant. According to Complainant, Mr. Donovan said to her, "I got you that car, not him. No one else should ever use it." (In April or May of 2018, Mr. Donovan procured an office vehicle for Complainant's use after her personal vehicle needed expensive repairs she could not afford. According to Complainant, she was the only person in the office other than Mr. Donovan to have a dedicated office vehicle. She acknowledged the vehicle was available for use by her staff; however, she also said there was a general understanding in the office that Mr. Donovan wanted only her to drive the vehicle.) In another situation involving the investigator, Complainant, and Mr. Donovan: Mr. Donovan was notified by local law enforcement that a call/complaint had been made about how Complainant was driving her office vehicle during the business day. Mr. Donovan subsequently learned the investigator had also been notified of this but did not share the information with Mr. Donovan. According to Complainant, Mr. Donovan fired the investigator for this; yet he took no action against Complainant who was the subject of the complaint and who has a reputation for driving fast. Complainant explained Mr. Donovan later rescinded the termination of the investigator.

- On March 7, 2019, Complainant recorded another lengthy conversation with Mr. Donovan. The two discuss at some length how upsetting it is for Complainant when she thinks Mr. Donovan is mad at her and how difficult it makes her work. He acknowledges that he is regularly upset by the situation with her. He complained that it does not seem to matter to her how much he cares for her; rather, she seems to view it as an intrusion.
- Beginning in October 2017, Mr. Donovan invited Complainant on trips outside of the county, such as going out to lunch or taking long drives through the mountains. During this

time, he also gave Complainant gifts including jewelry, books, framed items (pictures, illustrations, quotes), letters, and cards. Complainant substantiated her receipt these gifts with proof including photos and copies of the gifts. (See Attachment “O.”) Complainant said Mr. Donovan also posted “cryptic” notes on Facebook; however, she did not have evidence of the alleged postings because she stopped using Facebook approximately a year ago because the postings “drove her crazy.” Mr. Donovan also gave money to Complainant and her family. Once, before Complainant left for a family trip to Disney World, Mr. Donovan gave her several hundred dollars in cash to have available in case it was need. He also gave assistance and a considerable amount of money over an extended period of time to Complainant’s family to help them deal with complications related to illness in the family. Complainant said she felt she was “beholden” to him for the money he gave her family. She also said her family depended heavily on the money Mr. Donovan provided, and she was concerned about doing anything to interfere with the gifts to them.

- Mr. Donovan shared with Complainant a 2-page piece of his creative writing entitled, “An Unexpected Guest,” in which the narrator tells of an encounter with a woman who has been the object of the narrator’s love for “about four years.” The narrator is at a hotel in the North Georgia Mountains for a business conference when the woman arrives unexpectedly. They go to dinner then spend the night together in the narrator’s room, sharing a bed. The narrator specifically says they “did not make love together” that night; however, the story ends early the next morning with the couple in bed together, “in the old ‘spooning’ way” sharing the “same dream, each of us with the same smile.” (See Attachment “P.”) Complainant said Mr. Donovan referred on more than one occasion to a story he was writing about their relationship; she said he told her the story was more than 32,000 words and that he kept it on his office computer desktop so he could add to it throughout the day.
- In March 2019, Complainant decided she could not go through “the cycle” again of Mr. Donovan engaging in what she perceived as an advance, her ignoring/rejecting the perceived advance, and him reacting poorly. At or around this time, Complainant says she thought Mr. Donovan “could tell I was putting up boundaries” and she thought he might fire her. Complainant told her Husband about what had been going on since October 2017.

Complainant says her Husband did not want her to return to the job at all; but Complainant says she insisted on returning to work because she loves her job and she wanted to provide an opportunity for the situation to be “fixed.” Complainant says she filed the April 26, 2019 Complaint because she did not want Mr. Donovan to “get away with it.” Complainant reviewed the policies of the Paulding County Board of Commissioners, the Paulding District Attorney’s Office, and the Prosecuting Attorneys Council of Georgia and determined she needed to provide her April 26, 2019 Complaint to each of the three entities in order to comply with the requirements of each entity’s policies.

III. Mr. Donovan’s response to the allegations

On May 29, 2019, the undersigned met with Paulding County District Attorney Dick Donovan. Mr. Donovan’s comments during our interview were for the most part consistent with the sworn statements included in his May 22, 2019 Affidavit, consisting of 93 pages and exhibits. (See Attachment “Q.”)

The affidavit is lengthy and speaks for itself. It is worth noting the affidavit was provided before any questions were presented to Mr. Donovan as part of this investigation; in other words, at the time the affidavit was made and sworn, Mr. Donovan had presumably only seen Complainant’s complaint. Mr. Donovan did not sign the affidavit, but during his interview he confirmed he gave the affidavit under oath, that he has read it, and that it is the truth to the best of his recollection. Some provisions that related to Complainant’s allegations are cited here:

- Mr. Donovan stated he gave \$500 to Complainant to help with her family vacation. (See Donovan Aff., p.7, et seq.).
- Mr. Donovan stated he made financial gifts to Complainant’s family member. (See Donovan Aff., p.13).
- Mr. Donovan stated he gave Complainant money directly. (See Donovan Aff., p.14).
- Mr. Donovan stated he came to Complainant’s assistance regarding the October 14, 2017 incident, including contacting local authorities on her behalf (See Donovan Aff., p. 20 et seq., p. 41).

- Mr. Donovan stated that on October 14, 2017, he held Complainant's hand and told her he loves her and had loved her for a long time. However, Mr. Donovan characterized his statement of love as similar to that he feels towards many others, including others in his office, such as Operations Manager Tiffany Watson. (See Donovan Aff., p.23 et seq.).
- Mr. Donovan stated he asked Complainant whether she was in love with someone in the office. (See Donovan Aff., p.32).
- Mr. Donovan stated he told Complainant he was hoping to spend the evening together with Complainant at a work-related event outside the office. (See Donovan Aff., p.35).
- Mr. Donovan stated he told Complainant he loves her, her smile is important to him, and that he may care about her more than anyone else. (See Donovan Aff., p.37).
- Mr. Donovan stated he gave Complainant gifts. One of the gifts, a black scarab bracelet, he stated was inappropriate, and he probably should not have given it to her. (See Donovan Aff., p.38 et seq.; p. 73).
- Mr. Donovan stated he told Complainant he loves her. In response, she asked him what he wanted, and he replied that he did not want anything, that he had "no desire to go any further than we are going right now." (See Donovan Aff., p.43 et seq.).
- Mr. Donovan stated on December 6, 2017 he received Complainant's message that she wanted their relationship to be professional and that she did not want any more gift or personal notes. (See Donovan Aff., p.44).
- Mr. Donovan stated that he told Complainant, "Look, you didn't expect me to give up without a fight." (See Donovan Aff., p.48).
- Mr. Donovan stated that on or about July 30, 2018, he directed the investigator to turn in his badge and weapon and go home because he did not report to Mr. Donovan the citizen complaint about Complainant's erratic driving. (See Donovan Aff., p.48 et seq.). Mr. Donovan stated he could have fired Complainant for her conduct with the car and for not telling him about the report. (See Donovan Aff., p.79).
- Mr. Donovan stated he told Complainant he loves her, he kissed her on her forehead, and he wiped tears from her eyes. (See Donovan Aff., p.59).

- Mr. Donovan stated he met with staff members to discuss rumors that Complainant was having an affair with the investigator. (See Donovan Aff., p.60 et seq).
- Mr. Donovan stated he called the staff meeting of December 17, 2018 to discuss the rumors of complainant's alleged affairs. He stated that during the meeting he held up a picture of a Viagra pill which he had printed before the meeting and said, "This is Viagra... The idea that [investigator] might need it—he's in his thirties, I'm twice his age, and I don't need it—I can't imagine why anybody would make a joke like that—but it was pretty rude and I don't like it." Mr. Donovan stated he fired the person who was making jokes about the blue candy. (See Donovan Aff., p.67 et seq.).
- Mr. Donovan stated he sent Complainant daily text messages of affirmation. He stated that Complainant said texts would be appreciated. He stated he sent one such text on January 28, 2019 from the hospital. (See Donovan Aff., p.71 et seq).
- Mr. Donovan stated he gave Complainant a card that read, "Remember that I'll always be there for you, and remember that your smile means the world to me." (See Donovan Aff., p.72).
- Mr. Donovan stated "I have never touched her inappropriately. I have never told her anything about any desire of mine—of any kind." (See Donovan Aff., p.76). Mr. Donovan stated he never said "he has needs" to Complainant or to any woman in his life. He stated he thinks it is a "vulgar expression" and "arrogant of a man to say to a woman." (See Donovan Aff., p. 82 et seq.).
- Mr. Donovan stated that when he told Complainant everything was "functioning normally" he was referring only to his health following a medical procedure in May of 2018. (See Donovan Aff., p. 78).
- Mr. Donovan stated he would expect to see the gifts he gave Complainant displayed in her office, even though she had expressed anxiety about her husband seeing them. (See Donovan Aff., p. 78 et seq.).
- Mr. Donovan stated he referred to Complainant's staff meetings as "hen parties," because they are all women. He acknowledged that is not appropriate. (See Donovan Aff., p. 80).

- Mr. Donovan denied the existence of a document he has written that has approximately 32,000 words. (See Donovan Aff., p. 83).
- Mr. Donovan stated the writing he gave her about the couple in the hotel room was nothing more than a vignette he wrote a long time ago. He stated, “How she connected that to me and her, I don’t know.” (See Donovan Aff., p. 83 et seq).
- Mr. Donovan stated, “I don’t know what I’ve done other than to continue to say: I love you, I will always be here for you, I think your smile means the world to me, which I mean to be supportive and expressions of affection, not sexual harassment.” He further stated, “If it’s sexual harassment, it’s unlawful. But I am very, very reluctant to characterize it as sexual harassment because, again, I have never suggested we have sex, I have never offered to have sex with her, I have never said I wanted to have sex with her, I have never tried to have sex with her. I have never touched her anywhere that was inappropriate.” (See Donovan Aff., p. 88).

IV. Paulding County Harassment Policies

The Paulding County Personnel Policies and Procedures Addendum includes the following Sexual Harassment Policy and Non Harassment Policy (pp. 2-3).

Sexual Harassment Policy

It is the policy of Paulding County to prohibit sexual harassment of our employees. This prohibition applies to all employees, including elected officials, department heads, and supervisors, and even outsiders and vendors. It is not the purpose of this policy to intrude upon the personal lives of our employees or to interfere with social relationships. Nevertheless, sexual harassment has no place at Paulding County and will not be permitted. Sexual harassment includes not only unwelcome or offensive sexual advances and requests for personal favors, but also other verbal or physical conduct of a sexual nature, such as, uninvited touching or sexually related comments of any kind.

Any employee who believes he or she is being subjected to sexual harassment by anyone connected with his or her work is encouraged to report the matter promptly to the Personnel/Civil Service office. All matters discussed will be confidential and every attempt will be made to handle a sensitive subject without embarrassment.

Violation of this policy by any Paulding County employee can result in discipline up to and including immediate discharge. We have a pleasant working atmosphere here at Paulding County, and we want to keep it that way by ensuring that all employees are treated with mutual consideration and respect.

Non Harassment Policy

PURPOSE:

To provide a policy that prohibits harassment and procedures to enforce the policy that are consistent with the guidelines established by the Equal Employment Opportunity Commission.

SCOPE:

Board of Commissioners' Employees

POLICY:

The Paulding County Board of Commissioners does not and will not tolerate harassment of our employees. The term "Harassment" includes, but is not limited to, slurs, jokes, and other verbal, graphic, and physical conduct relating to an individual's race, color, sex, religion, national origin, citizenship, age, veteran status or disability. "Harassment" also includes unwelcome or offensive touching, and other unwelcome verbal, graphic, or physical conduct of a sexual nature. We will not permit sexual harassment—subjecting employment to unwelcome sexual conduct as a condition of employment.

VIOLATION OF THIS POLICY WILL SUBJECT AN EMPLOYEE TO DISCIPLINARY ACTION, UP TO AND INCLUDING IMMEDIATE DISCHARGE

PROCEDURES:

If you feel that you were being harassed in any way by a co-worker or by an employee of a customer or vendor, or member of the general public you should notify your supervisor or department head/manager immediately. The matter will be thoroughly investigated and, where appropriate, disciplinary action will be taken. An employee that feels that his/her complaint concerning a co-worker, a contractor, vendor, or member of the general public has not been handled to his/her satisfaction should contact the Personnel Director immediately. You should also be aware that no supervisor or other member of management is authorized to make any employment decision whatsoever because of an employee's submission to or rejection of sexual conduct or advances. No supervisor or other member of management has the authority to suggest to any employee that the employee's continued employment or future advancement will be affected in any way because the employee enters into or refuses to enter into any form of sexual or personal

relationship with the supervisor or member of management. No supervisor or member of management make her coerce an employee into a sexual relationship and then reward the employee. No supervisor or manager may take disciplinary action against an employee or deny a promotion, transfer, award, etc. to an employee because he or she has rejected sexual advances.

If you believe that a supervisor or member of management has acted in consistently with this policy, if you are not comfortable bringing a complaint regarding harassment to your immediate supervisor or if you believe that your complaint concerning a co-worker or an employee of a customer or vendor has not been handled to your satisfaction please immediately contact the Director of Human Resources at 770-443-7521 or the commission Chairman at 770-443-7550.

You will not be penalized in any way for reporting conduct that you feel may be in violation of this policy.

Please do not assume that the County is aware of your problem. It is your responsibility to bring any complaints or concerns to the counties attention so that they may be resolved.

M. J. W.



Human Resources Department
240 Confederate Avenue
Dallas, GA 30132
770-443-7521 - Fax 770-443-7558
HumanResources@paulding.gov

Brian Acker
Director

July 31, 2018

Paulding County District Attorney's Office
280 Constitution Boulevard
Dallas, Georgia 30132

Dear

Please accept this letter as confirmation of the employment offer as Victim Witness Coordinator with the District Attorney's Office. Although Paulding County will be your employer, please note that this is a NON-Civil Service position, and that you work at the pleasure of the District Attorney. The employment relationship is "at will", meaning that either you or Paulding County may terminate your employment at any time, for any or no reason, and there is no contractual agreement as to employment duration.

Regarding employment with the District Attorney's Office, please see below, O.C.G.A. 15-18-20-(b) which states as follows:

Personnel employed by the district attorney pursuant to this Code section shall serve at the pleasure of the district attorney and shall be compensated by the county or counties comprising the judicial circuit, the manner and amount of compensation to be paid to be fixed either by local Act or by the district attorney with the approval of the county.

Also, please be advised that vacation and sick leave provisions are strictly intradepartmental and will be addressed with you by your supervisor. Upon resignation or termination of employment, unused accrued leave will not be paid out by the Paulding County Board of Commissioners.


Human Resources representative

cc: Donald R. Donovan, District Attorney

A

SUNDAY, OCTOBER 15

Read 1 Kings 19:1-8 + Psalm 18:28-36
And he arose and ate and drank, and went in the strength of that food forty days and forty nights to Horeb, the mount of God.
1 Kings 19:8

A Prepared Journey

More than one person has told me that the reward for hard work is more hard work. I also believe that each rung of our ladder of life prepares us for the next step. While such imagery can be daunting, it can also be comforting when we realize that the tasks God gives us today only serve to prepare us for the challenges of tomorrow. The story of Elijah helps us view God's loving guidance for our tasks through His window of love. As Elijah made his plans to go to the mountain of God, the angel of the Lord came to him and strengthened him in advance for his long and arduous journey. Not only would God be waiting for Elijah when he reached his destination, but He would also grant him the provisions beforehand.

Our precious Jesus prepared the way for our wilderness journey here on earth as well. It was planned before the creation of the world, and all our provisions have been made. Trusting in His guiding love, we can confidently continue on one day at a time until we reach our final destination.

Dear Father, thank You for preparing my journey through this life. May I be willing to walk with You every step of the way. Amen.



As you face
one day
at a
time.

10.16.17

B. LOVED

Yesterday's New Testament lesson was:

Phillipians 4: 4-6 Rejoice in the Lord always. I will say it again: Rejoice! Let your **gentleness** be evident to all. The Lord is near. **Do not be anxious about anything**, but in every situation, by prayer and petition, with thanksgiving, present your requests to God.

Pastor Michelle skipped the Gospel and preached on this text. She added Luther's admonition to "Pray, and let God worry!" Good advice.

There are three events this week which we are supposed to attend together or be there at the same time: the Public Safety gathering "Meet and greet" tomorrow at DFCS, the DMTF meeting at Dallas P. D. on Thursday at 10:00 A.M., and the address Thursday evening in Douglasville (I was hoping you had volunteered to go along Thursday evening sort of to be with me for a while away from here).

If my being at any of these places or your going to Douglasville with me Thursday evening would be uncomfortable, just say so. I don't know whether you were looking forward to seeing me this morning or dreading it.

B

10/17/17

●●●○○ TFW LTE

5:45 PM



Dick



Today 9:41 AM

If this sounds too silly,
tell me. Just text me
91221 when you first
think of me each day, if
you can.

We all need validation,
even big guys and
bosses.

Today 5:20 PM

Remember that I love
you, because I do.
Remember that I'll
always be here for you,
because I will.
Remember that your
smile means the world
to me, because it does.



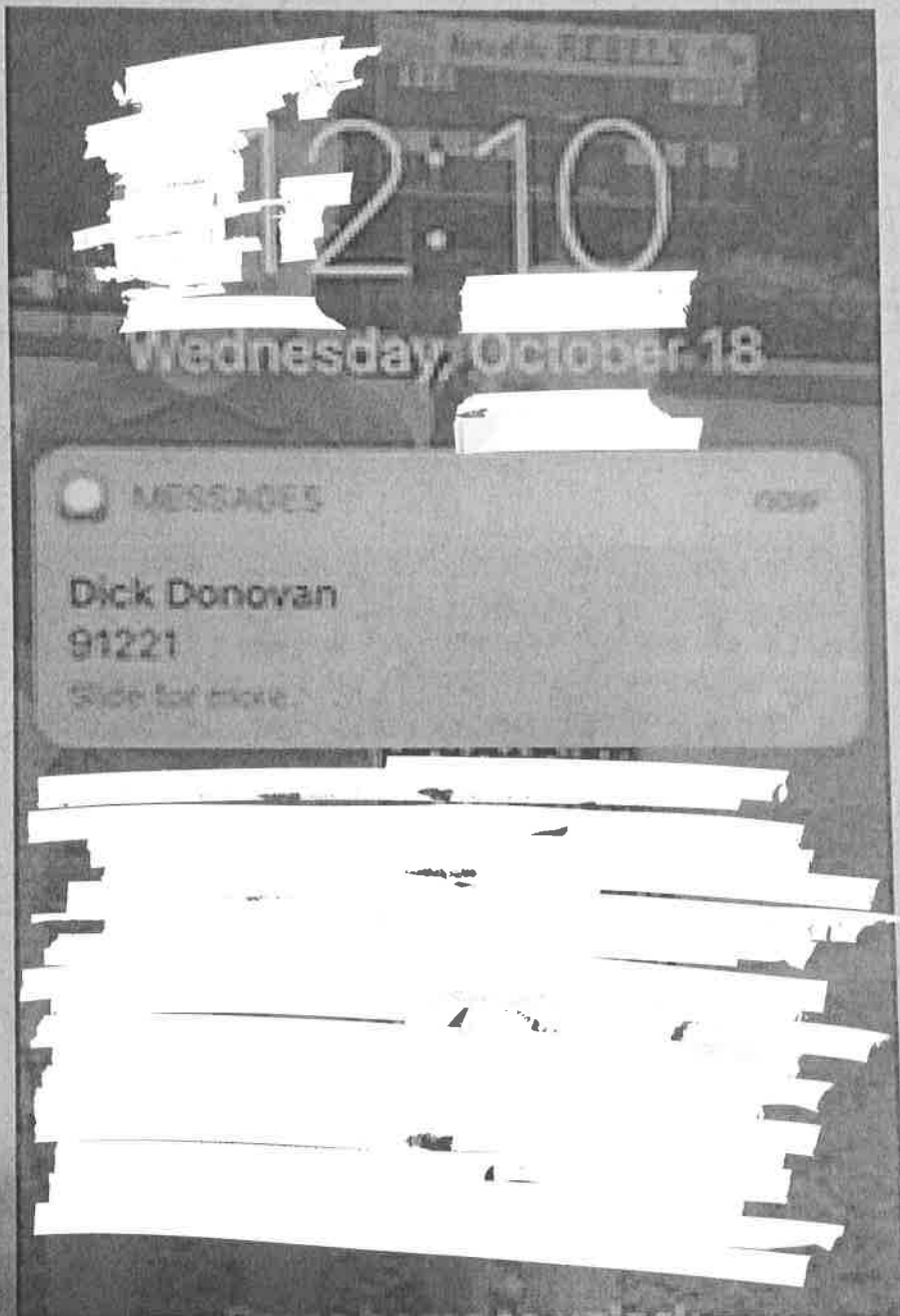
iMessage



Sent from my iPhone

C

Scanned with CamScanner



10/18/17
3:19p

I have said and sent:

Remember that I love you, because I do. Remember that I'll always be here for you, because I will.

Remember that your smile means the world to me, because it does.

