

original

Written Notice

Section I

Employee's Name: Polly Griffin, Officer, Patrol Operations

Agency: VCU Police Department

Offense Date(s): 10/27/2021 Issued Date: 2/10/2022

Inactive Date*: 2/10/2026

Issued by: Edgar Greer
Print name

Lieutenant, Patrol Ops
Title

Signature #1255

- *Inactive date is the issued date:
- plus 2 years for a Group I,
 - plus 3 years for Group II, or
 - plus 4 years for Group III.

Section II - Offense

Type of Offense: Check one and include Offense Category (See Addendum for Written Notice Offense Codes/Categories)

☐ Group I ☒ **Group II – 5 Notices: (1- Offense Code 39, 4 – Offense Code 13)** ☐ Group III

Nature of Offense and Evidence: Briefly describe the offense and give an explanation of the evidence. (Additional documentation may be attached.)

Polly Griffin is issued five (5) Group II Written Notices with Termination for her failure to comply with numerous written policies, which are in violation of the Department of Human Resource Management's (DHRM) *Standards of Conduct*, DHRM's *Civility in the Workplace*, VCU's *Expectations of Ethical Conduct*, the VCU Code of Conduct, and VCUPD's internal policies, specifically Written Directives §1-1 Code of Conduct, §1-2 Code of Ethics, §1-7 Use of Force and §3-12 Body Worn Cameras (BWC). Due to additional policy concerns raised after reviewing and following up on Polly Griffin's January 13, 2022 response to the policy violations cited in the original due process document issued to her on January 6, 2022, additional policies violations were identified and Polly Griffin received a new and amended record of policy and conduct violations for which she had a new opportunity to respond to the original written notices as well as the new written notices. The policy violations described below have had severe impacts on university operations and cannot be tolerated. Polly Griffin's employment with VCU is terminated on 2/9/2022. The evidence to support this action is described below and additional documentation to support this action is also attached.

First (1st) Group II Written Notice – Violation of Written Directive §1-1–Code of Conduct, Rule of Conduct #12 - Leaving Duty Post:

On October 27, 2021 at 9:00 p.m., Polly Griffin was assigned to the pistol range for firearms qualification and Unit 613 on the Monroe Park Campus. Polly Griffin did not report to her assigned areas and, instead, responded to the triage area of the Emergency Department located on the medical campus. When I asked Polly Griffin why she was not at her assignment location, she responded that she had been assigned to Officer Jason Farrow. There are no records of on duty supervision requesting Polly Griffin assist Officer Farrow. According to Written Directive §1-1–Code of Conduct, Rule of Conduct #12 - Leaving Duty Post, "Department members shall not leave their assigned duty posts during a tour of duty, except when authorized by proper authority. Officers shall keep Dispatch advised of any change in their location." Had Polly Griffin reported to the basement for pistol qualifications, she would not have been in the read off room. When officers are given an assignment to attend the range, it is expected that they attend the range in lieu of attending the briefing room. Polly Griffin vacated her duty post without the proper authority to do so.

Second (2nd) Group II Written Notice – Violation of DHRM's Policy 2.35 – Civility in the Workplace:

On October 27, 2021 at 21:15:07, Polly Griffin was overheard by Officers Champigny, Cook and Tignor threatening a suspect in the hallway near the Emergency Department of the Critical Care Hospital ground floor lobby. Body Worn Camera (BWC) video confirms that Polly Griffin approached a male suspect in custody, pointed her finger at him and stated, "You're lucky I don't kill you." The male suspect who was handcuffed and sitting in a wheelchair watched Polly Griffin walk away and asked the officers present, "What happened? I'm lucky she doesn't kill me? I don't even know what's going on...what's happening...I'm lucky I'm not dead? What the f&^k happened? What am I not remembering? What happened? Is anybody...am I the only one...it's like a movie, bro...it's like a movie, everybody's silent. I'm trying to figure out what the f&^k that meant, what the f&^k does that mean. I'm lucky she doesn't kill me?" According to the Civility in the Workplace, Policy 2.35, disciplinary action may be taken to address prohibited behaviors upon the first occurrence. The nature and seriousness of the conduct Polly Griffin demonstrated toward a restrained suspect while on duty was completely inappropriate, unprofessional and is a violation of DHRM's policy 2.35. A reasonable person in handcuffs and under arrest would have a natural fear if an individual with a firearm and authority over them uttered words associated with ending their life.

