

# CITY OF HOUSTON

## INTER OFFICE CORRESPONDENCE

to: Annise Parker  
Mayor

FROM: Charles A. McClelland, Jr.  
Chief of Police

DATE: February 7, 2011

SUBJECT: **Houston Police Department  
Investigative and Administrative  
Response to the Chad Holley  
Incident**

Pursuant to your request, described below is a brief recap of the Houston Police Department's (HPD) investigative and administrative response once we received notice of the incident involving Chad Holley.

As you are aware, the department first became aware of the incident when the department received a video from the attorney representing Uncle Bob's Storage. Upon receipt of the video at approximately 1530 hours on April 23, 2010, I ordered an internal investigation and a criminal investigation of the incident immediately. Within the hour, I also contacted Harris County District Attorney (HCDA) Patricia R. Lykos and Richard Powers, Special Agent in Charge of the Houston area office of the Federal Bureau of Investigation (FBI). I advised both of the information I had received and further advised them I would be forwarding the information to their office. I want to emphasize that notification to the FBI and HCDA is a usual and customary practice upon the HPD's receipt of information of this nature. The local office of the FBI is responsible for gathering information related to possible civil rights violations and forwarding that information to the United States Department of Justice, Civil Rights Division.

IAD investigators worked around the clock over the weekend of April 23, 2010, to identify each and every officer involved in the incident. Once identified, the officers were placed in relief of duty status on the morning of April 26, 2010, to preserve the integrity of the internal and criminal investigation and to prevent further harm to the public in light of the grievous nature of the video. We began our criminal investigation immediately and worked in concert with the HCDA to gather the facts and evidence of the incident and that upon presentation of that evidence to a Harris County Grand Jury four of the officers were indicted. Almost simultaneously, at the conclusion of the IAD investigation, I indefinitely suspended (fired) six officers (6) and one (1) supervisor for their misconduct related to the detention and arrest of Chad Holley.

In an effort to affirm the commitment of the department to keeping the Houston community abreast of noteworthy incidents, I immediately began contacting community leaders on April 26, 2010, to advise them of the incident and further advised them that I had provided copies of the video to the HCDA and the FBI. Congresswoman Sheila Jackson Lee and Congressman Al Green, Ray Hill, the NAACP and its current local President Pastor D. Z. Coffield, the League of United Latin American Citizens (LULAC), the Houston Minister's Against Crime (HMAC),

Howard Jefferson, Reverend Bill Lawson and Judson Robinson, III, were among the individual and organizational leaders I consulted and held discussions with in the immediate aftermath of our discovery and initial investigation of the incident.

As you are aware, one of my first actions as Chief of Police was to reorganize the structure of the department to place the Training Division and the Internal Affairs Division under a single commander. One of my goals in structuring the department in this manner was to ensure that when in the course of an internal or criminal investigation the department discovered training or supervision deficiencies we could take corrective immediately.

Although the incident cannot be viewed as indicative of the ethics and behavior of all department tactical units, as Chief of Police I recognize from our own experience and the experience of other municipalities that officers assigned to such high performance units may be prone to group behavior that is not consistent with the best practices of the organizations they represent or with the ideals of public service. In result, I have created a Tactical Training Unit that focuses exclusively on training and educating DTU supervisors and officers with respect to ethical, legal, and tactical issues relevant to specialized patrol units. This training is over and above the education and training that all Houston Police officers receive in regards to respecting the rights of all citizens, including criminal suspects, we encounter in our daily privilege of protecting and serving.

Attached is a table that depicts the current status of the officers who were indefinitely suspended as a result of the internal and criminal investigation of the incident. Should you desire additional information or assistance in this matter please let me know.



Charles A. McClelland, Jr.  
Chief of Police

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Attachment

Name	Termination Date	Appeal Date	Arbitration Date	Arbitration Decision	Grand Jury	Trial
Andrew Blomberg, Officer	June 23, 2010	June 23, 2010	May 11, 2011	N/A	Indictment	Pending
Philip Bryan, Officer	June 23, 2010	June 23, 2010	Dec 14, 2010	Termination Upheld	Indictment	Pending
Drew Ryser, Officer	June 23, 2010	June 23, 2010	April 6, 2011	N/A	Indictment	Pending
Raad Hassan, Officer	June 23, 2010	June 23, 2010	Pending	N/A	Indictment	Pending
Gaudencio Saucedo, Officer	June 23, 2010	June 23, 2010	Nov 16, 2010	Reinstatement <sup>1</sup>	No Bill	N/A
Lewis Childress, Officer	June 23, 2010	June 30, 2010	N/A	Reinstatement <sup>2</sup>	No Bill	N/A
John McClellan	June 23, 2010	June 23, 2010	N/A <sup>3</sup>	N/A	No Bill	N/A

<sup>1</sup> The COH is appealing the Arbitrators ordered reinstatement: Saucedo has not been returned to HPD duty.

<sup>2</sup> Childress was reinstated without a hearing; the COH through the Legal Department is appealing ; Childress has not been returned to HPD Duty

<sup>3</sup> Sergeant McClellan dropped his appeal and retired from the department