I typed these lines Saturday evening on the way home from Cedartown after having held your hand for nearly an hour. The original lines of which I was thinking are from *The Lion in Winter*, spoken by King Henry II to his lover, Alais:

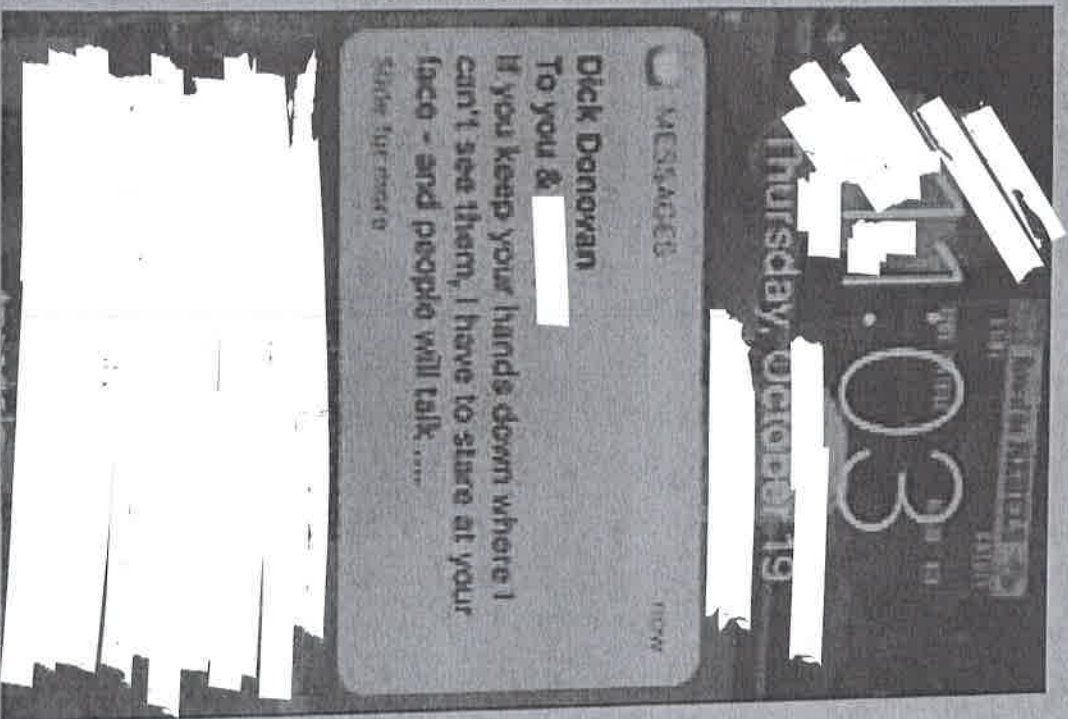
"Believe that I love you, for I do. Believe that I am yours forever, for I am. Believe in my contentment and the joy that you give me."

Those words are also true, from me to you.

B.

D

"I realize that I
can't make you
fall in love with
me. . . . but you
will."



Dr Taskforce meeting
Staring at my hands
from across the
table during the
meeting. I moved
them then I saw this
text.

U

10/19/17

You want mountains?

I got mountains!

Highway 61 North to Cartersville, then Highway 411 to Chatsworth, turn right on Highway 53 and up the winding road and over to Fort Mountain, and Fort Mountain State Park. Beautiful mountain Lake with walking trails – or, just keep riding, in silence or not, with or without conversation (your call), over to Ellijay on Highway 53, grab some chocolate covered Graham crackers, and quietly keep riding until your mind is clear...

Not to steal a phrase, but

“B. is ready when you are!”

B

F

October 20, 2017: Well, warden, they asked if I had any last words....

I'm really tired of hearing "I'm sorry" from me and from you. I will have to find another way to express regrets, because I have so many (regrets, that is). You, on the other hand, have nothing for which to be sorry. You need never again say to me, "I'm sorry." (there was a movie about never having to say you're sorry, but I never saw it). We are all human and we all make mistakes. I have made so many and such monumental mistakes that I cannot possibly condemn or think less of anyone who makes a mistake – if what you did last Saturday can actually be called a mistake; I think it was just human error.

I once told my younger son that the primary goal in life was to reach the end with as few regrets as possible. I hope he's working on that. In my mind, you will more often regret the things you didn't do more than the things you did, but that's a different matter.

If it had to happen, I'm very happy that it happened last Saturday, and not the week before, when I was 130 miles away in Perry, Georgia, all day, or tomorrow when I'll be 80 miles away in North Georgia shopping for Christmas. If it had to happen, I'm glad I was here at home when you called.

It was not wrong for me to come to Cedartown to get you. It was not wrong for me to take you to your truck. It was not wrong for me to sit with you and try to calm you down and comfort you. Probably everything else after that was a mistake on my part. [The one thing I should have done but didn't is a mistake about which you shall probably never know.] Then I made another mistake when you texted "Home safe". I should have texted back, "Good. Get some rest." Instead, I maker another mistake and asked you if you could call me, and I waited – drove around until you did. That was very selfish of me.

It was not a mistake for me to text you the next day to ask if you were okay. When you responded, I sensed that you needed to talk/text/converse with someone. That was not a mistake. Pushing like I did was a mistake.

What I should have done was embrace, savor and take hold of the great and beautiful (for me) hour in the Tahoe. Like a beggar on the street who gets a \$100 bill from a passing millionaire, just rejoice, idiot. But, no – I'm the beggar who starts following asking for "just a few dollars more." That was greedy of me and wrong. Since Sunday, and the mistakes I made that afternoon in our texting, I have made nothing but mistakes, and for that – well, yes, I'm sorry. There's no other way to say it. I was wrong.

As to yesterday, I hope I am not seen as someone so petty and shallow – and I hope that I am not actually someone so petty and shallow – that I would pout and get upset because you chose to spend time with your children rather than me. I'm not upset with you

G

about anything. You haven't done anything to make me think less of you. While it may (or may not, I'm willing to be corrected) have been appropriate to say and write all the things I said this week, none of the words I used or things I said were untrue. I am sincere, if I am nothing else admirable or commendable. I'm not a bad person, although the jury may still be out on that.

When I was much younger, I understood that I was (a) not pretty, and (b) certainly not rich. A pretty girl I dated told me once what I was instead when I mentioned that I was not rich or good looking (nope, not telling). But I decided for myself that I would, to the best of my ability, promote my positive character traits – nurture them, remember them and practice them. And I have, for many years now. In place of being rich (still not) and good looking (still not – and fading fast) I strive to be gentle, loving, loyal and sincere.

All my recent texts or responses to you seem trite, inappropriate and maybe badly put. And I'd rather not seem frivolous or, worse, insincere or flippant. (just took out a great line here that I stole from someone a long time ago – under other circumstances it might have made you smile or laugh out loud – but since right now I can't be sure how you will take my small attempts at humor, I must exercise extreme caution; makes my stuff less fun to read – and I can be really hysterical – but safer for me).

B

Do I still believe that "One day..." ? Yes. I not only believe it, I know it. Actually, I'm pretty sure you're already there (and I have lots of evidence to support that conclusion). So far, you just haven't been able to get your mind settled about it, and you may still be sorting the thoughts of its being evil or disloyal or somehow harmful. But, you can believe me, that day will come: you'll realize, "Hey, he's right." (no "Eureka!" with an exclamation point; just a slow but firm realization. "Dick was right. Huh! I'm there."). I just hope it's not twenty years from now when you're sitting in a Lutheran Church somewhere, staring at my beautiful urn, handsomely engraved with Walt Kelly's phenomenal poetry¹. Because on that day what would come to your mind would be, "Hey. He was right," but then the next thought would be "Well, dang. Think of the all happiness that I've missed all these years."

B

¹ For my urn:

A song not for now you need not put stay...
A tune for the was can be sung for today...
The notes of the does-not will sound as the does...
Today you can sing for the will-be that was.

The Dallas New Era

DEVOTED TO THE UPBUILDING AND PROGRESS OF DALLAS AND PAULDING COUNTY

DALLAS, PAULDING COUNTY, GEORGIA 30132, THURSDAY, November 9, 2017

Lar
V
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Ph. 7
Fax 7

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18th Annual "Battle of Pauldi
In Memory of Coach Ken Phillips
was played on Friday, November 31
with PCHS hosting EPHS



RE
nkful
OUR
CE
TERAN'S DAY!



Article Credit: Kenelle Gresham
Photo Credit: Jamie Watkins, Athletic Director at PCHS
Paulding County High School Patriots and Head Coach Van Spence was presented the revolving "Battle" with a true rivalry battle until the final seconds of the game. East Paulding was driving to score and the

H

ks

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E
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Highland Rivers Health Governing Board Receives Accreditation from CARF International



Hiram Poline, Chief of the Highland Rivers Health Governing Board

The governing board of the Highland Rivers Health Governing Board (HHRHB) has received accreditation from the Commission on Accreditation of Rehabilitation Facilities (CARF) International. The governing board, which is composed of representatives from the community, the health care system, and the business community, has been recognized for its commitment to quality and excellence in the delivery of health care services. The accreditation process involved a thorough review of the board's policies, procedures, and performance, and the board was found to be in compliance with all CARF standards. This accreditation is a significant achievement for the board and its members, and it demonstrates the board's commitment to providing the highest quality of care to the community.

The board includes several representatives from the community, including the mayor, the city manager, and the city council. The board also includes representatives from the health care system, including the hospital, the health department, and the local health care providers. The board's responsibilities include setting the strategic vision for the health care system, approving the budget, and overseeing the delivery of health care services. The board's accreditation by CARF International is a testament to the board's commitment to quality and excellence in the delivery of health care services.

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One day.

The U.S. Army All-American Bowl is presented by American Family Insurance. The event is a football game between the top high school players from the United States and the United Kingdom. The game is held in London, England, and it is one of the most prestigious football events in the world. The U.S. Army All-American Bowl is a great opportunity for high school players to showcase their talents and to compete against the best players from around the world.

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PAULDING
Christmas in the Courtyard...
a Hometown Holiday Celebration

Friday, November 17th 5:00pm-9:00pm
Santa counts us down to the lighting of the Windows at 8:00pm
(seems like for your town)

Location: Paulding County Courthouse

- Free Family Friendly Event
- Carol in the Courtyard
- Sip and Shop (dozens of local vendors)
- Hardy Family Fun Zone
- Crafts for Kids
- Storytime with Santa 6:00pm-7:30pm
- Storytime with Santa 7:45pm-8:00pm

Call 770.445.6016 For More Information

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"A Place like Home"

One day.

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thedallasnewera.com

**SUBSCRIBE
TODAY!**



One day.

Love comes to those who still hope after disappointment, who still believe after betrayal, and who still love after they've been hurt.

Believe. Remember. One day.

Tuesday, November 14, 2017

I had this made for you a little while back. It was offered only in yellow gold, so I had to have it made in white gold to match most of your other jewelry. It has a special meaning to me, but that is of no consequence. If you don't like it, please consider giving it to one of your sisters or someone else who might like it.

I



BLACK TIE COLLECTION

14K Gold Scarab Bracelet With Black Onyx
\$660.00



*Gold Color:

14K White Gold

Quantity:

1

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11/28/17 5:00

Told DD bye and to have a nice trip. He said that he planned on it and made small talk about his plans. He said that he wanted to talk about the conversation we had last week. (He was going to say something to me and asked permission to speak what was on his mind and I made a comment that maybe he should just not say whatever he was thinking) He said that he wasn't going to ask permission to speak what he wants anymore. "I don't think that a man in my position should have to ask for permission" I said "What do you mean, I don't understand what you are talking about" He said "Well, I think I'm a very confident man" He went on to say that the things he wanted to say to me was "That I love you...I am IN LOVE with you, and I know that you don't like to hear those things" I didn't say anything in return. He continued to talk and then asked "Am I making you feel uncomfortable" I told him "Yes" He said that he was "Sorry for making me feel uncomfortable" I said "I just really don't know what to say at all" He continued to speak regarding that he wasn't going to stop telling me those things until he has convinced me. He continued to make small talk and then said "I will be back from my trip, I am coming back because there are still some things that I need to say and do" back to referencing convincing me. He text me while I was driving home:

●●●● TFW LTE

5:50 PM



Dick



Today 5:19 PM

Thank you for that
smile. I'll make it last.
Chamber of Commerce
Thursday the 7th? I'll let
you drive the Suburban
and I'll sit in the back.

I can lend you my
handcuffs.

... Although I have
always carried a
handcuff key.

I don't own a straitjacket

But I'll buy one if you
would prefer that level
of safety



J

TFW LTE

11:44 AM



Dick



Today 11:39 AM

It is best if from here on you do not text, email or come by to see me or have me come to your office in a personal nature etc. I would like for our relationship to be purely professional. If you need me for anything work related please feel free to use my work email or my state cell phone. At this time all texts, cards, letters, gifts, etc of a personal nature need to stop. If you feel led to help my dad, please use the gofundme account that my sister set up. My reasons for saying



Message



all of this are personal. Please respect my wishes. Thanks



Message



December 5, 2017

K

••••• TFW LTE

3:24 PM



Dick



personal nature need to
stop. If you feel led to
help my dad, please use
the gofundme account
that my sister set up.
My reasons for saying
all of this are personal.
Please respect my
wishes.
Thanks

Read 3:08 PM

Today 3:08 PM

Certainly

Thank you for your
note. The grocery
money was to help you
(by taking that worry/
burden off you);
however, I will certainly
respect your wishes.



Message



L

Jamie White

From: Dick Donovan
Sent: Wednesday, December 06, 2017 9:22 AM
To:
Subject: last item

With apologies, there is one last thing. Your text was received when my iPhone reactivated when I landed yesterday. I have three Christmas gifts for you: one is identical to Watson's, which _____ and I bought for you (and her); _____ will ask about how you both liked them. One is a gift that only you and I would understand and about which we could laugh. The third is a miniature hand-carved figure of a girl being held in the palm of God's hand, which made me think of you. If you want one or any or some or none, tell me by return e-mail. If your response does not contain a question, this is the final non-professional communication.

Dick Donovan, District Attorney
Paulding Judicial Circuit
280 Constitution Blvd., Room 2072
Dallas GA 30132
Tel: 770-443-7561 Fax: 770-443-7538
dick.donovan@paulding.gov
www.pauldingda.com

Of all sad words of tongue or pen, the saddest are these, "It might have been." Whittier

3/19/18

I just feel really bad and sick about the whole conversation. I was holding back tears the entire time and just wanted to run away and cry. I felt like I couldn't get out of there fast enough. As hard as I always am on myself I really do not feel that I have done anything to lead him or to deserve this. I also think that if what he is saying is true then I don't want to say anything else to hurt his feelings. I don't want to hurt anyone and am really sensitive to this right now. It feels like everything he is saying is a repeat of something I have gone thru before that hurts me so bad and feels so familiar. It is very painful.

I have cried all weekend and just can't seem to shake the fact that I am in a hopeless situation. I am also angry and scared now that he has explained that he has spoken to a "friend" about me. He states that he has let her read my text messages and emails etc and that she wants to meet me so that she can let me know what a wonderful relationship I am missing out on. It seems overwhelming and scary that several people now know or know enough that something isn't right in what is going on.

It is Monday and I am still very down. I can't describe how or why I feel the way I do. I feel like I am going to have to give up my wonderful job and the only career I have ever known. I feel like I have to do this because I need to move and be on offense. My reputation could be compromised, my job, my family, my marriage. I do not want to hurt anyone



M

Friday, August 24, 2018

When we talked on July 30th, you said a couple of things, one of which I am still processing, but the other thing that you said straight out was that you were afraid of me. I heard it, but didn't really take it in or think about it – until yesterday when you walked out of my office after we saw the WSB-TV report on Szewczyk. You really *are* afraid of me.

I had been trying for a week or so to think of a way to ask politely why you don't trust me. I know you don't trust me (that is, trust me to be understanding) – although you once did, or, I guess I should say you did trust me at least once – but I am surprised to see (vividly demonstrated) that you really are afraid of me. That and your not trusting me is, well ... tough to take in, at best.

For whatever I've done to make you afraid of me, I am truly sorry. And whatever I've done or said that would make you not able to trust me to be understanding, for that, too, I apologize.

I have enclosed a reprint of Mark Twain's *Letter to the Earth* (he wrote a long, long line of *Letters from the Earth*, and this was sort of a comic take-off on those). Please read it, not for my benefit, but entirely for your benefit, and read carefully the reference to "Secret Supplications of the Heart" which has, I honestly believe, a real valid and important application in the real world today – and especially your world today.

B.

N

LETTER TO THE EARTH

Mark Twain



OFFICE OF THE RECORDING ANGEL
Department of Petitions, Jan. 20

Abner Scofield
Coal Dealer
Buffalo, New York

I have the honor, as per command, to inform you that your recent act of benevolence and self-sacrifice has been recorded upon a page of the Book called *Golden Deeds of Men*; a distinction, I am permitted to remark, which is not merely extraordinary, it is unique.

As regards your prayers, for the week ending the 19th, I have the honor to report as follows:

1. For weather to advance hard coal 15 cents a ton. Granted.
2. For influx of laborers to reduce wages 10 percent. Granted.
3. For a break in rival soft-coal prices. Granted.
4. For a visitation upon the man, or upon the family of the man, who has set up a competing retail coal-yard in Rochester. Granted, as follows: diphtheria, 2, 1 fatal; scarlet fever, 1, to result in deafness and imbecility, Note. This prayer should have been directed against this subordinate's principals, the N. Y. Central R. R. Co.
5. For deportation to Sheol of annoying swarms of persons who apply daily for work, or for favors of one sort or another. Taken under advisement for later decision and compromise, this petition appearing to conflict with another one of same date, which will be cited further along.
6. For application of some form of violent death to neighbor who threw brick at family cat, whilst the same was serenading. Reserved for consideration and compromise because of conflict with a prayer of even date to be cited further along.
7. To 'damn the missionary cause.' Reserved also -- as above.
8. To increase December profits of \$22,230 to \$45,000 for January, and perpetuate a proportionate monthly increase thereafter -- 'which will satisfy you.' The prayer granted, the added remark accepted with reservations.
9. For cyclone, to destroy the works and fill up the mine of the North

Pennsylvania Co. NOTE: Cyclones are not kept in stock in the winter season. A reliable article of firedamp can be furnished upon application.

Especial note is made of the above list, they being of particular moment. The 298 remaining supplications classifiable under the head of Special Providences, Schedule A, for week ending 19th, are grouped in a body, except that 3 of the 32 cases requiring immediate death have been modified to incurable disease.

This completes the week's invoice of petitions known to this office under the technical designation of Secret Supplications of the Heart, and which, for a reason which may suggest itself, always receive our first and especial attention.

The remainder of the week's invoice falls under the head of what we term Public Prayers, in which classification we place prayers uttered in Prayer Meeting, Sunday School, Class Meeting, Family Worship, etc. These kinds of prayers have value according to classification of Christian uttering them. By rule of this office, Christians are divided into two grand classes, to wit; (1) Professing Christians; (2) Professional Christians. These, in turn, are minutely subdivided and classified by Size, Species, and Family; and finally, Standing is determined by carats, the minimum being 1, the maximum 1,000.

As per balance sheet for quarter ending Dec. 31st, 1847, you stood classified as follows:

Grand Classification: Professing Christian.

Size: one-fourth of maximum.

Species: Human-Spiritual.

Family: A of the Elect, Division 16.

Standing: 322 carats fine.

As per balance sheet for quarter just ended -- that is to say, forty years later -- you stand classified as follows:

Grand Classification: Professional Christian.

Size: six one-hundredths of maximum.

Species: Human-Animal.

Family: W of the Elect, Division 1547.

Standing: 3 carats fine.

I have the honor to call your attention to the fact that you seem to have deteriorated.

To resume report upon your Public Prayers -- with the side remark, that in

order to encourage Christians of your grade and of approximate grades, it is the custom of this office to grant many things to them which would not be granted to Christians of a higher grade -- partly because they would not be asked for:

Prayer for weather mercifully tempered to the needs of the poor and the naked. Denied. This was a Prayer-Meeting prayer. It conflicts with Item I of this report, which was a Secret Supplication of the Heart. By a rigid rule of this office, certain sorts of Public Prayer of Professional Christians are forbidden to take precedence of Secret Supplications of the Heart.

Prayer for better times and plentier food 'for the hard-handed son of toil whose patient and exhausting labors make comfortable the homes, and pleasant the ways, of the more fortunate, and entitle him to our vigilant and effective protection from the wrongs and injustices which grasping avarice would do him, and to the ten dearest offices of our grateful hearts.' Prayer-Meeting prayer. Refused. Conflicts with Secret Supplication of the Heart No. 2.

Prayer 'that such as in any way obstruct our preferences may be generously blessed, both themselves and their families, we here calling our hearts to witness that in their worldly prosperity we are spiritually blessed, and our joys made perfect.' Prayer-Meeting prayer. Refused. Conflicts with Secret Supplications of the Heart Nos. 3 and 4.

'Oh, let none fall heir to the pains of perdition through words or acts of ours.' Family Worship. Received fifteen minutes in advance of Secret Supplication of the Heart No. 5, with which it distinctly conflicts. It is suggested that one or the other of these prayers be withdrawn, or both of them modified.

'Be mercifully inclined toward all who would do us offense in our persons or our property.' Includes man who threw brick at cat. Family Prayer. Received some minutes in advance of No. 6, Secret Supplications of the Heart. Modification suggested, to reconcile discrepancy.