Third (3rd) Group II Written Notice – Violation of Written Directive §1-7 – Use of Force:

The evidence for Polly Griffin's failure to follow Written Directive §1-7–Use of Force can be seen upon review of BWC footage. Officers Roane, Berube, Klingman, and Cook were restraining a female suspect in custody when she intervened. At 21:17:47, Polly Griffin is observed on BWC footage forcefully pushing her fist into the female suspect's right shoulder, upper chest region of the body. At 21:47:48, the female suspect begins repeatedly screaming in pain. "She's hurting me." At 21:17:49 Sergeant Boyd's hand is observed grabbing Polly Griffin's right forearm to prevent her from continuing to push her fist into the suspect's shoulder. On the

BWC video, Polly Griffin's right clenched fist then shifts to the female suspect's upper arm with Sgt. Boyd still holding her forearm. Sgt. Boyd is heard on video commanding her, "Let up, let up, let up...LET UP, Polly, POLLY!" Polly Griffin finally removes her right fist from the female suspect's upper right shoulder at 21:17:52. The reasonableness of a particular use of force is judged from the perspective of a reasonable officer on the scene. Written Directive §1-7 – Use of Force states that "Officers shall use only the force that is objectively reasonable to accomplish lawful objectives in accordance with state law and apply de-escalation techniques when possible, while protecting the safety of the officer and others. Only that force that is reasonable and necessary to accomplish lawful objectives, based upon the circumstances of the situation, while preventing injury and protecting the life of the officer and/or others, shall be applied. The reasonableness of a particular use of force will be judged from the perspective of a reasonable officer on the scene. When evaluating any situation involving an officer's use of force, the VCU Police Department will ultimately utilize a two-prong test: (1) was the use of force necessary, and (2) was the use of force justified." In weighing Polly Griffin's actions on October 27, 2021 against this two-prong test, I have determined Polly Griffin's actions to be unnecessary and unjustified. The female suspect was being restrained by multiple officers and she was not engaged in any activity that would have required one officer to forcefully dig their fist into the body causing pain.

Fourth (4th) Group II Written Notice – Violation of Written Directive §3-12 Body-Worn Cameras (BWC):

The evidence for Polly Griffin's failure to follow Written Directive §3-12 Body-Worn Cameras (BWC) occurred when she arrived at the hospital on October 27, 2021 in her police uniform and performed police duties, but she did not activate her BWC to record her contact with both suspects. Written Directive §3-12 Body-Worn Cameras (BWC) "establishes departmental procedures for the operation of BWC equipment. It is the policy of the VCUPD that officers shall use digital mobile video/audio recorder equipment for the purpose of recording an objective video and audio account of events as they occur. According to Procedures, Section B - When and How to Use the BWC - 1. Officers shall activate the BWC to record all contacts with citizens in the performance of official duties, as outlined in this directive. According to Section C - Procedures for Use - 2. Officers who are assigned BWC equipment must use the equipment, unless otherwise authorized by supervisory personnel." Polly Griffin was assigned BWC equipment which she must use in the performance of her duties unless she was otherwise authorized by supervisory personnel. It was Polly Griffin's responsibility to ensure that she employed the proper use of the BWC as governed within this directive. When Polly Griffin observed numerous officers attempting to restrain the female suspect on a gurney that was up against the wall, she stated she went to assist them, which required her to activate her camera. Polly Griffin failed to activate her BWC which was necessary to document the events of October 27, 2021 and her contact with members of the public while she was on the MCV Campus.

Fifth (5th) Group II Written Notice - Violation of DHRM's Policy 1.60 - Standards of Conduct for your failure to follow your supervisor's instructions:

The evidence for Polly Griffin's failure to follow her supervisor's instructions occurred when Sgt. Boyd was required to command her four (4) times to "let up" on the female suspect's upper arm while she attempted to assist with restraining her. It was only after Sgt. Boyd shouted her name twice (2 times) while still holding her forearm and directing her to remove it from the suspect's body that Polly Griffin finally pulled her hand away and let go of the female suspect. Polly Griffin's display of misconduct and disrespect to her commanding officer was serious and has significantly and adversely impacted the department. Sgt. Boyd should not have been required to intervene to force Polly Griffin to let go of the female suspect's arm and she should not have been required to issue to her more than one (1) command before she complied with her supervisor's instructions. Polly Griffin's actions were not in the best interest of VCU and could have resulted in injury to the suspect.