'Grant that the noble missionary cause, the most precious labor entrusted to the hands of men, may spread and prosper without let or limit in all heathen lands that do as yet reproach us with their spiritual darkness.' Uninvited prayer shoved in at meeting of American Board. Received nearly half a day in advance of No. 7 Secret Supplications of the Heart. This office takes no stock in missionaries, and is not connected in any way with the American Board. We should like to grant one of these prayers, but cannot grant both. It is suggested that the American Board one be withdrawn.

This office desires for the twentieth time to call urgent attention to your remark appended to No. 8. It is a chestnut.

Of the 464 specifications contained in your Public Prayets for the week, and not previously noted in this report, we grant 2, and deny the rest. To wit; Granted, (1) 'that the clouds may continue to perform their office: (2) and the sun his.' It was the divine purpose anyhow; it will gratify you to know that you have not disturbed it. Of the 462 details refused, 61 were uttered in Sunday School. In this connection I must once more remind you that we grant no Sunday School Prayers of Professional Christians of the classification technically known in this office as the John Wanamaker grade. We merely enter them as 'words,' and they count to his credit according to number uttered within certain limits of time; 3,000 per quarter-minute required, or no score; 4,200 in a possible 5,000 is a quite common Sunday School score, among experts, and counts the same as two hymns and a bouquet furnished by young ladies in the assassin's cell, execution morning. Your remaining 401 details count for wind only. We bunch them and use them for head winds in retarding the ships of improper people, but it takes so many of them to make an impression that we cannot allow anything for their use.

I desire to add a word of my own to this report. When certain sorts of people do a sizable good deed, we credit them up a thousand-fold more for it than we would in the case of a better man -- on account of the strain. You stand far away above your classification record here, because of certain self-sacrifices of yours which greatly exceed what could have been expected of you.

Years ago, when you were worth only \$100,000, and sent \$2 to your impoverished cousin the widow when she appealed to you for help, there were many in heaven who were not able to believe it, and many more who believed that the money was counterfeit.

Your character went up many degrees when it was shown that these suspicions were unfounded. A year or two later, when you sent the poor girl \$4 in answer to another appeal, everybody believed it, and you were all the talk here for days together. Two years later you sent \$6, upon supplication, when the widow's youngest child died, and that act made perfect your good fame. Everybody in heaven said, 'Have you heard about Abner?' -- for you are now affectionately called Abner here. Your increasing donation, every two or three years, has kept your name on all lips, and warm in all hearts. All heaven watches you Sundays, as you drive to church in your handsome carriage; and when your hand retires from the

contribution plate, the glad shout is heard even to the ruddy walls of remote Sheol, 'Another nickel from Abner!'

But the climax came a few days ago, when the widow wrote and said she could get a school in a far village to teach if she had \$50 to get herself and her two surviving children over the long journey; and you counted up last month's clear profit from your three coal mines -- \$22,230 -- and added to it the certain profit for the current month -- \$45,000 and a possible fifty -- and then got down your pen and your checkbook and mailed her *fifteen whole dollars!*

Ah, heaven bless and keep you forever and ever, generous heart! There was not a dry eye in the realms of bliss; and amidst the hand-shakings, and embracings, and praisings, the decree was thundered forth from the shining mount, that this deed should outhonor all the historic self-sacrifices of men and angels, and be recorded by itself upon a page of its own, for that the Strain of it upon you had been heavier and bitterer than the strain it costs ten thousand martyrs to yield up their lives at the fiery stake; and all said, "What is the giving up of life, to a noble soul, or to ten thousand noble souls, compared with the giving up of fifteen dollars out of the greedy grip of the meanest white man that ever lived on the face of the earth?"

And it was a true word. And Abraham, weeping, shook out the contents of his bosom and pasted the eloquent label there, "RESERVED": and Peter, weeping, said, "He shall be received with a torchlight procession when he comes"; and then all heaven boomed, and was glad you were going there. And so was hell.

[Signed]

THE RECORDING ANGEL [SEAL]

By command

Jamie White

From: Dick Donovan
Sent: Tuesday, November 14, 2017 4:53 PM
To:
Subject: RE: print

Like the note said, I had them make it in white gold especially for you. I hope you really like it.

From: :
Sent: Tuesday, November 14, 2017 4:52 PM
To: Dick Donovan
Subject: RE: print

Its beautiful!

Paulding County District Attorney's Office
280 Constitution Blvd Room 2072
Dallas, GA 30132
(678) 224-4

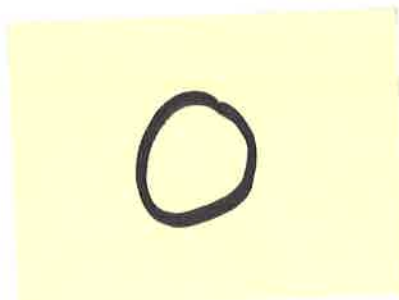
From: Dick Donovan
Sent: Tuesday, November 14, 2017 4:51 PM
To: Jamie White
Subject: RE: print

It's a scarab bracelet – the design on the onyx stones are scarabs, which were very big in ancient Egypt used for amulets. They are made in various colors but this one in was done entirely in black so it goes with anything.

From:
Sent: Tuesday, November 14, 2017 4:44 PM
To: Dick Donovan
Subject: RE: print

Whichever you prefer

Coordinator
Paulding County District Attorney's Office
280 Constitution Blvd Room 2072
Dallas, GA 30132
(678) 224-



1

Tuesday, November 14, 2017

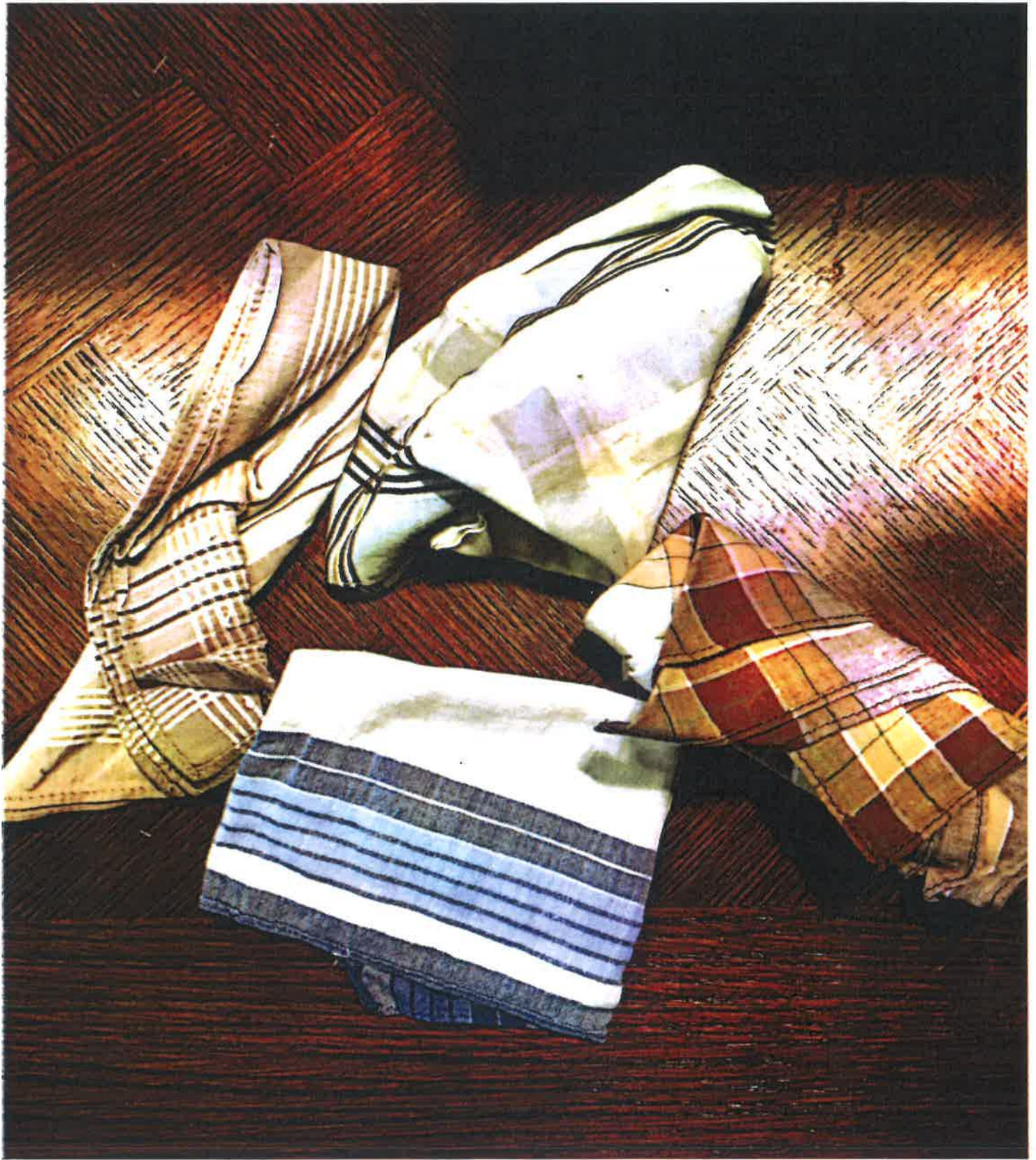
I had this made for you a little while back. It was offered only in yellow gold, so I had to have it made in white gold to match most of your other jewelry. It has a special meaning to me, but that is of no consequence. If you don't like it, please consider giving it to one of your sisters or someone else who might like it.





Perfect
for





From: Dick Donovan
Sent: Tuesday, November 14, 2017 2:21 PM
To:
Subject: in

Please let me know when you're in. I have your print ready to hang.

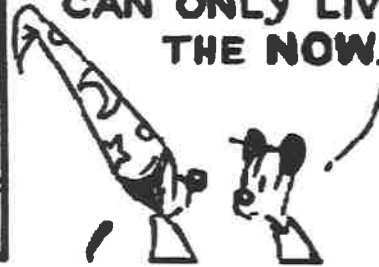
DD

Dick Donovan, District Attorney
Paulding Judicial Circuit
280 Constitution Blvd., Room 2072
Dallas GA 30132
Tel: 770-443-7561 Fax: 770-443-7538
dick.donovan@paulding.gov
www.pauldingda.com

"The gentle journey jars to stop. The drifting dream is done. The long-gone goblins loom ahead;
The deadly, That we thought were dead, Stand waiting, every one." WK



**FROM WHAT I HEAR,
MOOCH, YOU CAN'T
LIVE IN THE PAST OR
THE FUTURE. YOU
CAN ONLY LIVE IN
THE NOW.**



A song not for now you need not put stay;
A tune for the was can be sung for today.
The notes of the does-not will sound as the does;
Today you can sing for the will-be that was.

* * * * *

The gentle journey jars to stop;
The drifting dream is done.
The long-gone goblins loom ahead:
The deadly that we thought were dead,
Stand waiting, every one.

* * * * *

I do not know what I may appear to the world,
but to myself, I seem to have been only like a boy
playing on the seashore, diverting myself in now
and then finding a smoother pebble or a prettier
shell than ordinary, whilst the great ocean of truth
lay all undiscovered before me.

(Sir Isaac Newton's last words)

* * * * *

There is not a just man upon earth,
that doeth good, and sinneth not.

(Ecclesiastes 7:20)

* * * * *

QUIS CUSTODIET IPSOS CUSTODES?

* * * * *

This the 21st day of October, 1986



A SONG NOT FOR NOW

A song not for now
you need not put stay...

A tune for the was
can be sung for today...
The notes for the does-not
will sound as the does...

Today you can sing
for the will be that was

1954



**FROM WHAT I HEAR,
MOOCH, YOU CAN'T
LIVE IN THE PAST OR
THE FUTURE. YOU
CAN ONLY LIVE IN
THE NOW.**





**FROM WHAT I HEAR,
MOOCH, YOU CAN'T
LIVE IN THE PAST OR
THE FUTURE. YOU
CAN ONLY LIVE IN
THE NOW.**



PAUL MCDONALD

MUTTS



I will share happiness by:

...finding someone who
understands “Today you can
sing for the will-be that
was!”

happyacts.org

#happyacts 







2-14

2/13/18 worked late on the way home got text from JC that DD was "unlocking" my office door and went into my office.

/ This night had major anxiety + the worst I've had in months. Lots of thoughts in my head about what it could be

2/14/18 At around 10:30 found this under my phone. At the end of the day LB commented that "Someone tried really hard to prevent someone from doing anything to upset you today"

/ concerns me that several people know "something" is going on. TW, LB talked about DD causing potential problems. I think they have my best interest @ heart but I don't like them knowing.

DON'T

MISS OUT

ON
SOMETHING

THAT COULD

BE

AMAZING

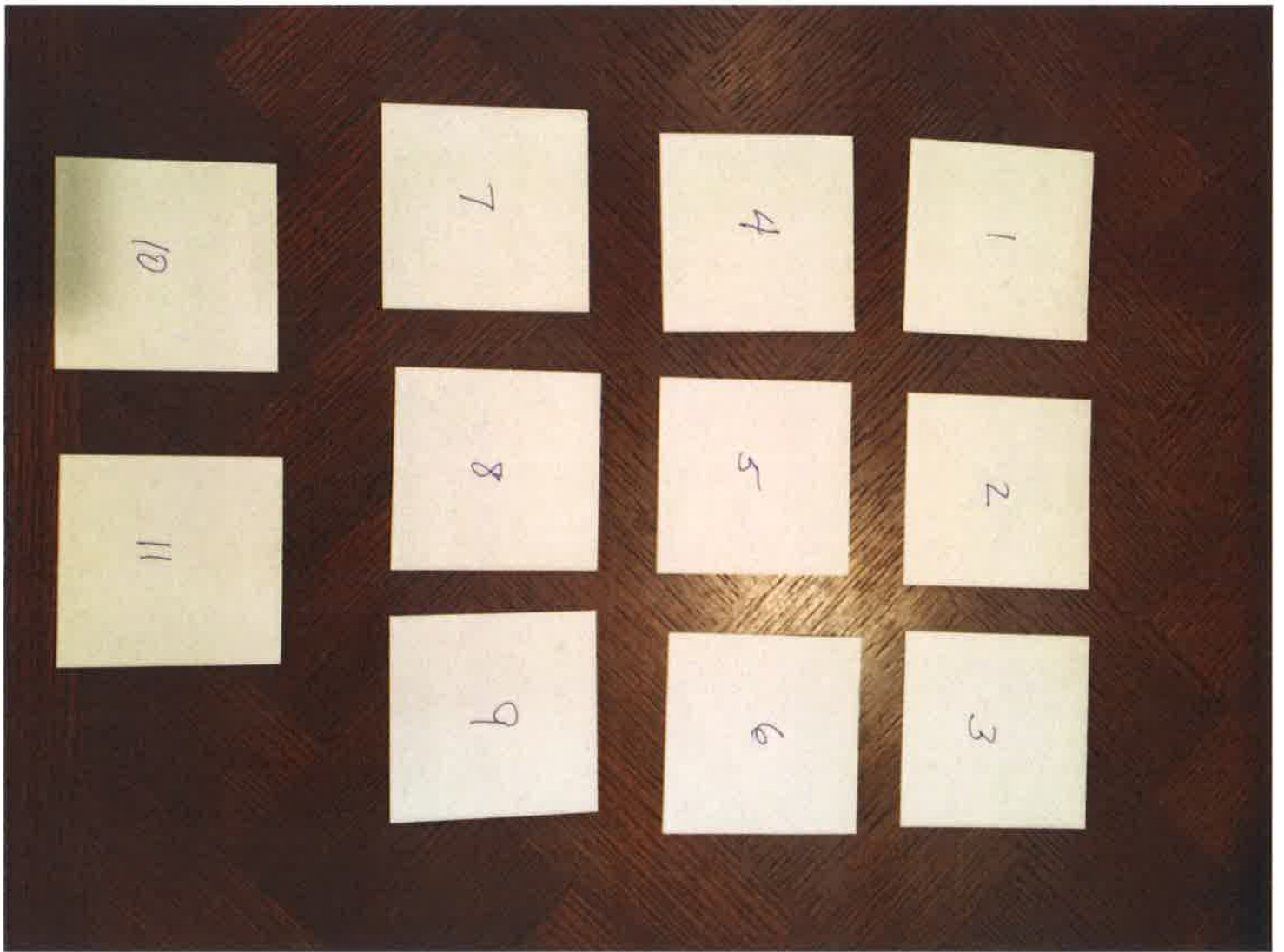
JUST

BECAUSE

IT COULD

ALSO BE

DIFFICULT!



10-12

Well, I didn't win the
lottery, but I did wake
up this morning in love
with you. That's pretty
much the same thing.

An Unexpected Guest

I had been in love with her for about four years. I had known her longer – about seventeen years – but love had come slowly but surely over those last four. I had kept it to myself for those first four years, and then odd circumstances presented an awkward opportunity to tell her, and it came flooding out. Weeks later, we were still in the talking stage. The most intimate thing we had done was hold hands. She did not want to say, “I love you,” for fear she would lead me on, and be implicitly offering what she possibly could not deliver. I was trying to be patient.

I was out of town, in the North Georgia Mountains at a business conference, a brain-numbing experience. It was a place with which we had an odd sort of history, although we’d never been there together. I had finished for the day and was in the very spacious lounge area, having a Rusty Nail from the adjacent bar.

I wasn’t concentrating on anything. I was just wool-gathering. I glanced up and was surprised to see her coming around from the entry doors, pulling a carry-on behind her. She walked straight to where I was sitting, stunned, holding my drink and looking up at her. She asked if I had gotten two room key-cards, and I said, yes. She asked for one, and I gave it to her, and told her the room number – right down the hall on the ground floor, on the left, room 311. She walked away toward the hallway pulling her carry-on.

I sat in silence, staring at my drink. About ten minutes later she emerged from the hallway, walked over to me, and asked me to please take her to dinner, and mentioned a little place I had told her about when I was last here. I stood up and we walked out together, and drove just across the state line to a little town with nothing to make it memorable except for the restaurant to which we went: linens and crystal and real silverware. Prime rib, and a glass of wine. We talked a little about our work, and people we knew. Nothing substantive.

We drove back, about 20 minutes, in silence. About five minutes after we left the restaurant, she reached over and took my hand. This was new. We parked and went into the resort and down the hall to the room, and walked inside. By then it was nearly 10:00 P.M. She asked if I would excuse her, and she took some things from her carry-on and went into the bathroom, and came out about ten minutes later, dressed in soft jammies. She looked at the bed; I always strip the bed and use my own fitted sheet, a comforter and my own pillows as well. She asked which side of the bed I preferred, and I looked into the most beautiful blue eyes I had ever seen and said, “Tonight, I don’t really care.” She smiled her very sweet smile and got under the comforter. I made my evening ablutions and put on my nightshirt, came out and got into bed.

P

We did not make love together. I had honestly never lusted after her, but had fallen in love with her sweet smile, her gentle voice and an inner beauty that matched but wasn't really physical, although she was drop-dead gorgeous. I turned on my side, and faced her, lying on her side, facing me. Her eyes were already slowly closing, and she had a faint smile. I was purely dumbstruck. As I lay watching sleep overcome her, she looked at me with eyes half-closed, and I reached over and touched her cheek with my fingertips. Her smile was again very sweet, and she reached up and took my hand and drew it gently to her lips, and kissed my palm. Then she slept, slowly finally drifting away – and I just lay there, watching her as she breathed softly, and I marveled that she never lost that faint, sweet, pretty smile.

I, too, gradually let sleep sweep over me, but woke several times to stare at her in the soft light from the windows. Her blond hair had fallen over her eyes, and once or twice I reached over and brushed it away so I could enjoy the beauty that was so nearly perfect. I woke again at last near dawn, and saw that she, too, was awake. She was still smiling the sweet smile I now knew so well, and I reached over once more and brushed her hair away, and leaned across and kissed her on the forehead, and, when she closed her eyes, once on each eyelid – and then on the tip of her nose.

If I had tried to kiss her, I think I might have fainted.

I got up and walked to the French doors that opened on a small balcony. There was frost on the ground, and the sun was just beginning to rise, pinkening the sky. There was quite an age difference between us. I had told her once that I was in love for the last time in my life. I turned back to look at her again, and she hadn't moved, but she was watching me, eyes half-closed, with that very sweet smile still on her face. I knew then that I had been right: I would never, ever be so totally, overwhelmingly, thoroughly in love again. This was it. And what a glorious finish it was. I have spent many wonderful nights, but none so wonderful as that one night. There is little doubt that I could not have imagined it or wished for it or even fantasied about it to be as perfect as it was. It is still unsurpassed and will always be unforgettable.

I turned around to look back across the room. She was still lying on her side, watching me, but her eyes now wide open. Bright, beautiful blue eyes, and that same very slight smile playing around her mouth. I walked back across the room, slipped under the comforter, and pulled her to me, turning her to face away from me, in the old "spooning" way, then wrapped my arms around her, embraced her and held her close to me, feeling the full warmth of her body against mine, and, finally together, we closed our eyes and slowly began the same dream, each of us with the same smile.

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A F F I D A V I T
of
DONALD RICHARD DONOVAN
given at
Paulding County Courthouse
Suite 2072, Conference Room
280 Constitution Boulevard
Dallas, Georgia
MAY 2, 2019
2:00 p.m.
MR. DONOVAN: I am Donald Richard Donovan.
I am the duly elected district attorney of the
Paulding Judicial Circuit. I was elected in 2010 and
took office January 1st, 2011. I was re-elected in
2014 and 2018. I am in my ninth year. I have served
for eight years four months and two days as district
attorney of this circuit.
I'm going to make a sworn affidavit before a
certified court reporter and I'm going to ask that she
reduce this to writing and make it available
electronically to be distributed as I will ask her to
do.
If I could, could I get you to swear me in?
DONALD RICHARD DONOVAN,
being first duly sworn testified as follows:



1 MR. DONOVAN: Two weeks ago tomorrow on the -- I
2 want to say the 20th -- no, 19th of April, I was sent
3 by e-mail a complaint accusing me of sexual harassment
4 of one of the people in the office. This affidavit is
5 given in response to that complaint.

6 The complaint was made by
7 , who's my coordinator.

8 I want to go through this in an orderly fashion.
9 I will first tell you what I know or how I know
10 then I will tell you what I know about her that
11 may or may not be things that are known by other
12 people in the office or other people anywhere, then I
13 will describe to you the last year and a half almost
14 in particular, different vignettes, and I have some
15 exhibits that I will ask the court reporter to mark,
16 make a part of the record.

17 After that, I will go through the complaint -- at
18 least the parts that I think are specifically
19 mischaracterizations and outright falsehoods, and I
20 will respond to those as appropriate.

21 I have asked my operations manager, Tiffany
22 Watson, to be here with me, not for any purpose other
23 than that she has been with me for almost three years
24 now and has been privy to some of the interaction
25 between me and

1 First of all, I've known for more
2 than the eight years that I have been district
3 attorney. I knew her before I took office. She was a
4

5 I was, frankly, surprised when I came to this
6 office to work here on January 3rd, 2011, to learn
7 that she actually worked for the district attorney's
8 office.

9 I have known her, again, for at least ten years,
10 and only professionally and only around the
11 courthouse.

12 Now, what I know about her is a little bit
13 different than that. I know, for example, that she is
14 married, she has children. is, I think,
15 either or ; her , is, I think,

16 years old. Her husband's name is .
17 is a well-respected
18 who previously worked for the school
19 system, but has now moved on and taken a better job,
20 according to . in with the
21 school system. I know that because of what
22 has told me.

23 I know that her mother is , although she
24 has never confided in me the nature of that
25

1 I know that her father She told
2 virtually everybody when he was first
3 in 2017.

4 I know that her younger sister -- not her
5 youngest, but her younger sister -- 1

6 Her youngest sister,
7

8 I know, because she referred her father to me,
9 with my permission, to ask about difficulty he was
10 having with the person from whom he was purchasing a
11 home, I know that her father is having difficulties
12 with the lady who sold him the property on a
13 lease-purchase agreement, and I have -- I have done
14 some things -- which I'll talk about in a little
15 while -- to try to help him out. There are some
16 specifics that I would mention that go back four,
17 maybe five years.

18 First of all, there is no -- I don't deny I'm
19 very fond of .. She has a great personality,
20 she's always been very friendly to me.

21 What I'm told by the people who work for her is
22 different in some respects, but I've always liked

23 I've always taken an interest in my employees.
24 Off the record.

25 (Whereupon, a pause ensued.)

1 I first started managing employees when I was 19
2 years old and I worked in a small grocery store
3 business and there were two older men who worked in
4 the store but whom the owner finally made clear were
5 going to be working for me.

6 Then, when I went back to the University of
7 Georgia in 1966 for my junior year, I was given a
8 position of assistant manager at a combination
9 short-order grill and bookstore on campus, and I had a
10 small staff -- probably five or six people -- who
11 worked in that with me.

12 I did have a manager there in the store, but I
13 had those certain people who worked for me from four
14 o'clock in the afternoon until we closed at ten
15 o'clock in the evening.

16 I did not manage people when I was a police
17 officer, but, after I left the police department and
18 started law school, I took a position as director of
19 security for a major retailer and I had a staff --
20 depending on the season -- between eight and 16
21 people, almost all of whom were off-duty police
22 officers. I had at different times a single civilian
23 employee.

24 I was told by those people -- and I don't
25 honestly remember comments from the people at the

1 Jennie Belle Grill in Athens -- but I do remember the
2 people who worked for me at JCPenney commented a
3 number of times that I was the best boss they had ever
4 had, or I was a very good boss.

5 When I went into private practice, I had no
6 employees for the first two and a half years, but then
7 I hired a secretary. When she left because of a death
8 in her family, I hired another secretary. She stayed
9 with me for seven years, and she would tell people
10 that I was the best boss she'd ever had, and I
11 appreciated that.

12 I had other secretaries over the years. I never
13 had a secretary complain. No one has ever accused me
14 of any inappropriate conduct and I, frankly, don't
15 believe I have ever been guilty of any inappropriate
16 conduct.

17 But I have been managing people, again, off and
18 on, since I was 19 years old, but I have managed this
19 office -- which went from about 22 people now to 42
20 people -- for the last eight years.

21 Now, again, going back to what I know about
22 , I've described what I know about her family and
23 what I know about her situation in a general way.

24 There may be specifics that I will mention later,
25 but there were two or three things that were important

1 for me to say now to make clear what happened later
2 on.

3 First of all, probably three or four years ago --
4 at least four years ago -- told me that she and
5 her family -- her husband and her children -- were
6 going on a vacation trip -- and I think they were
7 going to Disney World -- I don't remember clearly --
8 but it was a vacation for some length of time and they
9 were going to be out of state, and said it was
10 going to be pretty tight, she wasn't sure they had
11 enough money to make the trip comfortably but they
12 were going to try it.

13 I keep cash money in my desk drawer -- I'm
14 strange, like my mother, about keeping stashes of
15 money. I have more money in my wallet than a sane
16 person should carry in a wallet that he might lose.

17 But I had cash money in my desk drawer, and I
18 took five \$100 bills and gave them to and said:
19 All right, this is for any emergency that you might
20 run into. If you need it, that's fine; if you don't,
21 then just bring it back.

22 She said: Fine, thank you very much, she
23 appreciated that.

24 I think maybe two months later I asked her if she
25 had used or needed the money. She said no. She said

1 she had it at home.

2 From what she said, I got the impression it was
3 hidden or stuck away in some piece of furniture -- a
4 hutch or a sideboard, some piece of furniture in the
5 house, I don't know. She never said anymore about it
6 and I never asked anymore about it. I never said
7 anymore about it. I knew she had it and she
8 acknowledged that she had it.

9 Two years ago -- at least two years ago, I met
10 and had conversations with Dr. Anita VanBrackle, who's
11 with the Highlands campus of Kennesaw State
12 University -- which is new to Dallas, new to Paulding
13 County, to have the Kennesaw connection.

14 And I spoke to Dr. VanBrackle about the courses
15 they would be offering and what they would be doing in
16 the Dallas campus, which is located in the old
17 courthouse and courthouse annex.

18 I had spoken to several times before about
19 her going back to school and finishing her degree. I
20 don't know how much college she has or how many hours
21 credit she has, but she had never finished her degree
22 and she had always regretted that, according to what
23 she told me.

24 When I first came here in 2011, after about five
25 months in office, she came in and told me that she was

1 pregnant and would be taking time off, and, after
2 that, she would say that it was very difficult for her
3 to think about going back to school with children,
4 one of whom was preschool.

5 At any rate, I spoke to her and I said it would
6 be probably valuable for her to consider going to the
7 Highlands campus of Kennesaw and seeing if she could
8 complete her degree, and she agreed.

9 Most of the people who work under her direct
10 supervision have a degree of one size, one kind or
11 another, either

12 one of those disciplines. It's very unusual
13 for any of the people in her unit not to have a
14 college degree.

15 So, one day -- and I do not remember the day -- I
16 could probably look and find it -- but it was more
17 than two years ago, or at least two years ago -- I
18 want to say sometime probably in 2017, maybe a little
19 before that -- and I, at my suggestion, got in
20 the car, my vehicle, and went over to the offices
21 where Dr. VanBrackle was setting up the program in the
22 old annex building in Dallas and spoke to her for
23 about an hour.

24 We were introduced to the associate that worked
25 under Dr. VanBrackle -- I believe he's still there.

1 We met several other people.

2 seemed to be excited and interested in the
3 possibility of going back to school.

4 What's important about this is because of some of
5 the comments that she's made in her accusation in her
6 complaint against me.

7 The first time I ever touched or put my
8 arms around was a group hug in December of
9 either 2014 or '15 when I gave a \$2,500 bonus to
10 Arlene Krueger, Kim Stonecipher -- that's with an I
11 not a Y -- and Melanie Henley and .

12 Each of them, because they had all done exemplary
13 work and I was very pleased to have them and they -- I
14 thought they were being underpaid, so I took money
15 that I was legally allowed to use for that purpose and
16 gave them Christmas bonuses.

17 Again, that's the first time, and it was a group
18 hug in my office with the doors open and four women
19 and me. I'm not big enough to hug them all, but it
20 was a group hug.

21 What's important about that is has made
22 some comments about my hugging her. When we left
23 Dr. VanBrackle's office and got in the elevator -- her
24 office was on the top floor -- to go down, said:
25 Thank you, and I turned and said: You are quite

1 welcome, and she stepped over and put her arms around
2 me and hugged me, which I thought was not
3 inappropriate; it was her way of, I assume, saying
4 thank you very much.

5 I embraced her, it was very brief, not more than
6 two or three seconds probably.

7 And we came back here. Nothing more was said
8 about it.

9 To my knowledge, she never went back to school.

10 Also, in 2016, I think, there was a salary study
11 done by the county and when the salary scale came out
12 for the unit, salary was not
13 greater than some of her underlings, some of the
14 people who worked for her and, in fact, I think it may
15 have been one or more of the people made more than she
16 did. I took issue with that.

17 She and I went over to the county personnel
18 office, to human resources, asked them to review what
19 had been done and to take into account that
20 was -- had all the years of experience that she had
21 and she was supervising these people -- and I think by
22 that time there were probably seven or eight people
23 instead of the three that started out when I came here
24 in 2011 -- and they increased her salary, raised it
25 several thousand dollars -- I think, about \$4,000 --

1 so that she was making between \$43,000 and \$44,000 a
2 year.

3 Again, every year, I have given her -- but not
4 just her -- I have given bonuses to her and the
5 operations manager. I think the next year I gave the
6 bonus to Arlene Krueger -- who was still the
7 operations manager -- and to

8 And then, the next year, Tiffany had become
9 operations manager, I gave a bonus to Tiffany and to
10 , but, again, I never did it -- I never did it
11 simply or only for .

12 Sometime in, I think, mid-summer of 2017,
13 let it be known in the office that her father had been
14 . Her was -- his
15 was , I believe, but it may have been :
16 . At any rate, they said .

17 .
18 Whatever it was, I felt for him.
19 He's about ten years younger than I am, and I felt bad
20 for him, felt bad for

21 Again, said her mother was Now
22 her father was not able to work like he had been
23 working, and he was -- from what I understand, he's an

24 .
25 -- and, with his inability to work

1 and her mother's , there was some stress and
2 strain on , and she described it to me.

3 Her sister, , the youngest youngest
4 sister, set up a Go-Fund-Me page for her father's
5 and asked people to contribute, and
6 we all -- and everyone in the office knew about it and
7 a great many people in the office contributed to pay
8 for the that he was undergoing --
9 that we were told he was undergoing.

10 I don't think any of us ever checked with the
11 doctor -- and I don't doubt that he's , and
12 that he is undergoing treatment -- but a lot of people
13 in the office contributed in it at one time.

14 I don't know anything about Go-Fund-Me pages. I
15 don't know what -- how you do that, so I just wrote
16 her a check and -- she came in the office one day and
17 I gave her a check that I handwritten on my personal
18 account for \$1,000, and she took it, and I said:
19 That's for your dad.

20 And I think I made it out to her dad -- I may
21 have made it out to her sister -- at any rate, I made
22 it out, and I said: That's for your dad, and she
23 asked me -- she stood in the door and she said: Are
24 you sure? And I said: Yes, I'm sure.

25 After that, the other people in the office

1 continued to contribute money, and they were giving
2 her a little money every week -- and that's what I was
3 being told, that other people were still contributing
4 money.

5 She said to me privately -- and I don't remember
6 whether the door was closed in the office, whether it
7 was just me and her in her office, but she said to me
8 privately -- at least only to me at that point -- that
9 it was a great strain on her because -- and I quote --
10 I hardly have enough money to keep my own family
11 going -- unquote -- and she was going to have to now
12 try to pick up and try to help her mother and father
13 with the younger sister and the child living in the
14 home, and so I continued to give her money to her but
15 always for her father and her father's family.

16 Every nickel, every dollar, every time I gave
17 any money, it was always in an envelope, it was
18 always with a note that said: For family
19 groceries. I told her that's what it was for. She
20 told me many times that that was exactly what she used
21 it for, she never used it for anything else, she
22 bought household supplies and groceries for them.

23 And I continued to give her that money for almost
24 a year to help her out because, during the next
25 summer -- summer of 2018 -- there was even a worse

1 financial problem in her life, according to what she
2 told me.

3 Sometime around that time, she asked me if it
4 would be all right if I -- if she asked her -- if she
5 had her father call me, that he had a problem that he
6 wanted me to -- had wanted me to look at and asked
7 about.

8 And I said that would be fine, I'm not allowed
9 the practice law, I'm not allowed to engage in private
10 practice, but I can talk to people and tell them what
11 I, as an attorney, think.

12 His name is I don't
13 remember -- I think the first time was a phone call,
14 but then he came to the office.

15 He brought with him a lease-purchase agreement
16 where he was buying a piece of property, the house in
17 which he was living with his wife and his daughter and
18 grandchild, and it was -- it was sort of ambiguous,
19 but, it was, as far as I could determine -- and I
20 practiced law for over 30 years before I became DA --
21 it was a valid lease-purchase agreement.

22 The landlord or grantor was a person -- actually,
23 the landlord was a person who was on probation and I
24 knew had a child in this office -- I think she
25 actually had charges pending against her, and her son

1 was in prison -- and I knew the name, I knew the
2 person.

3 Actually, and I had talked about the person
4 before because she said this is the person my father
5 has to pay for the house.

6 I said I would ask my former law partner about
7 it, that I would get back to him and let him know. He
8 thanked me, he went down to see . That's the
9 only time to my knowledge I've ever seen

10 I went, probably the next week or so, and I had
11 lunch with my former law partner. I showed him the
12 lease-purchase agreement. He and I agreed that it was
13 valid. He and I agreed that some of the terms were
14 ambiguous, but we also agreed that we know the
15 contract law -- he's a real estate lawyer -- he is a
16 real estate lawyer, that it was a valid contract and
17 that all of the ambiguities would be construed against
18 the landlord grantor, and I wrote a letter to

19 and told him that. This was all before
20 October of 2017.

21 Now, from October 14th -- or, actually, October
22 11th to present -- on October 11th, I left the
23 office -- if I ever came in the office -- to go and
24 have lunch with a grammar school, high school and
25 college classmate -- we went to school together for 17

1 years in Canton, Georgia -- and I was going from there
2 up to Brasstown Valley Resort to a District Attorneys'
3 Association meeting, which started on Thursday
4 morning.

5 The 11th was a Wednesday. It was a beautiful
6 fall day in October, cloudless sky, beautiful weather.
7 I drove up to Canton. I had a delightful visit and
8 lunch with my friend, someone I've known since I was
9 four years old.

10 I left there and, because I often did things away
11 from the office -- like DA's meetings and conferences
12 and visits to the Prosecuting Attorneys' Council
13 headquarters, and other things outside the office, I
14 have a shortcut on my telephone. If I type in, in the
15 text bar, AQ, what pops up is: All quite? Anything I
16 need to know?

17 Since by that time Arlene Krueger was gone and
18 Tiffany had taken over as operations manager, for some
19 reason -- I don't recall whether I sent one to Tiffany
20 or not, she may not have been here that day -- but the
21 other person who had been here the longest and whom I
22 could -- to whom I could address such a request was
23 . . . , and, while I was driving through the mountains
24 up and down hills and around the curves coming from
25 Canton, Georgia, over to Brasstown Valley up in north

1 Georgia, I texted her -- this was before they changed
2 the law -- AQ, all quite? Anything I need to know?

3 And she texted back, and we texted back and forth
4 for probably -- I want to say probably ten minutes --
5 and she was telling me what was going on in the
6 office.

7 I was telling her that I had had a nice lunch, I
8 was on the way to Brasstown.

9 Whatever else was in the conversation, I do not
10 remember, except that finally I said: It's really
11 pretty up here. It's really nice. It's a beautiful
12 fall day. It's really nice.

13 And she said: Yes, that would be great,
14 something like I envy you so -- I don't remember
15 exactly, but, you know -- and I said: Well, I wish
16 you were here, and she said: Me, too -- which I
17 thought was -- I didn't think that much about it, but
18 I thought, well, that's a nice sentiment, she would
19 like to be out of the office and up in the mountains
20 just like I am.

21 I went on to Brasstown, because I had quit eating
22 lunch earlier that year, I could not go to dinner with
23 a friend of mine who asked me to go to dinner, but I
24 went with him and had a drink while he had dinner and
25 went to the conference, the -- the meeting the next

1 day -- which is different from a conference; it's not
2 a learning experience, it's a meeting of the district
3 attorneys, all the 49 DAs in the state.

4 But the agenda for the next day was not something
5 in which I was interested. I thought it would be more
6 beneficial for me to come home and spend the night at
7 home and come back to work the next day, save the
8 money.

9 I had dinner with a friend of mine who had been
10 the daughter of some friends with whom I went to
11 church in Austell back in the eighties. She and her
12 husband have a vineyard in Young Harris. I had dinner
13 with her and then I came home.

14 Came to work the next day. It was a casual day.
15 I got a text from saying that she was with the
16 people from S.H.A.R.E. House -- which is a retreat for
17 abused women -- that was opening an office here in
18 Dallas, and I was asked if I wanted to come down and
19 see the people.

20 I knew them better than she did. I had done
21 business with them and helped them out when my office
22 was in Douglasville right across the courtyard from
23 where their office was located.

24 So, I went down. was down there. I didn't
25 think anymore about it. We talked -- we talked to the

1 people at S.H.A.R.E. House. Again, I didn't think
2 anymore about it.

3 I went out to get in the car, and she said: What
4 have you got planned for the rest of the day? I said:
5 I'm going back to the office. And I did. I went back
6 to the office and went home after work.

7 The next day was Saturday, the 14th of October.
8 I was at home. I don't remember anything about
9 earlier in the day at all except that at five o'clock
10 I was sitting in my recliner in my family room,
11 probably watching television or reading, one of the
12 two, and my telephone rang -- my cell phone rang, and
13 I looked at it, and it said

14 Usually, a call from after hours or on
15 weekends meant that there had been some criminal
16 activity that required to
17 give advice or to attend to, go to a crime scene or
18 something like that, so I didn't think it was unusual
19 for her to call.

20 So, I answered the phone, probably said: Yes,
21 ma'am, because, as I say, I saw who it was, and, when
22 she came on the phone -- which was immediate -- she
23 was crying -- sobbing is a better way to put it. She
24 was sobbing, she was -- it was hard for her to talk.
25 She was gulping.

1 She said: This is I'm in Cedartown. I
2 have been arrested and -- and you have to fire me.
3 And I said: No, I'm not going to fire you.
4 What -- what's this all about? What do you mean, you
5 have been arrested? And I can't tell you word for
6 word what the conversation was, but, basically, she
7 had been arrested for shoplifting at Wal-Mart in
8 Cedartown.
9 She had her daughter, with her. Her mother
10 was coming to get And was being taken to
11 jail in Polk County for shoplifting.
12 And she said her husband was in Athens with her
13 son at a Georgia football game. It's a hundred miles
14 from Dallas to Athens, so -- from Cedartown, it's 125
15 miles -- so, I said: Okay. Tell your mother that I
16 will come and get you when they put you in jail.
17 I will come and see if I can get an O.R. bond. I
18 will call the district attorney, Jack Browning, and
19 see if he will do me a favor and see if he can get an
20 O.R. bond, and I'll come out there and make sure that
21 everything is all right when you get out of jail.
22 And she kept saying: I have been arrested. You
23 have to fire me. You have to fire me. You have to
24 fire me. She must have said that a half-dozen times.
25 I went upstairs and got dressed, got in my car.

1 I called Jack Browning. I said: I need a favor. He
2 said: Yes, no problem.

3 He called -- he called me back and said this is a
4 pretty dead-bang case, they caught her with the goods,
5 so, it's not a mistake -- like she had said to me.

6 I said: Okay. Well, I'll let you know, but, if
7 you get the O.R. bond arranged, I would appreciate it.

8 I called her mother and I said: I'm going to go
9 and make sure that we get her out of jail and you just
10 take on home and I'll take to her truck, or
11 you can come back and get her.

12 And her mother said: Stress makes you do strange
13 things. And I said: Well, I can't respond to that.
14 I said: I'm sorry to meet you under these
15 circumstances. And she said: Well, we have met
16 before.

17 So, I drove to the Polk County jail. I went in
18 and gave the young lady at the jail window my card.
19 She said: Oh, yes, we were expecting you. She's just
20 come in, so it will be a few minutes, probably about
21 30 minutes, just have a seat.

22 So, I sat outside in the waiting room for
23 probably half an hour, maybe a little more, and, by
24 that time, it was pushing seven o'clock.

25 I was kind of surprised that I beat her there

1 because I came from Hiram to Polk County jail, which
2 is on the east side of Cedartown.