According to VCUPD's Written Directive §1-2 Code of Ethics, all sworn officers are required to swear to an oath of allegiance upon becoming a member of the VCU Police Department. This oath includes a pledge to lead their lives in accordance with the Law Enforcement Code of Ethics, which states an officer, "will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence [their] decision. With no compromise for crime and with relentless prosecution of criminals, [officers] will enforce the law courageously and appropriately, without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities." On Sgt. Boyd's BWC video at 21:19:39, she states to Polly Griffin that she is "sensing that you are a little more upset than normal because that's not you, that's not you." Polly Griffin responded to her, "I'm pissed." Sgt. Boyd asks Polly Griffin to take a breather and states to her that she cannot have her do something that will jeopardize her career and Polly Griffin responded, "I'm f*cking pissed." Sgt. Boyd reminded Polly Griffin that no VCU officers were fatally hurt during this incident.

If there are any questions or concerns regarding this document, please contact Employee Relations at (804) 828-1510 or Emprel@vcu.edu. The links to the policies cited in this document are contained below:

DHRM's Standards of Conduct
DHRM's Standards of Conduct
DHRM's Civility in the Workplace
DHRM's Civility in the Workplace
Expectations of Ethical Conduct Policy
Expectations of Ethical Conduct Policy
VCU Code of Conduct

VCU Code of ConductVCUPD's Written Directive 1-7 Use of ForceVCUPD's Written Directive 1-7 Use of ForceVCUPD's Written Directive 1-1- Code of ConductVCUPD's Written Directive 1-1 Code of ConductVCUPD's Written Directive 1-2 Code of EthicsVCUPD's Written Directive 1-2 Code of EthicsVCUPD's Written Directive 3-12 Body Worn Cameras (BWC)VCUPD's Written Directive 3-12 Body Worn Cameras (BWC)**Section III – Disciplinary action taken in addition to issuing written notice**

☐ Suspension from _____ through _____ Return to Work _____ #Days Suspended ** _____
Date Date Date/Time

Transfer or demotion (check below as appropriate)

☐ Reduced Duties with _____ % disciplinary pay reduction*** effective _____
Date

**Note: FLSA exempt employees may be suspended in whole days only.

☐ Disciplinary Transfer – Same Pay Band with _____ % disciplinary pay reduction*** effective _____
Date

☐ Demotion to lower Pay Band with _____ % disciplinary pay reduction*** effective _____
Date

New Role Title _____ New Position # _____ New Location _____

***Note: Salary reduction of at least 5% is required. Also requires HR approval

X Termination: 2/10/2022 2/11/2022 EG
Effective Date

Section IV – Circumstances considered

Describe any circumstances or background information used to mitigate (reduce) or to support the disciplinary action above.

(Additional documentation may be attached.) Documentation attached? Yes x, # of pages 6

No _____

The decision was made not to mitigate disciplinary action based on the serious nature of the policy violations cited in this document. Polly Griffin's response to the amended due process was considered. However, as a result of her complete disregard for the Commonwealth of Virginia and VCU's policies and its ethical standards, I have made the decision to terminate her employment with VCU, effective February 10, 2022.

Section V – Notice to employee

It is expected that the situation described above will be corrected immediately in accordance with the Standards of Conduct for employees and/or the performance measures outlined in your Employee Work Profile. A Written Notice may be used in place of a Notice of Improvement Needed Form, and may affect your overall performance rating. In the event that this situation is not corrected, or another offense occurs, you may be subject to further disciplinary action as outlined in the Standards of Conduct Policy. If you wish to appeal this disciplinary action, you may do so under the provisions of the Employee Grievance Procedure within 30 calendar days of your receipt of this Written Notice. For more information about the Employee Grievance Procedure contact the Department of Human Resource Management's Office of Employment Dispute Resolution (EDR) at (804) 786-7994, toll-free at 1-888-23-ADVICE (1-888-232-3842), by FAX at (804) 786-1606, or by e-mail at edr@dhrm.virginia.gov.

Section VI – Employee's signature

Employee Signature X _____ Date _____

Your signature only acknowledges receipt of the notice and notes the date of receipt. Your signature does not imply agreement or disagreement with the notice itself. If you refuse to sign, someone in a supervisory position within the agency will be asked to initial the form indicating that you received a copy of the form and date of receipt.

☐ Employee refused to sign/unavailable to sign Witness Initials _____ Date _____