3 But, finally, the young lady behind the desk
4 said: Sir, she will be coming out from the gated area
5 around the side, and I said: Okay.

6 So, I went outside, and there was a bench, and I
7 sat and waited probably another ten or fifteen minutes
8 and finally I saw her.

9 And I think she was escorted to the -- to the
10 gate, which was opened by the person that was with
11 her -- whether it was automatically opened or swung
12 open with a key and a lock, I don't remember.

13 was in a short-sleeve jersey. She was
14 crying. She was red-faced. She was -- tears were
15 flowing. She was actually crying as -- my word -- she
16 was sobbing and she was shaking and she was upset.

17 And I said: Okay. Come on.

18 I didn't make any move to put my arms around, put
19 my hands on her. I turned and -- we started walking
20 toward the parking lot, which was a little uphill from
21 down where the gate was -- and she was a little slow,
22 and she was still shaking, so I reached out and I
23 said: Here, take my hand, and I -- we got about maybe
24 10 feet -- and I said: If you're not comfortable
25 holding my hand, you don't have to.

1 And she said: Well, my mother may be up here. I
2 didn't know why that would make a difference, but I --
3 she let go of my hand.

4 We walked up to the top. Her mother was there.
5 Her mother said, like, she would take her to her
6 vehicle -- which was her husband's truck.

7 And I said: That's fine or I'll take her,
8 whichever, you can go ahead and take home.

9 I think at the time would have been about
10 years old, and, obviously, a child that
11 age was visibly upset that her mother had been
12 arrested and taken away by the police.

13 But I told , I said: I'll take you if you
14 want me to or I'll just see you Monday.

15 And she said: No, you can take me to my truck,
16 and she said: Okay. Her mother left.

17 We got in my state-owned vehicle, my Tahoe, and
18 she was still crying, and she was still saying: You
19 have to fire me. You have to fire me. And I said:
20 Well, tell me what happened.

21 So, we drove from the Polk County jail to the
22 Wal-Mart in Cedartown.

23 It just so happened that the parking space next
24 to her truck was vacant, so I pulled right up next to
25 her truck. It was out in the open, still broad -- not

1 broad daylight, but it was still light, it hadn't yet
2 gotten dark.

3 But she was -- again, she was crying, she was
4 sobbing, she kept saying: You have to fire me.

5 And I said: No, you need to tell me what
6 happened, and she made an explanation.

7 She said that she had things in her basket that
8 she had not paid for because she was distracted
9 because -- her daughter was trying to buy one of those
10 spinning toys for herself and for her older brother
11 and that she had gotten distracted and had not paid
12 for it, but that she had stopped just the other side
13 of the cash register before she got out of the store
14 to look at her receipt to see whether or not what was
15 all in her basket had been paid for.

16 I didn't understand why she would have done that,
17 but that was the explanation that she made to me.

18 She kept saying: You have to fire me. You have
19 to fire me.

20 Well, runs one of the four divisions in the
21 office, she's been here longer than any of the other
22 she knows all about the
23 grants, she knows all about the and the

24

25 The

1
2
3 She knows how to do those things and take care of
4 those things, so, firing her wasn't the first thing
5 that came into my mind because replacing her would
6 have been very difficult, and I wasn't satisfied that
7 she wasn't telling me the truth.

8 I have no idea to this day whether she was
9 telling me the truth about it being an oversight,
10 about it not being actual having gone in there
11 intending to steal something.

12 So, I said: No. And I finally said: , I
13 love you, I'm not going to fire you. I've loved you
14 for a long time. I'm not going to fire you.

15 And when I said: , I love you. I'm not
16 going to fire you, I love you -- in the same way that
17 I've said to Tiffany Watson and other people in the
18 office, I love you -- when I said to : I'm not
19 going to fire you, I love you, she said: I love you,
20 too.

21 I didn't really put any different construction on
22 that than I do when a lady at church might say I love
23 you, or when Tiffany -- when I say: I love you, kid,
24 and she says: I love you, too. I didn't put any
25 different construction on it.

1 But, every time I said: . just be cool,
2 relax. I love you. But, from there, it was a little
3 bit different. She kept crying.

4 I took my handkerchief out of my pocket, and
5 it's -- this is germane, it's important -- it was one
6 of the handker -- one of a set of handkerchiefs that I
7 had bought in Germany. I actually had two sets -- but
8 I just happen to like them. I bought them when -- I
9 travel to Germany every December for Christmas -- I
10 had bought these -- and I took the handkerchief out of
11 my pocket and I gave it to her, and she began to dry
12 her eyes and calm down a little bit, but not -- not
13 what I considered to be enough. She was still crying,
14 she was still shaking. She was still very upset.

15 Off the record.

16 (Whereupon, a pause ensued.)

17 I had given her my handkerchief and she had begun
18 to dry her eyes, but it didn't stop her crying because
19 pretty soon the handkerchief was soaked.

20 She was still upset, she was still -- and we were
21 still sitting in a parking lot in full view of whoever
22 happened to be there.

23 And, finally, she was -- she -- again, she was
24 upset -- and I'll go back and I'll say I may have
25 said: I'm in love with you,

1 I don't remember whether I said I'm in love with
2 you or I love you, but, every time I said anything
3 like that, she would respond to me: I love you, too.

4 Finally, I put my hand on the console, palm up,
5 my right hand, and she looked at me and she said: Do
6 you want your hanky back? And I said: No. So, she
7 took my hand and I held her hand for probably five
8 minutes, intending and hoping that it would calm her
9 down. She did get a little more calm.

10 And after -- I want to say probably between five
11 and ten minutes -- finally, I said: I'm sorry if this
12 makes you uncomfortable, you know, don't -- you don't
13 have to keep holding my hand if this makes you
14 uncomfortable and if you are uncomfortable.

15 And she said -- and I quote -- I haven't taken my
16 hand away yet, which indicated to me that she was
17 comfortable, everything was fine.

18 Finally, I said: Look, I'm not going to fire
19 you. You need to go home. You need to go pick up
20 you need to go home.

21 I'm sure that things are not going to be
22 wonderful when you get home because your husband is
23 going to have to find out about this and he's probably
24 not going to be happy, and she agreed.

25 And we had probably sat there for between 30 and

1 45 minutes -- maybe more, maybe less, I don't know, I
2 wasn't keeping track of the time -- but we had not
3 gotten there until probably about 7:30, so, it was
4 probably between 8:15 and 8:30.

5 She got out, she got in the truck. She couldn't
6 get it cranked. It was turning over and over and over
7 and over. And she tried that two or three times, and
8 she looked exasperated. And I hadn't gotten out. She
9 got out on her own.

10 So, I got out, walked around there, and I said:
11 You aren't doing it right, and I reached in -- and I
12 don't know why I know because I'm not a mechanic, but
13 I know if you turn the key full on and start the start
14 motor, that sometimes won't work. I just bumped it
15 and it caught.

16 And she said: How did you do that? And I turned
17 it off and did it again just to demonstrate that you
18 don't turn the key all the way on and make the starter
19 motor turn and turn, you just bump it and it will
20 catch, which it did.

21 I said: Call me when you get home, and she
22 said: Okay.

23 Now, I made a wrong turn and wound up going way
24 out of my way, but I finally wound up on the road back
25 on 278 back toward Dallas and Hiram.

1 I had to stop at a gas station because I was
2 almost completely out of gas. I put \$30 worth of gas
3 in out of my own pocket, because it wasn't an approved
4 state facility.

5 I asked the man if he had a public bathroom. He
6 said: No.

7 I said: Well, can I go around behind the
8 building, and he said: No. If you are that
9 desperate, yes, we have a bathroom. And I drove home.

10 I was on Bill Carruth Parkway when she called and
11 said that she had gotten and she was home.

12 I asked if she were okay, and she said: Yes --
13 because she was still -- when she left me, she was
14 still visibly upset.

15 And I said: Okay. Just want to make sure you
16 are all right, and I said: You need to remember
17 something -- now I've got to go back to the
18 conversation in the truck -- while we were in the
19 truck, I said -- she said: I have been meaning to
20 come -- I have been wanting to come see you for the
21 last week -- but, of course, I had not been in the
22 office most of the week.

23 She said: Things have not been good at home.

24 I said: Well, I'm sorry to hear that. I -- we
25 talked. She said something about her -- she said,

1 specifically, that her husband, checked her
2 phone to see what messages she was sending.

3 She told me one time a few months later that he
4 had walked in and she was in bed texting or looking at
5 her phone and he accused her of texting to someone. I
6 don't know anything about that, I just know what she
7 told me.

8 But that night she told me in -- sitting in my
9 Tahoe that she had been meaning to come see me, she
10 wanted to talk to me, that she needed to come talk to
11 me, that it had been very difficult when I wasn't
12 available, and that things were not good at home and
13 that he checked her phone.

14 Those things are relevant because it made me sad
15 that she was in that situation because I still thought
16 of her and still think of her as a person who's worthy
17 of being treated fairly and right.

18 But I told her, I said: Okay, you know, no
19 problem. I love you. I will -- I'll always be here
20 for you if you need me, don't worry about it. I need
21 you to smile because your smile means everything in
22 the world to me.

23 Driving home, just before I got home, she called.
24 I said: Are you okay? Yes. She got
25 didn't want to go to bed, anted to play.

1 And I said: Okay. Well, I need you to remember
2 what I told you, remember that I love you -- because I
3 do -- remember that I'll always be here for you if you
4 need me -- because she had told me that her husband --
5 things were not good at home and her husband checked
6 her phone. So, I said: I'm always here for you if
7 you need me, and I said: Remember to smile because
8 your smile means the world to me.

9 And I actually wrote those things down later
10 after that to remind her always, if ever things
11 deteriorated at home, I wanted her to know those
12 things.

13 She had talked about that relationship -- she
14 hadn't talked about any other relationship, but she --
15 there was something in -- in the conversation that
16 we'd had that made me ask her: Are you in love with
17 somebody?

18 And I genuinely wanted to know whether she was
19 aiming affections at me or at somebody else in the
20 office because there was someone else in the office to
21 whom she was apparently very close -- there were two
22 other people in the office that she had been very
23 close to, and I wanted to know, had -- was that part
24 of the reason that things were not good at home.

25 I didn't ask it that way. I didn't say: Are you

1 in love with somebody else and is that causing the
2 problem at home? I said: Are you in love with
3 somebody? And she said -- and I quote -- I'm not sure
4 I know anymore what it means to be in love.

5 Okay. That was the last thing she said, and I --
6 next-to-last thing, because I said: Okay. Listen to
7 me. I love you, I'll always be here for you, and keep
8 smiling because it means the world to me, so don't
9 forget that. And she said: Well, I love you, too.
10 Click.

11 I went home. The next morning, I went to church.

12 She typically goes to church, according to what
13 she tells me.

14 But, after church, I was at a council meeting,
15 and I texted her while I was sitting there listening
16 to a very dull treasurer's report: Are you okay? And
17 she came back and said: Yes. And we texted back and
18 fourth for probably 15 or 20 minutes.

19 At one point, I said: Well, I want you to, you
20 know, be cool.

21 She said her husband was not happy --
22 obviously -- but I told her I wanted her to just relax
23 and be cool and I'd see her Monday.

24 She never said again: You have to fire me, but
25 I -- I didn't know that was still in the back of her

1 mind or not.

2 And I said: , you are very precious to me,
3 and she came back and said: You are very precious to
4 me.

5 Okay. Fine. I consider that an expression of
6 affection, I don't consider that sexual harassment.

7 That next Thursday, she and I were supposed to go
8 to Douglasville to a candlelight vigil for the
9 S.H.A.R.E. House, the battered women's shelter.

10 That Monday, Tuesday, Wednesday -- I don't
11 remember a lot, except that I talked to her a few
12 times -- she seemed to be concerned about the
13 shoplifting, about the arrest, about the effect it
14 would have on her job, about the effect it would have
15 on her reputation.

16 I told her I would see what I could do to take
17 care of that, to make sure that, you know, there
18 weren't any adverse consequences because, at that
19 point, again, she told me it was all a mistake, and I
20 said, okay, I won't -- I won't challenge you -- I
21 didn't say that to her but made in my mind -- I won't
22 challenge you; you said it was mistake, it was a
23 mistake.

24 That Thursday afternoon, she came into my office
25 and she said: I can't go tonight.

1 And I said: Well, I was kind of hoping you'd go.
2 I was kind of hoping we could spend the evening
3 together.

4 And she said: Well, that's what I was hoping,
5 too. That's why I wanted to go, I wanted to spend the
6 evening with you. She said: Well, are you upset with
7 me for not going?

8 I said: No, your children were sick -- her
9 children were not well, and I said that would be very
10 foolish for me to say. I would be upset with you for
11 not taking care of your family and going to some place
12 with me tonight.

13 I went to Douglasville. One of her was
14 there. I texted her a couple of times about what was
15 going on at the candlelight vigil because her ;
16 did a couple strange things. I don't even remember
17 now what they were -- but they were funny to us that
18 her . was doing the things that she was
19 doing -- is no longer with us.

20 That was all of October, to my knowledge, was
21 just the next two weeks. That week and the week after
22 was the rest of October.

23 Her court date was October 17th, I think -- it
24 was a Friday -- in Cedartown in the city court.

25 And, in the meantime, November 2nd, I said -- I

1 went by her office and I said: Do you want to go to
2 the chamber of commerce with me?

3 Now, she had been named the chamber of commerce
4 district attorney's office person of the year the
5 previous month, so she'd been to chamber of Commerce
6 lunches with me and with others in the office before.

7 I said: Do you want to go? She said: Sure. We
8 got in the Tahoe, we drove to the chamber of commerce.

9 When we got in the elevator here in the
10 courthouse to go down -- just the two of us in the
11 elevator -- she looked at me and she said -- I always
12 let ladies go in first -- and she stood against the
13 back wall and I stood just inside the door halfway
14 between -- she said: My father has been told

15
16 Like I say, he's ten years younger than I am,
17 he's in his early sixties. And I said: Well,
18 I'm very sorry to hear that, and she stepped over to
19 me and put her arms around me and I gave her a hug,
20 and I think I kissed her on top of the head -- but,
21 again, she stepped toward me and it was -- she said,
22 quote: You are the very first person I've told.

23 I said: Well, I appreciate that you could share
24 that with me.

25 We went to the chamber of commerce. We had

1 lunch, we got out of the chamber of commerce, I said:
2 You mind if we stop somewhere and talk because, we go
3 back to the office and I go down to your office and
4 close the door, you know -- she said: No, that's
5 fine. So, we did.

6 We stopped and talked, and I said: You know,
7 whatever I can do, you know, I want you to keep in
8 mind, you know, all of the things I told you two weeks
9 ago: I love you, I care about you, your smile is
10 important to me, I'll always be here for you whatever
11 you need. There's nothing more elaborate than that.

12 Came back to the office, came up in the elevator
13 and got off the elevator, and I said: You know, I do
14 care about you, so I appreciate you letting me know if
15 I could do anything for you, I'll always be here for
16 you. I said: I may be -- I may care about you more
17 than anybody else right now.

18 And she said: Yes, you do. You do care more
19 about me right now than anybody else. That's an
20 interesting something to be told by someone who works
21 for you but someone that you have always liked and
22 have good feelings about. That was November 2nd.

23 On November 13th -- because she told me that she
24 did not know -- she said -- and I'm trying again to
25 remember the quote exactly -- I'm not sure I know

1 anymore what it means to be in love -- because she
2 told me that, I bought her a book.

3 I bought her a book that I knew about and had
4 given to other people before, by an author named Joan
5 Walsh Anglund. She writes little books of poetry.

6 I gave my wife one of those -- not that book but
7 another book by Joan Walsh Anglund. She's just --
8 she's a great little poet. They are fluff. They are
9 not Wordsworth or, you know, Bronte. They are not any
10 of the great poets, but they are sweet little --
11 little poems.

12 Maya Angelou stole a quote from Joan Walsh
13 Anglund two or three years ago when she said: A bird
14 does not sing because it has an answer, it sings
15 because it has a song, and a lot of people knew that
16 that was an original with her, and she was taking
17 credit for it, and she finally had to back up and say,
18 okay, I took that from a book from Joan Walsh Anglund.

19 And this book was called: Do You Love Someone,
20 and I thought -- it's just a little -- a little book
21 of poems, and I thought, okay, here, this is -- this
22 is -- you don't know whether you know what it means to
23 be in love anymore, here. Do you love someone? Here,
24 read this book.

25 I had a print that I framed to go in her office;

1 it was a comic strip.

2 I have been reading the funnies since I was
3 three. I was a cartoonist for the Red and Black for
4 the University of Georgia.

5 I read the funnies every day -- I would say
6 religiously, but I don't wear a hat -- that's a bad
7 joke. But I read the comics every day.

8 So, I think -- one particular comic strip really
9 spoke to me and I thought it would be good for her
10 people to be hung in her office and it would also be
11 good for her -- which was something along the lines
12 of: Live for today, don't worry about yesterday or
13 tomorrow -- and she put that on her desk for a while.

14 The only thing I ever gave her that was
15 inappropriate -- and I admit it -- I saw -- when I was
16 looking on a website where I buy note paper, I saw a
17 black scarab bracelet -- and is blond and
18 fair-skinned and wears a lot of black -- and I thought
19 that would be very pretty.

20 I probably should not have given her a piece of
21 jewelery -- even though I'm not sure I consider a
22 black scarab bracelet jewelery -- but I guess it is if
23 it's a bracelet.

24 That was probably the only thing I gave her that
25 I really should not have given her because that was

1 too intimate. But that's the only thing that I ever
2 gave her that I thought probably in retrospect I
3 shouldn't have done.

4 But I gave her that book and gave her that print,
5 and I wanted her to know, you know, there is someone
6 who still cares about you -- because this still was
7 less than a month after we had been in Cedartown that
8 night. Her court date was coming up that Friday.

9 But that day that I gave her that book, I was
10 standing in her office in front of her desk, she came
11 around her desk and said: I think this deserves a
12 hug, and she came over and put her arms around me and
13 hugged me, and she held on longer than she should
14 have, and the door was open and there was a -- an
15 administrative assistant in the cubicle right outside
16 her door, and her door opens on a busy hallway back in
17 that part of the office.

18 And I said to her after a count of about -- I
19 think on the TV program they call it: One
20 Mississippi, two Mississippi -- after about three
21 Mississippis, I said: We can't do this, we are going
22 to get in trouble. She laughed and, you know, let me
23 go. Fine. And I left.

24 That next day, I said -- I asked her to come down
25 to the office, and I said: That was a long hug

1 yesterday. Is there something I need to know?

2 And she backed up and said: No. No. Everything
3 is fine.

4 I said: Okay. Well, I'm just wanting to know.
5 I'll see you Friday in court.

6 She spent some time in the office. She told me
7 that -- I don't even remember all of the conversation,
8 but the bottom line was that my saying that I was
9 always available, that I cared about her was very
10 difficult because she had built a wall, she didn't let
11 anybody get behind that wall.

12 Later, in another conversation in my office, she
13 said that there had been several men who had come on
14 to her and that was one of the reasons she had built
15 the wall.

16 That Friday, we went to court in Cedartown, nine
17 o'clock. I had spoken to the solicitor in Cedartown,
18 and explained what I thought the correct circumstance
19 and explanation was.

20 So, she had agreed, since was . . years old,
21 had no record, was an employee of the DA's office, an
22 otherwise exemplary citizen and individual, that she
23 would just dismiss it; that was an appropriate thing.

24 And I said: Fine. I appreciate it.

25 I went to court with her to make sure that

1 everything went like it was supposed to go.

2 We walked out of the courthouse, we walked around
3 the corner to where she had parked -- which was not
4 far from where I had parked.

5 On the way over there, she started to say -- she
6 told me later, she started to say thank you for the
7 Christmas bonus, which I had just given to her and to
8 Tiffany.

9 And I said: Just don't say another word --
10 because I was -- I was -- I didn't want to hear, oh,
11 boo-hoo, thank you, thank you, thank you, thank you.
12 I just -- I said: Don't say another word. And I may
13 have said it too loud because she told me later that I
14 hollered at her.

15 I went and got in my Tahoe. She went and got in
16 her car. When I got in -- I had bought a little card,
17 a greeting card that was one of those cards of
18 encouragement which, at that point, I could think that
19 she would need.

20 So, I got out of the car and went over there, and
21 she was sitting in her car -- again, sobbing almost
22 uncontrollably. She got out of the car.

23 I wanted to know why she was crying. She was
24 upset. She never would say why she was crying. I
25 said: Well, you know I'll -- I'll -- I love you, I'll

1 take care of whatever problems you've got if I can.
2 I'm going to be supportive. I'm always interested in
3 helping you out.

4 And she said: What do you want?

5 And I said: I don't want anything.

6 She said: What do you want? And she had asked
7 me that before in her office.

8 And I said: , I don't want anything. I
9 have no desire to go any further than we are going
10 right now. I'm -- I just want you to be happy.

11 And I used to tell her: I pray for you, and what
12 I pray is that you will be happy.

13 I gave her another handkerchief -- I've never
14 gotten any of them back -- but it's important, the
15 handkerchiefs -- and we stood there and talked a
16 little while.

17 I don't know where she went. I eventually came
18 back to the office and worked the rest of the day.
19 That was November 17th.

20 I left for Germany the end of November. It
21 was -- I left on the last Wednesday in November, so it
22 was the last -- probably the last Tuesday in
23 November -- and I could look at my calendar and tell
24 you exactly -- I left for Germany on the 29th of
25 November, 2017, so, it would have been the 28th of

1 November, 2017.

2 I was getting ready to go, and someone told me
3 that had broken off conversation, a meeting with
4 somebody else, saying: I need to go tell him goodbye.
5 And she came down to the office, I told her goodbye I
6 appreciated it, you know, her doing that.

7 We had a short conversation. I told her -- I
8 asked her, I said: What would you like me to bring
9 you from Germany? And she said: That's not up to me,
10 is it? And I said: Okay, you know, whatever. And I
11 left, she left.

12 I left. I went to Germany. I came back on
13 December 6th, a week later, and, when I got back,
14 there was a -- an e-mail from her saying: I want our
15 relationship to be strictly business, no more gifts,
16 no more personal notes, no more nothing. I thought,
17 okay, I was surprised, but, if that's what she wanted,
18 that's fine.

19 So, I sent her an e-mail back saying: Fine.
20 What do you want me to do with the gifts that I
21 brought you from Germany? Because I had bought her
22 and Tiffany an ornament from a shop in which I shop
23 every single Christmas.

24 As a matter of fact, this year I brought them
25 each another ornament from that shop. We always get

1 an ornament from that shop for my exchange student's
2 father, and we have given them to my daughters-in-law.
3 But they are typical.

4 I have also given things I brought back
5 from Ireland, which were coasters. I brought her --
6 there was a little angel that was attached to the
7 ornament one year that she has up on her bookcase in
8 her office.

9 But I thought, okay, if that's what you want.
10 She never responded to the e-mail. That was on a
11 Wednesday. I don't think I came back to work that day
12 because it was late in the day when we got back. I
13 may have come back the next day. I don't honestly
14 remember.

15 But, there being no office business to transact
16 with her, I didn't see her probably until the next
17 week. I didn't go down to her office. I didn't
18 bother her. I didn't make any effort to go down
19 there.

20 I had the gifts, but she had not responded, and
21 she had said very clearly that, you know, don't --
22 there's nothing -- no more personal parts to the
23 relationship. Okay. Fine.

24 I was told that she had said things are going to
25 be different, I'm going to work on my marriage,

1 everything's going to be better and different, and I
2 thought, well, that's great, I want you to work on
3 your marriage, I'm happy that you are going to do
4 that. I hope you'll work it out.

5 Sometime during the next week -- which would have
6 been the week of the 11th, I guess -- I was coming
7 down the hall and she came out of the back hallway
8 door crossing the outer lobby area into her area, and
9 it was the first time I'd seen her, and she said:
10 Hey, and I said: Hey, and I went on to my office.

11 I want to say an hour or so later I had occasion
12 to be down in the investigators' offices, and I walked
13 back by her office and glanced into her office. She
14 was sitting at her desk.

15 I walked on down to my office and, within -- I
16 want to say less than ten minutes -- I was told that
17 she was in her office crying and that she had been
18 heard to say: Well, I don't want him to hate me.

19 I -- well, look, I didn't hate her. I didn't
20 know that I had given her a dirty look, if that's what
21 she thought, but I walked down there later that
22 afternoon and I said: I'm -- I'm not mad at you.
23 Everything's fine. That's all I said.

24 For the rest of December, we went to a Christmas
25 party, she was there, my wife was there with me. New

1 years came and went. I went to Athens for a DA's
2 meeting in Athens.

3 I don't remember specifically any of the things
4 during those few months except that at one point, I
5 was in her office -- now, she still works for me to
6 this day, but, back then, she was the
7 coordinator, she worked for me.

8 I did have occasion to be in her office, and very
9 frequently it was personnel items -- and I'm not
10 saying personal, I'm saying personnel -- matters that
11 needed to be discussed, and sometimes it was just a
12 matter of closing the door because of the person in
13 the cubicle right outside her door.

14 Leslie Brooks was an administrative assistant,
15 and she could hear everything. She often would
16 communicate things that she had heard being said or
17 that things she saw going on in office, and I
18 don't like that.

19 She makes a comment later about how I would
20 always check to see that she was alone. Yeah, I
21 didn't want to go down there and interrupt her when
22 she was meeting with someone else on her staff, or
23 when she had other things that were keeping her busy.
24 I don't think that's unusual at all.

25 I do the same thing with any of the DA's in the

1 office. I'll send them an e-mail and say let me know
2 when you are free, let me know when you can come down
3 or I can come down there.

4 At any rate, at one point, I said to her: Look,
5 you didn't expect me to give up without a fight --
6 because she had begun to exhibit the same
7 characteristically -- or uncharacteristic behavior of
8 someone who's not being -- I'm trying to think of the
9 right word -- she's not being rational.

10 She -- there were complaints from the people that
11 worked for her. There were people that were saying:
12 We can't get into her office because Jerrod Wall was
13 always in there with her, and his relationship with
14 her is something we don't like to interrupt because
15 it's obviously very personal. These were things that
16 were told directly to me.

17 I told her: Okay, you didn't expect me to, you
18 know, walk away and give up without a fight, but that
19 was one time, probably in April or May.

20 The next thing I remember clearly is that we went
21 to summer conference in July at Jekyll Island. The

22 don't go,

23 I don't go. The investigators go and the
24 district attorney and the assistant DA's go, so, there
25 were 21 of us down there.

1 had been seen driving aggressively all over the road,
2 had run off the road, had been speeding, and a woman
3 had had to drive like crazy to catch up with the
4 person and get the tag number and saw that it was a
5 blond woman driving the car.

6 So, I said I'd look into it. I didn't do
7 anything about it right then because I was in the
8 middle of the conference down there and I wasn't sure
9 what the response or what the answer would be, it
10 could wait until I got back. We're closed the whole
11 week that we go to summer conference.

12 The end of that week, which would -- Monday would
13 have been the 30th day of July -- I came into work.

14 I had learned in the interim that
15 investigator, knew about the incident but
16 had not bothered to tell me.

17 There are five
18 including him.

19 I thought it was inappropriate that he would know
20 about something like that and not call me and tell me
21 about it right away, and he knew about it and he knew
22 where to find me because he was down in Jekyll Island
23 with me, and I was very upset with him.

24 And when I came in that morning, I asked him to
25 leave his badge and service weapon on my desk and told

1 him he could go home and I would see later what I
2 intended to do about that, but I was not happy with
3 him, that I didn't -- I thought he had let me down,
4 and, privately, I was concerned that he was covering
5 up for , which just fed the rumor -- the rumors
6 that they were having an affair, which was rampant in
7 the office by that time.

8 I asked to meet me outside the office, yes,
9 because I did not want to go into her office, I did
10 not want her to come into my office, I did not want
11 people to know that I was very seriously upset that
12 she would be involved in that kind of activity,
13 because the woman would not back off. I spoke to the
14 woman who followed the car, and she would not back
15 off.

16 She said she was driving erratically, she drove
17 off the road, she was speeding, she was over the
18 center line. She said it was very dangerous and it
19 was very serious.

20 So, I asked to meet me -- as I had done
21 with other people in the office -- in the little
22 conference room across from the juvenile court. It's
23 on a back hallway; people don't come back there.

24 I went back there. said she -- I told her:
25 Meet me back there. She got back there. She said she

had just gone to the bathroom to throw up, that she thought she was going to be fired.

I asked her what in the world was going on, what is wrong? You need to tell me what's going on in your life that's causing you to do these irrational, crazy things; get locked up for shoplifting, now you are seen driving erratically in a car with a State license plate on it?

And they had been to a luncheon at the home of one of the ' ' ' ' ; that had -- was a friend of mine, an older lady who had come here as a volunteer -- and they had all been down there.

And I don't know whether they drank wine at lunch or not -- I think they did. I think I was told that they did, but I honestly don't remember -- and then she drove back to the courthouse.

And I just told her, I said: That's unacceptable. You can talk to your friend Dick Donovan, you can talk to the guy that's told you before I will always be here for you, or you can talk to the boss.

And she said: Well, I never should have written you that note in December, I shouldn't have done that because I do need to talk with that guy, I do need to talk to him, the guy that's always going to be there

1 for me.

2 And I said: Okay. All of us are here in the
3 room, all three of me are here in the room. Tell me
4 what the hell is going on.

5 And we talked for probably an hour, maybe more,
6 maybe an hour and a half.

7 And I said: Well, I didn't know, you never said
8 anything about the gifts that I brought you.

9 She said: I didn't -- that was -- I didn't
10 realize. That was mean of me.

11 I went and got the gifts and gave them to her and
12 said: Here's what I got you, a Christmas ornament and
13 little -- a little girl in God's palm, that was
14 hand-carved in Germany.

15 It's a place that I buy things every year. I've
16 bought them for other people.

17 I've also bought a sterling silver spoon for
18 Tiffany -- for everybody in the office who has had a
19 baby or whose spouse has had a baby -- she was the
20 first one that got one. And the only time I haven't
21 done it was when Brett Williams had his six or seventh
22 child and said don't buy me another spoon.

23 I give gifts. It's just part of my nature. It's
24 not something I think is unusual, but we will get to
25 that in a minute.

1 At any rate, she cried for a solid hour. I gave
2 her another handkerchief -- which was number three --
3 but I said: Well, here's the gag gift that I brought
4 you from Germany.

5 I had gone back to the same department store,
6 Karrstadt, in Germany -- it's a chain of department
7 stores just like Macy's -- and I bought her a set of
8 seven of those handkerchiefs -- and I said: Here,
9 because I'm sick to death of you keeping mine. I'm
10 running out of handkerchiefs, and she took it and she
11 laughed about it.

12 Yes, I gave her a gift. Yes, I gave her a
13 Christmas ornament. I gave her the gifts. I had
14 given the same thing to Tiffany. To me, it was no big
15 deal.

16 What was a big deal was that she was acting
17 erratically, she was doing things that were not
18 rational for a now -year-old woman who had a
19 responsible position and people who looked to her for
20 guidance. Okay. That was July.

21 Sometime in October, I want to say, I went by her
22 office and said: I'm going to go for a walk; you want
23 to go with me?

24 I was going to walk because it was cold -- and
25 something I was doing that evening -- when I get off

1 in the evening, I go home, walk on the treadmill for
2 an hour or half an hour and then sit down -- I wasn't
3 going to be able to do it that night, so I was going
4 to go for a long walk.

5 And I said: Do you want to go with me?

6 And she said: No. I went yesterday. It was a
7 good walk. I got to do a lot of thinking, solving
8 problems.

9 I said: Did you solve any problems?

10 And she said: Well, I got a phone call right in
11 the middle of the walk and solved about half of it.

12 And I said: You want to tell me about it?

13 And she said: No.

14 I said: Okay. I offered. If you want to tell
15 me about it, I'll help you. But she said no.

16 So, I went for the walk, and I said: Yeah, it
17 was -- it was a good thing to go for a walk. I'm
18 sorry you didn't want to let me help you but, you
19 know, I understand, that's your call.

20 Then sometime -- maybe before, maybe after that,
21 I don't remember -- she was in her office and she was
22 obviously agitated, and I went in and sat down and I
23 said: You want to tell me what's bothering you,
24 because you are at it again, you are still in this
25 agitated mode?

1 And she just sat there, and she was fidgeting and
2 she was -- she finally teared up. And I said: You
3 are not going to tell me, are you? And she said: Not
4 today. I said: Okay, fine, and I got up and left.

5 I had been in there a little while -- I don't
6 know how long -- but not all day -- and I left. She
7 said: I am not going to tell you about it. I said:
8 Okay, fine. I got up and left.

9 And I was told that right after that she was seen
10 in the hallway embracing , and that he was
11 heard to say: It will be all right, I promise. I
12 don't know what that means -- but, she was going to
13 confide in him, that's fine. That -- that was just
14 more information that I was getting about whether or
15 not she was having an affair with I didn't
16 believe it, but everyone else seemed to believe it.

17 Time to take at break.

18 (Whereupon, a break ensued.)

19 One day -- and it was probably in November -- and
20 I cannot tell you exactly what day -- I'm sorry -- but
21 she was again agitated, and I was also hearing more
22 feedback from the people around her office and people
23 that work for her about things that were going on with
24 her, that she was -- her employees were telling each
25 other and telling other people in the office that she

1 was -- that was angry and that she was fussing
2 at them, that her explanation was that she was always
3 in trouble with me and that -- and it was just not
4 going smoothly.

5 So, I told her one more time, I said: You know,
6 if -- you really do need to tell me what problems you
7 are having, if I can help you solve the problems --
8 but you need to tell me what's going on so I'll be
9 able to tell you how I can help, and, if I can't, then
10 we will talk about who can help you.

11 Now, I told her -- I was reading a transcript in
12 the office, right in this conference room, my door was
13 open and the room to the -- the door to the conference
14 room was open, so there was nothing hidden about it --
15 and I said: I will be there in my conference room
16 reading this transcript and if you want to come down
17 and talk to me and tell me what's going on, fine, that
18 will be your opportunity to see if we can resolve
19 whatever the issues are. And she said: Okay.

20 Well, the entire afternoon passed. It got to be
21 after four o'clock, and I was sitting here and she
22 came in and she -- I sat at the chair at the end and
23 she sat at one of the other chairs, and she was --
24 again, she was visibly upset.

25 And I said: Okay. You can tell me or not, but I

1 need you to just be honest with me and tell me what's
2 going on.

3 And, what's funny about this, if she had ever
4 said, well, I think you are harassing me sexually, I
5 would have fallen out of my chair, first, because I
6 don't think an expression of affection is sexual
7 harassment -- I think sexual harassment is something
8 different -- but she didn't ever say that.

9 And she said: Frankly, I have been having
10 anxiety attacks, I have been having problems where I
11 burst into tears for no reason.

12 I remember one time when -- I walked in her
13 office and she had her back to the door and, when I
14 walked in, she turned around and she was drying her
15 eyes with a tissue, and I said: Is there something I
16 can do for you? And she said: No. And I turned
17 around and left.

18 But this day when she was in the conference room
19 with me, she stayed in here for approximately half an
20 hour or so, and she got a text that her daughter had
21 bumped her head, and I said: If you need to go, go.
22 And she said: No, she was fine.

23 And we talked and she said it was the anxiety
24 attacks, that she was working on it, and I said:
25 Well, there are professionals that can help you with

1 that, they can see what could be done, you know, they
2 can see what counseling you may need.

3 We talked for, like I say, half an hour, maybe 45
4 minutes. At the end, I said: You know, if there's
5 anything I can do, you just need to let me know.
6 Remember, I told you before I love you, I'm always
7 going to be here for you and I'll do anything I can to
8 help you, and you remember to keep smiling.

9 She got up and I stood up in my place, she stood
10 up in her place, and she walked around to where I was
11 and put her arms around me and hugged me, I put my
12 arms around her and hugged her back, I kissed her on
13 the top of the head -- I think I kissed her on the
14 forehead.

15 I wiped tears away from her eyes -- which she
16 characterizes in her complaint as my kissing away --
17 kissing her eyelids -- and she went -- she left and
18 went home.

19 The rumors that she was having an affair with
20 persisted to where the people in the back
21 office were having a difficult time dealing with it,
22 and, because I wasn't doing anything about it, the
23 perception was being conveyed to me that they thought
24 I could do anything she wanted to do and I wasn't
25 going to discipline her.

1 So, I went and met with RuthAnne Shaw.

2 Now, RuthAnne Shaw and I went to church together
3 for many years. She's almost -- well, she's 78 years
4 old, she was a bank vice president, she was the first
5 female president of the chamber of commerce in her
6 hometown in Pennsylvania.

7 She was a very smart lady who asked me if I could
8 find her a place to volunteer. She came here as a
9 volunteer. She volunteered for about a year, then I
10 put her on the payroll. She and I are good friends.

11 I talked to Ruth, and I said: Tell me what in
12 the world is going on.

13 And she said: Well, and are having
14 an affair, and we have seen him in there playing with
15 her hair. He gives her back and neck massages.

16 He's always there in the chair. We don't feel
17 like we can go in there and talk to her. It's
18 difficult to get in there and see her because he's
19 always in there, and it's not helping things.

20 And I asked her what happened on the day of the
21 erratic driving back in the summer. The luncheon they
22 had was at her house.

23 I don't remember whether she told me they had
24 wine at lunch or not. I don't -- frankly, I don't
25 think I asked that question. I don't remember whether

1 it was discussed.

2 But she was adamant. She said they are having an
3 affair. And I said: Okay.

4 I also spoke to Angie Hardin, and Angie told me
5 the same thing. She said: They are having an affair.

6 I said: What makes you think that?

7 She told me the same things that RuthAnne told
8 me, that s continuously being in her office,
9 her being in s office; touching her,
10 playing with her hair, giving her massages, and the
11 fact that they were at a Christmas party two or three
12 years before that -- Angie and her husband -- and
13 Angie's husband had said to Angie that they are having
14 an affair -- no, he asked: Are they married? And
15 Angie said: No. And he said: Well, they are having
16 an affair. And she said: How do you know that? And
17 he said: Body language. They are having an affair.

18 And Angie said that, from there on, you know,
19 everybody had assumed, based on their actions and the
20 things that other people had said, that they had been
21 having an affair. Okay. I wasn't happy about that.

22 She had come to my office -- I want to say a week
23 or two before that in November -- and she had said --
24 I said: You know, if things don't improve, I'm going
25 to have to talk to the people in your office and see

1 what's going on, and she said that would be offensive
2 to her, and I said: Well, all right, if it's
3 offensive to you, I won't do it.

4 But then, as things again persisted, I didn't
5 have any choice, I had to ask, and that's why I met
6 with Angie and I met with RuthAnne. They both told me
7 the same thing.

8 December 7th, 2018, I was in the office. I was
9 leaving for Germany that weekend, and she was not
10 here, she was not -- either she was not well or one of
11 her children was not well -- but, in an exchange of
12 e-mails or texting -- and I don't remember which it
13 was -- she said: Can I call you? And I said: Yes.

14 And she called on my desk phone, and we talked
15 for probably an hour. She was crying uncontrollably.
16 I couldn't tell whether she was sobbing or crying
17 tears, but she was crying.

18 She was mad at me. She said: You promised me
19 you wouldn't talk to people in my office. I said:

20 I didn't have any choice, I've got to find out
21 what's going on.

22 She said: Well, how do you think I feel? She
23 said: I'm -- one of the things that she said in the
24 e-mail before we talked was: I'm not the most popular
25 person around there anyway, and I wanted to know what

1 she meant by that, and that's when she said: Can I
2 call you? And I said: What's going on?

3 And she said: How do you think I feel having to
4 come home at night and explain to my husband I'm not
5 having an affair with I'm not having -- I'm
6 supposed to be having an affair with you, I'm supposed
7 to be having an affair with I'm supposed to be
8 having an affair with

9
10 And she said: How do you think it makes me feel
11 to have to come home and make an explanation to my
12 husband about all these affairs that I'm not having,
13 and now someone found a piece of blue Halloween candy
14 in the Suburban staff car, and they laughed and joked
15 and said it must be Viagra that he's having
16 to take to keep up with .

17 And I said: Well, that's pretty rotten. Do you
18 know who said that? And she said: Yes. And we
19 talked about it, and she was upset. And I said: I
20 don't blame you for being upset.

21 She said: I'm not having an affair. She had
22 told me -- when we were sitting in the conference room
23 that day, she asked me: Do you think I'm having an
24 affair with And I said: , I don't know.
25 And she said: Well, I'm not. And I said: Okay. I

1 believe you. I'll take your word for it.

2 But this morning, that December 7th she said I'm
3 not having an affair, I had been told by Arlene
4 several years before -- I, Dick Donovan, had been told
5 by Arlene several years before that everybody knew
6 that if it weren't for --
7 husband and ' wife -- that it would be
8 and . Well, I discounted that because I
9 know -- took him to Germany with me one time --
10 he likes pretty girls, but he's also very much in love
11 with his very nice wife, so I knew better than that.

12
13
14 I'm not having an affair with her. I don't know
15 whether is or not. I know isn't.

16 But she was telling me: This is how hard it is
17 and it's -- it's -- I just can't put up with it
18 anymore. I can't come to work, I can't do my job, and
19 nobody wants to see me, everybody is mad at me. So, I
20 said: Okay.

21 We got off the phone. I knew in my mind right
22 then -- and I told Tiffany be -- probably before I
23 left the office that day: I know what I'm going to
24 do, I'm going to fix this when I get home.

25 Came back a week later -- flew in and came to

work on December 17th. I told [redacted] and [redacted] wanted to see them that morning in my office.

I told all of the

I wanted to see them -- with one exception, and that was Leslie Brooks because she was leaving to go to another job, it wouldn't make any difference to her one way or another -- I wanted them to meet me in this room -- in the conference room at two o'clock that afternoon.

and came in. I said: This touching and playing with her hair and all that kind of -- oh, we never did that -- I said: Well, whatever you are doing together, being in your office, your being in his office, are just feeding the rumors.

We are not having an affair.

I said: I'm just telling you this is feeding the rumors, knock it off.

came in one time a little later and said:
I have a girlfriend. I'm very happy. I've never been
happier. I'm not having an affair. That thing with
the Viagra with the blue candy is just ridiculous.
It's very hurtful. Okay.

Then I said -- she came in -- I said: You want to ask me questions, ask me questions. She asked me some questions and I answered them-- didn't have

1 anything to do with her, it had to do with my life and
2 my situation.

3 And I said: Well, we are going to fix this at
4 two o'clock, and she said: Okay. Fine.

5 I told her we were having a mass meeting and I
6 was going to get to the bottom of this and put a stop
7 to all the rumors and all the rumormongering and
8 backbiting and talk and scurrilous, slanderous talk.
9 She said: Okay. Fine.

10 We came in here at two o'clock. Watson was
11 here -- Tiffany was here, everybody was here except
12 Leslie Brooks -- and I just told them, I said:
13 There's a lot of stuff going on, I don't like it, it's
14 got to stop. I described what I knew.

15 I said: tells me she's not having an
16 affair with I know she's not having an affair
17 with me. She's not having an affair with anybody
18 else, she has told me that.

19 : sat at the end of the table with her head
20 down, and I went around and described the rumors that
21 I had heard and what I had been told.

22 RuthAnne was not at the meeting because -- I
23 wanted to ask her a question about a text that she had
24 sent, and she had refused to answer my question, and I
25 was not happy about that, and, when I asked her why

1 she wouldn't tell me, she wouldn't even respond, she
2 wouldn't answer me at all.

3 The text she had sent to Tiffany Watson after she
4 left on Friday, December 14th, quote: I left rather
5 than taking anymore. I stayed in my cubicle all day,
6 and she came in and started on me.

7 You'll find it interesting that Dick has texted
8 her every day this week. Everyone is just tired of
9 this.

10 And I asked her why she sent that, what was
11 interesting about my having texted ; every day the
12 week I had been in Germany -- because I texted Watson
13 every day, I texted Steve Messinger, my chief
14 assistant, every day -- and she just would not answer,
15 and, finally, when she got up, she left and -- she
16 left the office and didn't come to the meeting.

17 I told everybody in the meeting that it had to
18 stop. I told them that was embarrassed by it,
19 that I was embarrassed by it, that I wasn't having an
20 affair with her, and I -- I told them I thought it was
21 bad that we had to have a meeting like this.

22 I had printed out a picture of Viagra. I held up
23 a picture of a Viagra pill. I said: This is Viagra.
24 I said: The idea that might need it -- he's in
25 his thirties, I'm twice his age, and I don't need

1 it -- I can't imagine why anybody would make a joke
2 like that -- but it was pretty rude and I don't like
3 it.

4 At the suggestion and request, I went around the
5 table and let everybody say whatever they wanted to
6 say. The only one I remember was the lady who was
7 sitting where I'm sitting now, Kerin Murphy, who said
8 she was embarrassed that she had to sit through a
9 meeting like this because people were passing rumors
10 around like that, she didn't like it that that kind of
11 thing was going on in the office and it was
12 embarrassing to her and everybody else, and it was
13 unfortunate that this group of people couldn't get
14 along like grownups -- which was exactly how I felt.
15 I adjourned the meeting.

16 I fired the girl that had been showing people the
17 piece of blue candy -- her name was Brittany Swiney --
18 terminated her. I gave her a chance to resign and she
19 cried and apologized to Jamie and she would not
20 resign, so I fired her.

21 And the meeting was over, we went in my office.

22 And I sat and talked for maybe five minutes, and
23 I said -- I reached out -- and she was going to put
24 her books down to stand up, and I said: No. No. No.
25 I don't want a hug. And I just took hold of her hand

1 and she took hold of my hand for maybe 15 or 20
2 seconds. She got up and left the room, and that was
3 the end of that.

4 I would ask the court reporter to mark the front
5 cover of: Do You Love Someone? as my Exhibit Number 1
6 because I have other exhibits -- and the reason I
7 wanted it marked was because I have another -- I'm not
8 going to enter the original, I have copies of the
9 outside of the envelope, the front of the card and the
10 interior of the card.

11 I had been kidding : about always calling me
12 Mr. Donovan, and I said: You never in all the eight
13 years called me by my Christian name, so, I got an
14 envelope, and it was addressed to Dick, and inside the
15 envelope -- and you can mark these later -- was a card
16 that said: Thank you on the outside, and, on the
17 inside -- and I'd like to read it into the record --
18 it said, "Just wanted to thank you for the Christmas
19 bonus. I very much appreciate your faith in me,
20 especially over this past year. I hope that I can
21 always have it. I love my job and the position that
22 you have given me. The bonus comes at a great time
23 and will be such a blessing to my family and hopefully
24 others as well. As always, thanks for taking care of
25 me. ." This may have been right after the

1 Christmas bonus was given, which I think was in late
2 November.

3 At Christmas, as I was -- I usually take off
4 during Christmas, so, I was not surprised there was
5 another envelope left with my name, Dick, on the
6 front. Inside it was a Hallmark Christmas card --
7 which I will ask you again later to mark -- and the
8 card inside with the printed greeting was: May all
9 God's gifts be yours this Christmas.

10 Handwritten was as follows -- and this was
11 Christmas of 2018, after the meeting that we had with
12 all the women in the office -- "I hope you find joy in
13 the little things this Christmas and have renewed hope
14 because of our savior that came. His birth represents
15 our freedom, the gift of joy and the ability to love.
16 Thank you for all that you have done for me. Your
17 care and support have been everything and meant the
18 world to me. Because you deserve" -- under the
19 inscription, the printed inscription: May all God's
20 gifts be yours this Christmas, she handwrote, "Because
21 you deserve them all. Merry Christmas, ."

22 So, as of the first of the year, as far as I
23 knew, everything was fine, and, as far as I had known
24 for months before that, I was under the impression we
25 had cleared everything up in the meeting that we had

1 December 17th.

2 I had told her then: You need to smile, you need
3 to keep your head up, because she said: I can't hold
4 my head up in the office anymore. I said: If you're
5 going to be a leader and you are going to be the
6 coordinator, keep your head up and
7 smile, and, if they don't believe you, that's tough.

8 I also told her that I would send her a little
9 prompting message every morning by text just to remind
10 her to keep your head up and keep smiling, and she
11 said that would be appreciated.

12 And I started doing that in January, probably
13 right after I got that, because after the discussion
14 we had in the conference room and after we talked in
15 my office and after the phone call on the 7th, she
16 needed to be buoyed up, she needed to be encouraged --
17 is the best word I know to use -- and I did that all
18 of January, February, March and April until last
19 week -- until the 22nd.

20 I would send her a little text every morning
21 saying: Here's your -- for example, Tuesday morning:
22 Smile, you are leading a great group of people, you
23 are doing a great job. They love you. They follow
24 you. Keep your head up and keep smiling -- something
25 like that.

1 Never signed my name because she knew who it came
2 from, and, on more than one occasion -- on almost
3 every occasion -- minus maybe two days -- she would
4 always say: Thank you, or: Thank you very much,
5 always with an exclamation point, or, most of the
6 time, with an exclamation point: Thank you very much.

7 And one time even said: I really appreciate you
8 sending these every morning, and that was maybe the
9 end of February, first -- around the first of March.

10 Even the morning I went to the hospital, January
11 28th -- I had to be there at 5:30 -- but, at 6:30, I
12 stopped and sent her a little text because I wanted
13 her to know that I was still encouraging her and
14 thinking about her and wanted to make sure -- about a
15 month ago, she was -- she got back in a downward
16 spiral again, and I took her a printed card that said:
17 Remember I love you, remember that I'll always be
18 there for you, and remember that your smile means the
19 world to me.

20 And I told her when I gave it to her, I said: I
21 think you have forgotten this because you are starting
22 to not be like you were for a few months.

23 And she smiled and laughed and took it. And I
24 didn't think anymore about it -- and that was at least
25 a couple months ago.

1 Last Monday, the 22nd, I received a two page --
2 more than two-page complaint for sexual harassment.

3 The specific complaint is lengthy. I will print
4 out another copy and give it to you and ask you to
5 mark that as an exhibit as well.

6 But here are the salient points that I want to
7 make. She said she wasn't sure what to do about this
8 new development, was afraid that anything she said
9 could: Lead to bigger issues with my employment.

10 When I told her in -- on October 14th: I love
11 you, and she said: I love you, too, she said she
12 didn't know what that would lead to. She said she
13 began to be very afraid and very uncomfortable when
14 she was around me. Again, that's really un --
15 unsubstantiated by everybody in the office who has
16 seen her around me, who have seen her come down to my
17 office, who have seen me in her office, who have seen
18 us together, she never appeared to be uncomfortable in
19 any way as far as I'm aware.

20 Okay. She said that I have given her gifts.
21 Yes, I have. I gave her the book, I gave her the
22 print. I gave her the presents that I brought her
23 from Germany.

24 I gave her the scarab bracelet -- and I admit
25 that was not appropriate, I should not have given her

1 that because it was jewelery. She considers it
2 jewelery, I don't. It's a bracelet. It's not even
3 fine jewelery, it's not expensive.

4 She said it was very pretty, she liked it, thank
5 you very much.

6 Invited her to lunch and trips. I invited her to
7 lunch with me and the two senior assistant DAs and
8 Dave Lyles and Matthew Rollins, and we went to
9 Stevie B's and had pizza. That's the only time --
10 other than chamber of commerce -- that she and I had
11 been to lunch together where it was not in -- with all
12 of the people in her office or most of the people in
13 her office.

14 She was at the Capitol a couple years ago. She
15 said they were going to lunch, where would -- where
16 would -- where should they go in downtown Atlanta, and
17 would I want to meet them? And I said: Yes. We went
18 to Einstein's for lunch. I enjoyed being there with
19 all of them.

20 I have never asked her to go on a trip with me; I
21 don't know what that means.

22 Posted encrypted Facebook posts; I don't know
23 what that means, either.

24 Given money to my family -- because her father
25 , yes, I sure have.

1 Not only that, but I have continued to give him
2 money. I've sent him money directly for almost a year
3 or for maybe a year just because I know he can't work
4 and he's having trouble supporting his family.

5 I've also talked to my former law partner and
6 written letters to the woman that holds the
7 lease-purchase agreement on his house.

8 I've done a lot of things for her father that she
9 probably doesn't know about.

10 But every nickel I ever gave to I didn't
11 give to , I gave to for her family,
12 including -- and my wife knows about it because she
13 called me one time and said: By the way, the bank
14 called and said that . was there with a
15 check for \$1,000 and was it okay to cash it, and I
16 said: Yeah. She knew who that was and she knew why I
17 was giving it to him.

18 I have forced her to sit in lengthy private
19 meetings behind closed doors during normal business
20 hours. Yes, I have. She is my
21 coordinator. We discussed personnel issues, we
22 discussed other issues.

23 We have discussed her personal issues at her
24 instance. I have done the same thing with Watson. I
25 have done the same thing with Matthew Rollins, my

1 chief assistant. I've done the same thing with Steve
2 Messinger, my former chief assistant. I've done the
3 same thing with a lot of people in this office, it's
4 not unusual. If she wants to make it unusual, fine,
5 then I will have no more contact with her.

6 Repeatedly described such things as fantasies
7 with me as far as his desire to be physical with me.
8 I have never done that. Not once have I ever done
9 that. I have never touched her inappropriately. I
10 have never told her anything about any desire of mine
11 and -- of any kind.

12 Explained how my private parts still function --
13 this is the fun part. 1998, I was diagnosed with
14 bladder cancer. Between 1998 and 2003, I had nine
15 bladder surgeries.

16 They get into your bladder the same way stuff
17 comes out of your bladder. It's not pleasant. It's
18 painful. And it takes a little while to recover, and
19 you're not always back to a hundred percent.
20 Between -- within a week or so -- between 2003 and
21 2014 -- for eleven years, I had no more occurrences or
22 recurrences. I was very happy.

23 Suddenly, in December of 2014, I was diagnosed
24 again, they had recurred -- or a new occurrence. The
25 same urologist performed two more bladder surgeries,

1 making a total of eleven that he has done.

2 And then a new urologist -- because the old one
3 had moved way up on Milton Parkway -- a new
4 urologist -- a young man here in Hiram -- has done six
5 more.

6 Last May 30th, a year ago, I was scheduled for
7 surgery, and : came into my office and said: Now,
8 you are going to be out next week -- and I hadn't told
9 her I was having another surgery -- that would have
10 been number five -- and that I had had -- no, it would
11 have been number seven that I had had since they
12 started recurring -- but I hadn't told her about this
13 one, the one May 30th.

14 She came down and said: So, you are going to be
15 out, off next week? I said: Yeah, I'm a going to be
16 out for a day or two. And she said: You are going to
17 stay out for a few days, right? And I said: Well,
18 yeah, right.

19 What she meant was -- I had had -- again, I'd had
20 six surgeries in 2015 and '16 and '17 -- and I had a
21 bad habit of coming back to work too early and having
22 to turn around and go back home because I was either
23 in pain or I was having trouble dealing with getting
24 better.

25 She asked me -- when I finally came back to work,

1 I was -- I had the surgery May 30th -- she asked me
2 when I came back to work: Is everything okay? And I
3 said: Yes. She said: Is everything okay? I said:
4 Yeah. Everything is functioning normally. That's all
5 in the world I said.

6 Yes, it's very difficult to get back to a normal
7 routine when you have had your 17th -- or your 16th at
8 that time -- bladder surgery -- and had to wear a
9 catheter and be otherwise incapacitated.

10 I have never once -- never once said anything to
11 her about my private parts still function in any way
12 other than that and that was in direct response to her
13 question.

14 She says that after she sent me the note in
15 December, I -- I did stop. She said I was very upset
16 and barely spoke at all. I simply did what she asked,
17 and it was strictly business.

18 She says, again, that I have given her jewelery,
19 cards, notes, fantasy writings.

20 At one point, she said there was a fantasy --
21 maybe that's in a different place -- anyway, framed
22 pictures to display -- eventually, I would not speak
23 to her -- I don't see that.

24 He would expect to see his gifts displayed around
25 my office and on my desk. Well, yeah, I would give

1 her the gift -- I gave her the framed print, and I
2 asked her why she had it covered up, and she said she
3 was afraid her husband would see it. I don't know how
4 often he comes in. She said this became a constant
5 source of anxiety and shame.

6 On the other hand, I'm getting these nice cards
7 saying thank you for all that you do for me. I
8 don't -- I'm having a hard time connecting those two
9 things.

10 These meetings were often held in my office with
11 the doors closed. Most frequently these were held in
12 his office or conference room with the door closed or
13 outside the office located in a back hallway.

14 One time -- and that was because she was -- right
15 at that point, I could have fired her based on the
16 behavior with the car, she didn't bother to tell me
17 about it.

18 I had to find out from the sheriff. The chief
19 investigator who knew about it and covered for her,
20 didn't bother to tell me about it, he got disciplined
21 by being suspended for a day.

22 The operations manager often carries out delivery
23 of cards and notes. No, not to my knowledge. I have
24 always put them down there myself.

25 I often inquire if she's alone or is my -- her

1 office clear. Yes, I do. I don't want to interrupt
2 her when she is in with a member of her staff or some
3 member of the public or some

4 I do that with everybody in the office. I always
5 ask, let me know when you are free.

6 She claims that Watson had hidden cards in her
7 office for her to find later. I don't know that she's
8 ever done that.

9 But once I asked her to put the envelopes with
10 the money in it for her family down there because I
11 was out of town.

12 I do refer to her staff meetings as hen parties,
13 and that's a joke. I'll come in and say: Can I have
14 the eggs after this hen party?

15 But they are all women. She doesn't like --
16 she -- we had talked about hiring a man for her -- for
17 her staff, and that's not appropriate. So, yes, I do
18 that. I sure do. I called her -- I refer to them as
19 hen parties.

20 The rumors about -- I'll quote -- "The rumors he
21 talked about consisted mostly of affairs I was
22 allegedly having, especially regarding an affair with
23 him." That's not true. I don't recall ever having
24 had -- except that one conversation on that December
25 7th.

1 I spent several days interviewing my staff
2 outside the office in closed conference rooms -- no, I
3 spent one day. I talked to both of those people in
4 the same day. That's not true.

5 This was incredibly humiliating. I'm -- I don't
6 know why it was humiliating when she knew exactly what
7 I was going to do and I was fixing a problem that she
8 said was concerning her.

9 Several female staff members cried and openly
10 stated in the meeting they were offended. I don't
11 remember anyone's crying.

12 I do remember Kerin Murphy having said that she
13 was disappointed that they had to have that meeting
14 but they didn't say anything about being unhappy.
15 They were embarrassed for because was the
16 one that was the subject of the rumors.

17 I asked her -- she said I asked her to lunches on
18 a regular basis. I told her I'd found a new pizza
19 place over in Vinings, that we should all go over
20 there sometime. I may have said: We need to go over
21 there sometime.

22 I took Watson and Kirsten and Courtney to lunch
23 over there about two weeks ago; wasn't here.

24 I have mentioned to her that there's a place on
25 Thornton Road that does Yellow Jacket hotdogs, and I

1 said we should go over there sometime, have a hotdog.

2 Yes, that's outside the county. She makes a big
3 deal out of the fact that that's outside the county
4 where we aren't seen. How can you go to a bloody
5 place and not be seen?

6 I'm reluctant to ride with him. After a chamber
7 of commerce luncheon, we were riding on the way back
8 to the office, he pulled off of a back road to talk
9 for a while.

10 She rode with me to Tiffany's house to see
11 Tiffany's new baby back in January, then she rode with
12 me in February to the Domestic Violence Task Force
13 meeting.

14 She has not -- she has said: I've got something
15 else to do, I can't ride with you today.

16 But the idea that she's afraid to ride with me is
17 kind of silly because that chamber of commerce meeting
18 was November 2nd, 2017, and she has ridden with me
19 this year.

20 I've already talked about going on the walk with
21 him. This is especially offensive to me. He later
22 told me that he was upset with me, and he walked back
23 that day very upset and felt like it was hopeless and
24 that, quote, he has needs, unquote. I've never said
25 that to any woman in my life, even my wife, to whom I

1 have been married for 44 years. I think it's a vulgar
2 expression. I think it's arrogant of a man to say to
3 a woman: I have needs. I have never said any such
4 thing to her.

5 If I used the word need, it would have been to
6 say you and I need to talk about what keeps you so
7 upset and keeps you doing such erratic, irrational
8 things.

9 I never once said anything even remotely like I
10 have needs. That's just not -- that's not something I
11 would say.

12 Arlene Krueger has accused me of saying something
13 which is an expression I consider a vulgarity, and I
14 would never say it; it means that you are either
15 imagining things or you are intentionally making up
16 things, both of which are very dangerous.

17 Mr. Donovan is a writer and has written a
18 short-story fantasy novel involving me and him taking
19 trips together. No, I haven't.

20 He has kept a running document that he tells me
21 is a novel regarding, quote, our story, unquote. Also
22 not true.

23 This document contains over 32,000 words and is
24 on his office computer. That is not true.

25 He has given me a sample of one writing where we

1 were taking a trip and sharing a hotel room together.

2 There is a vignette that I wrote, oh, a long time
3 ago, about a businessman who was surprised to see a
4 business associate show up at a hotel where he was
5 attending a conference and asking to spend the night
6 in his room; there's no names in it. How she
7 connected that to me and her, I don't know.

8 She and I have talked about the fact that I am by
9 trade a writer. I was a journalism major -- I have
10 just won the state bar journal fiction-writing
11 contest, as a matter of fact, for this year -- and I
12 do write and I do write short stories, and I did write
13 vignettes, and that's one of them, and I showed it to
14 her. I left it on her desk.

15 He constantly reminds me of his fantasies about
16 me and the fact that he's writing them.

17 This harassment is also physical. Mr. Donovan
18 has held my hand. Yes, I have.

19 He has given me long hugs. She hugged me in the
20 elevator over in the annex building. She came around
21 her desk and hugged me while I was standing in front
22 of her desk.

23 She hugged me in the hallway outside in front of
24 everybody that works for her one day, I'd say, within
25 a few weeks of those other two occurrences.

1 She hugged me in the elevator when she told me
2 this her father was terminal.

3 The day she was in the conference room, she
4 hugged me and -- I stood in front of my chair and she
5 walked around to where I was to hug me.

6 So, the idea that I have -- how did she put it --
7 long hugs? No. There was one long hug and that was
8 because she didn't let go and I had to tell her she
9 needed to -- to let go.

10 I often state that I'm the most powerful man in
11 Paulding County and makes it clear that he can fire
12 any of us for any reason.

13 The law says that everybody that works in this
14 office works at the pleasure of the district attorney,
15 and, yes, I can fire anybody in this office, I have
16 that authority.

17 Every one of the 49 district attorneys in the
18 state of Georgia has that same authority.

19 And, yes, everybody in this office knows it.
20 They have to sign a document when they come to work
21 here that acknowledges that they serve at the pleasure
22 of the district attorney and can be terminated at his
23 decision.

24 I related to -- I don't ever remember saying to
25 her I'm the most powerful man in Paulding County

1 because I don't believe that. The district attorney
2 is a very powerful elected official.

3 I recounted to her -- and I have recounted to
4 others, because it was a surprise to me -- a story
5 told to me by Leigh Patterson, the district attorney
6 in Floyd County.

7 Leigh told me that she was sitting, talking to
8 her judges, and that she had commented on how much
9 power they had as judges, and Judge Matthews -- who
10 was the chief judge, I think, at the time -- looked at
11 her and said: Leigh, you are the most powerful person
12 in the courthouse, quote, unquote.

13 And I thought that was interesting, that a judge
14 would say that to the DA, so I recounted that story to
15 Judge Beavers, standing outside his office door.

16 Tony Beavers and I have been friends since 1981.
17 We were better friends before I got elected, but we
18 are -- as far as I know, we are still friends -- but
19 this was not long after I was elected, and I told him
20 that story about Leigh Patterson and Judge Matthews in
21 Floyd County, standing in front of his office, just
22 basically to see what his reaction would be.

23 He might have said that's ridiculous. He might
24 have said, oh, really, they think that, or she thinks
25 that? But his reaction when I told him these judges

1 told Leigh: Leigh, you are the most powerful person
2 in the courthouse, Judge Beavers looked at me and
3 said: Don't let it go to your head, which surprised
4 me because that was -- I took that to be Judge
5 Beavers' way of saying that's true, but don't let it
6 go to your head. You may be the most powerful person
7 in the courthouse, but don't let it go to your head.

8 I do have a lot of authority, but that's what the
9 DA is clothed with according to Title 15 of the
10 Georgia Code. So, I don't make any secret of the fact
11 that the DA has a lot of power and authority.

12 But I also have told her that I've had
13 discussions with my Sunday school class about the
14 difference between power and authority, and I will
15 say, for the purposes of this affidavit, I've often
16 told them that the difference is anybody can kill
17 you -- I have a gun, I can kill you, I have the power
18 to take your life, I don't have the authority to take
19 your life. There is a difference between power and
20 authority.

21 Yes, the DA has a lot of power, but I don't ever
22 recall having said to her that I'm the most powerful
23 man in Paulding County.

24 She said that my harassment -- my harassment of
25 her affects her work on a daily basis. So far as I'm

1 aware, in the last year, there hadn't been anything
2 other than my trying to find out why she would be
3 driving a State car erratically, why she would be
4 still having anxiety attacks.

5 I don't know what I've done other than to
6 continue to say: I love you, I will always be here
7 for you, I think your smile means the world to me,
8 which I mean to be supportive and expressions of
9 affection, not sexual harassment.

10 I have never touched her inappropriately. I have
11 never even considered anything more than a hug and a
12 kiss on top of the head when she told me that her
13 father was terminal.

14 She says she has become depressed and continually
15 battling debilitating anxiety while at work all day.
16 I know. I've suggested that she get help.

17 She knows that it's unlawful, and she's right
18 about that. If it's sexual harassment, it's unlawful.

19 But I am very, very reluctant to characterize it
20 as sexual harassment because, again, I have never
21 suggested we have sex, I have never offered to have
22 sex with her, I have never said I wanted to have sex
23 with her, I have never tried to have sex with her. I
24 have never touched her anywhere that was
25 inappropriate.

1 The only things I have touched would be to put my
2 arms around her when she comes over to hug me, and I
3 have held her hand twice, two occasions -- well, three
4 occasions, because the one time in my office right
5 after that meeting.

6 Last Monday -- well, no, last Friday a week ago,
7 the -- whatever that was -- we decided on maybe the
8 19th -- I typed this note, put it in an envelope and
9 put it in her office.

10 I would like the reporter to mark this as the
11 last exhibit.

12 And, basically, what it says is: You have two
13 shotguns of mine, I would like to get them back so I
14 can clean them and put them in my safe.

15 My safe has a dry rod which prevents rusting, it
16 keeps moisture away from my rifles and handguns. I'd
17 like very much to have those shotguns back.

18 I also said several years ago: When you and
19 and the kids were leaving for a vacation, I lent you
20 \$500 to be used for any emergency since you said you
21 weren't exactly sure you had enough for the trip.

22 You told me a few months afterward that you had
23 the money still in the envelope and had put it away
24 for safekeeping. I'd also appreciate your returning
25 that. It's been an expensive winter and spring.

1 Thank you, D.D.

2 That was Friday, I put it in her office to be
3 found on Monday.

4 On Monday -- no, on Tuesday morning, when I sent
5 her the morning smile on the 23rd, she said: Thank
6 you. Your shotguns are in the trunk of the car. Let
7 me know when you want to come get them.

8 I sent her a morning smile on Wednesday and
9 Thursday and Friday. She said thank you each time.

10 And then, Friday afternoon, I got sent this
11 complaint for sexual harassment.

12 Now that concludes my affidavit, but I know that
13 anything I do or say now, according -- any interaction
14 with her not only could be but probably would be
15 construed as retaliatory or additional sexual
16 harassment.

17 I think, if you were to ask people like Tiffany
18 Watson and other people in her office, you'd know that
19 I have not had that much interaction with her at all
20 since Christmas -- and this is the first of May;
21 that's over four months -- it's all been professional.

22 One time, I gave her that card that said the same
23 thing I had been telling her for over a year: I still
24 love you, your smile means the world to me, the same
25 way that I tell Watson I love her. She has -- she has

1 really become almost indispensable to me in this
2 office. She's been a great friend.

3 I have other people that I love. The Chief
4 Deputy sheriff of Paulding County told me Saturday
5 night: I still love you.

6 My best friend walked out of this office in
7 2012 -- the last time I saw him because he dropped
8 dead two days later -- and, as he walked out, he
9 turned around and he looked at me and he said: I love
10 you, brother, and said: I love you, too, Dan.

11 I don't know why people make such a big deal out
12 of that, but I may have said I'm in love with you,
13 that's another expression of affection.

14 I'm not having anymore interaction with
15 at all. All of her supervision will
16 come through the chief assistant district attorney or
17 the deputy chief assistant district attorney. All of
18 those things will be handled through them.

19 My problem is -- and I have no desire to
20 retaliate. I don't expect to -- I'm not going to take
21 her car away from her, I'm not going to change her
22 work assignment, I'm not going to change her -- I'm
23 not going to attempt to change her rate of pay or do
24 anything else that might in any way be construed as
25 retaliatory because I have no desire to retaliate.

1 I don't hate anybody. I believe grudges are
2 heavy and -- in spite of the joke that I make
3 sometimes about I don't carry a grudge, even against
4 people I'll never forgive -- I believe in forgiveness
5 and I believe that, you know, people do things for
6 sometimes good reasons, sometimes bad reasons,
7 sometimes a reason they don't even know about.

8 I have no idea why she did this, and anytime --
9 all she had to do was look at me and say I need you to
10 stop this because I think it's sexual harassment.
11 Okay. Fine. I didn't realize you were taking it that
12 way. I would've gone away.

13 I won't have anymore interaction with her. What
14 I do have to do now is decide how to respond because
15 she has put slanderous comments and, specifically,
16 telling her that I have needs, and the other things
17 that she said that are frankly -- I don't like using
18 the word -- but it's a lie, I never said that.

19 I don't like to characterize it as that, I'd
20 rather say it was an exaggeration or it was -- it was
21 some other word for lie -- but it was a lie and she
22 has not only put it in writing but she has
23 communicated it to other people -- to two people at
24 the prosecuting attorney's counsel and to at least one
25 person here in Paulding County, and I understand that

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it has been shared with others in Paulding County.

So, now I have to decide what to do because I can't sit idly by and let myself be slandered and let myself be libeled without responding in some way, and I'm responding with this affidavit.

I don't know what else I might do, but I will not allow myself to be slandered when I have been told for many, many years by many, many people that I was the best boss they ever had, and I have never ever had anyone accuse me of anything that was inappropriate.

Further, affiant sayeth not.

(Concluded at 4:15 p.m.)

DONALD RICHARD DONOVAN

Notary Public

Commission Expires

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C E R T I F I C A T E

G E O R G I A:

PAULDING COUNTY:

I hereby certify the foregoing was
taken down and reduced to typewriting
by me; that the foregoing pages 1 through 93,
represent a true and correct transcript of the
affiant's statement, and I further certify I am not
of kin or counsel to the parties in the case,
am not in the regular employ of
any of said parties, nor am I otherwise
interested in the result of said matter.

This 22nd day of May, 2019.

Victoria
Smith

Digitally signed
by Victoria Smith
Date: 2019.05.22
16:52:22 -04'00'

VICTORIA R. SMITH, RMR
GEORGIA CCR-A-447



EXHIBIT #1
WIT: D. Donovan
DATE: 5/2/19
VICTORIA R. SMITH, RMR

DICK

EXHIBIT #2
WIT: D. DORRAN
DATE: 5/2/19
VICTORIA R. SMITH, RMR

EXHIBIT #3
WIT: D. DONOVAN
DATE: 5/2/19
VICTORIA R. SMITH, RMR

Tender & Knight
1817013
TENDERKNIGHT
©M&C, LLC

I thank
you

Just wanted to thank you for
the Christmas bonus. I very
much appreciate your faith
in me especially over this
past year. I hope that I
can always have it. I love
my job and the position
that you have given me.
The bonus comes at a great
time and will be such a
blessing to my family &
hopefully others as well.
As always, thanks for taking
care of me

EXHIBIT #4

WIT: D. Dordick

DATE: 5/2/19

VICTORIA R. SMITH, RMR

EXHIBIT # 5
WIT: D. JOVAN
DATE: 5/2/19
VICTORIA R. SMITH, RMR

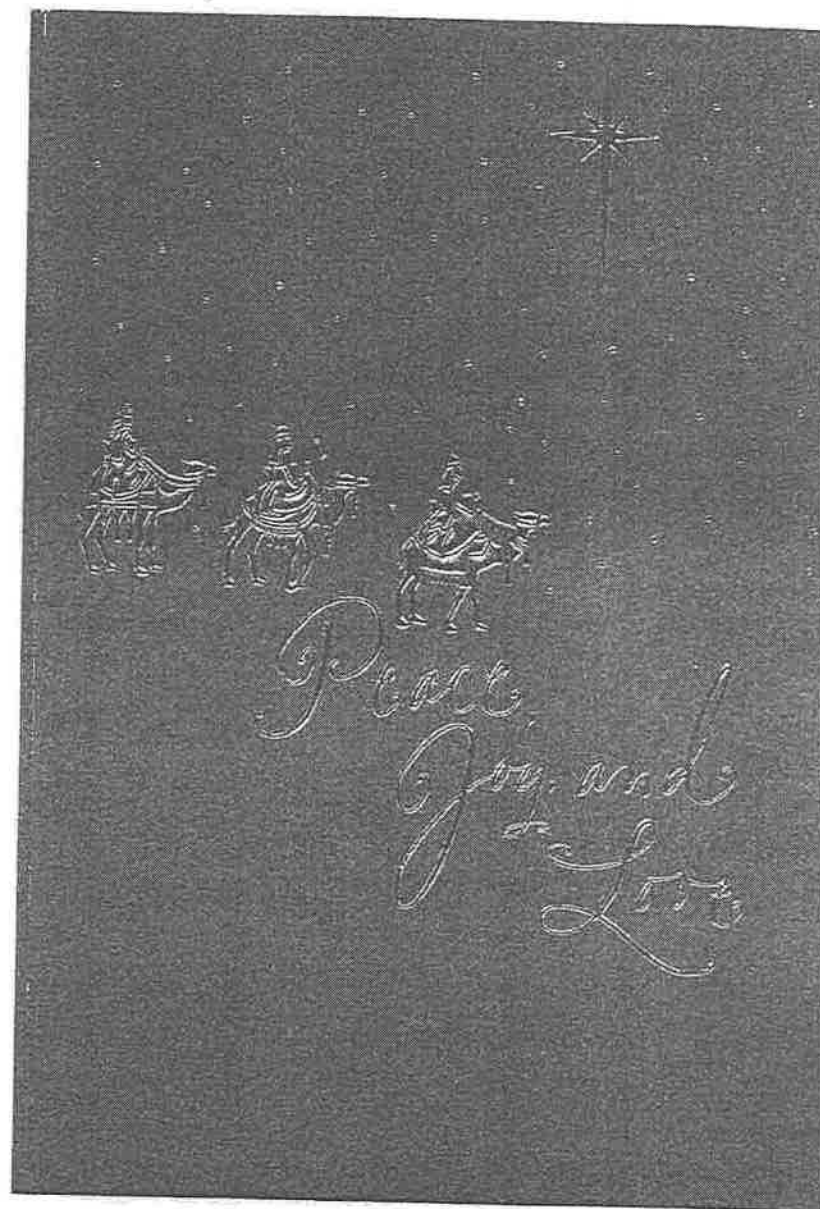
Dick

IMAGE ARTS

EXHIBIT #2
WIT: D. J. [illegible]
DATE: 5/19/19
VICTORIA R. SMITH, RMR

MARK LICENSING, LLC
MARKETING COMPANY, LLC
MADE IN CHINA

IMW 1723C



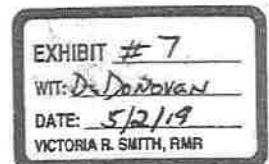
I hope you find joy in the
little things this Christmas and
have renewed hope because of
our savior that came. His
birth represents our freedom,
the gift of joy and the
ability to love.

Thank you for all that you
have done for me. Your care
and support have been
everything and meant the
world to me.

May all God's gifts
be yours this Christmas.

Because you deserve
them all

merry Christmas

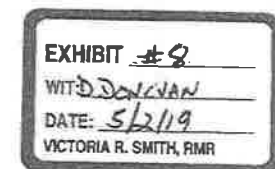


You have two shotguns of mine: the Winchester 101 Over and Under twelve gauge and the Remington 11-87 twenty gauge, which I would appreciate your returning. I need to clean and lubricate them and put them back in the safe.

Also, several years ago, when you, . were leaving for a vacation, I lent you \$500 to be used for any emergency, since you said you weren't sure you had exactly enough for the trip. You told me a few months afterwards that you had the money still in the envelope and had put it away for safekeeping. I'd also appreciate your returning that. It's been an expensive winter and spring.

Thank you.

DD



Dick Donovan

EXHIBIT #9
WIT: <u>D. Donovan</u>
DATE: <u>5/2/19</u>
VICTORIA R. SMITH, RMR

From:
Sent: Friday, April 26, 2019 4:26 PM
To: Matthew Rollins
Cc: Brian Acker; pskandalakis@pacga.org; ccooper@pacga.org; Dick Donovan
Subject: Sexual Harassment Complaint

I, , have been employed with the Paulding County District Attorney's Office from August 2008 until present. For the majority of my employment I have been in the position of ' This role has placed me in the capacity as a supervisor overseeing roughly other employees. As the

I report directly to the District Attorney, Dick Donovan. I have repeatedly tried to stop the sexual harassment that is the subject of this complaint by communicating directly with Mr. Donovan to no avail. I now submit this complaint to Paulding Judicial Circuit District Attorney's Office, Paulding County Human Resources, and the Prosecuting Attorney's Counsel for Georgia in an effort to stop the unlawful sexual harassment and its impact on my work and my well being.

In the fall of 2017, Mr. Donovan told me that he was "in love" with me and has been "in love" with me for 4 years. I wasn't sure what to do about this new development and was afraid that anything I said could eventually lead me to bigger issues with my employment. At that time, I decided to tell no one what was going on and hoped that he would get the hint and eventually leave me alone. I explained to him that I was uncomfortable with his advances and that I only wanted a professional relationship. Eventually, I began to become very afraid of him and how uncomfortable I was around him. Since 2017, despite my efforts to stop his conduct and maintain a professional working relationship, he has personally called me, texted me, sent me emails, given me gifts, jewelry, invited me to lunch and trips, posted encrypted Facebook posts, given money to my family because my father forced me to sit in lengthy private meetings behind closed doors during normal business hours, and repeatedly described such things as fantasies of me including his desire to be physical with me and explained how his private parts still function.

On December 5, 2017, I sent Mr. Donovan a text that clearly explained not to have any more contact with me that was not work related and that all contact should be done via my work email. At that time, he did stop contacting me and giving me gifts. He was very upset with me and barely spoke at all. Then, his contact started again beginning in February and by March 17, 2018 he stated that "you can't possibly think for one minute that I was going to read your text on December 5th and go away without a fight."

Mr. Donovan has given me gifts consisting of jewelry, cards, notes, newspaper article, fantasy writings, framed pictures to display in my office etc. Although he insisted that these gifts were just a way to show that he loved me, eventually if they were not met with an appropriate reaction of gratitude on my part he would become cold, distant, and eventually would not speak to me. He would expect to see his gifts displayed around my office and on my desk. This became a major distraction at work for me and a constant source of anxiety and shame.

Each and every time he would become upset he would not come out of his office or speak to me until I met with him to let him talk in private. These long conversations happened frequently and during the normal work hours at the office. I often felt the pressure from others in the office to "just go down there and talk to him and fix whatever is". I always knew that "fixing things around the office for everyone just meant me meeting privately to discuss his feelings and love towards me or asking about my personal feelings. These meetings were often held in my office with the doors closed. Most frequently, these were held in his office or conference room with the doors closed, or outside of the office located in a back hallway. I later discovered that during these long stints of time we were never interrupted by staff or the Operations Manager. Sometimes my staff would know where I was and often times they did not and would be looking for me. These meetings were always behind closed doors and he has locked his office door as well. My staff members have noticed these meetings and will often ask me if everything is ok. It always appeared to my staff that I was "in trouble" since I was in the boss's

office so long. These constant closed door meetings, slammed doors as well as my demeanor made me feel disrespected and a sense of loss of credibility with my staff. There were times that I left these meetings where it was noticeable that I had been crying. This became very disruptive to the work day and caused anxiety in my staff.

The Operations Manager, Tiffany Watson, often carries out delivery of cards and notes. Ms. Watson has been on multiple occasions sent to ask me about my whereabouts, what is going on in my personal life, etc. Often times I would see her walk by my office and then a few minutes later Mr. Donovan would appear to speak with me. He would often inquire if I was "alone" or my "office clear". She delivered cards to me while Mr. Donovan was out of town or hid cards in my office for me to find later. She has personally admitted that she knew what was going on. She explained that she was "just doing her job" and "whatever Mr Donovan told her to do". In the beginning, I thought I might have a friend in Ms. Watson and that maybe she would take notice and put a stop to what was happening. I often found that during these long stints of time when he was talking to me we were never interrupted by staff or the Operations Manager. I have since learned that Mr. Donovan would tell Ms. Watson not to bother him or allow anyone to interrupt him.

Mr. Donovan has openly referred to my staff meetings (2/5/2019, 3/6/2019) as "hen parties". On December 17, 2018, Mr Donovan held a staff meeting to address gossiping and rumors within the office. The rumors he talked about consisted mostly of affairs that I was allegedly having and especially regarding an affair with him. Mr. Donovan spent several days interviewing my staff outside the office in closed conference rooms inquiring of these rumors of affairs etc. He held this meeting with only the female staff members within the office because "they" (women) do most of the gossiping anyway". This was incredibly humiliating. Several female staff members cried and openly stated in the meeting that they were offended at their requirement to attend such a meeting and embarrassed for me. I still feel embarrassment and do not leave my office or gather with other staff.

Mr Donovan asks me to private lunches on a regular basis. These invites are always out of the county so that we aren't seen. I have told him no each time and even explained on multiple occasions that it would not be appropriate. I am reluctant to ride with him after a Chamber of Commerce luncheon when riding back to the office he pulled off onto a back road and parked to "talk for awhile". I was very nervous but tried to be courteous and nice so that it would just end and he would take me back to the office. I was concerned that others were returning from lunch and would wonder about where I was. During the last few times he has asked me to lunch he has gotten upset with me for not going to lunch with him. He has offered multiple times to take me to the mountains for the day. Mr Donovan asked me to go on a walk with him back in January. It was a very cold day and I told him no. He left and came back very upset with me. He later told me that he was upset with me and that he walked back that day very upset and he felt like it was hopeless and that "he has needs". Mr Donovan is a writer and has written a short story fantasy novel involving me and him taking trips together. He also has kept a running document that he tells me is a novel regarding "our story". This document contains over 32,000 words and is on his office computer that he keeps minimized throughout the day, according to Mr Donovan. He has given me a sample of one writing where we are taking a trip and sharing a hotel room together. He constantly reminds me of his fantasies about me and the fact that he is writing them.

The harassment is also physical. Mr. Donovan has held my hand, given me long hugs, grabbed both of my shoulders and kissed my eyelids as well as grabbed my shoulders and kissed my forehead, all without my consent and all even though I have made it clear to him that I reject his advances.

I have been in the field of _____ for 19 years and have been working strictly as an _____ within the district attorney's office of Paulding County for over 10 years. The last year has been a constant struggle for me each and every day. Mr. Donovan states often that he is "the most powerful man in Paulding County" and makes it clear that he can fire any of us for any reason. He has so much power and control and pushes this power around on how he treats people, talks to them and interacts with them when he isn't happy. He has used his power and control to make me feel like there is nothing I can do to stop the sexual harassment. I have felt the pressure of trying to keep the DA happy in order to first keep my job and second keep the peace of an entire office. Everyone walks around on eggshells frightened when he is "in a mood". I have been terrified to complain because I don't want to lose my job.

Mr. Donovan's sexual harassment of me affects my work on a daily basis. This weight has been on my shoulders daily and I cannot mentally and physically function anymore without struggling. I have often felt paralyzed and in constant inner conflict about how to handle each and every interaction with Mr. Donovan. Lately, the episode of him being angry with me becomes more and more frequent, and I know that this harassment is not going to stop unless I get help. I am terribly afraid of submitting this complaint because I think it will result in me losing my job, rather than any change in Mr. Donovan's conduct. Over the past several months, I have become depressed and constantly battling debilitating anxiety while at work all day. It is apparent his behavior will never stop, even after I have repeatedly begged for him to leave me alone and just let me do my job. I know that this sexual harassment is unlawful and that an employer has an obligation to stop the harassment and hostile work environment I am experiencing. Please let me know who will be contacting me regarding investigation of my complaint. I can also be reached at