

Jaimie
DeLoach/Columbusga
06/22/2010 03:55 PM

To thesportsgroup@yahoo.com
cc Jim Wetherington/Columbusga@COLUMBUSGA, Rick Boren/Columbusga@Columbusga, "Stacy Jackson, Esq." <jns.development@yahoo.com>, &City Councilors, Isaiah
bcc
Subject Re: Tony Adams/Herman Porter

Dear Mr. Jackson,

Thank you for your notice of representation concerning Mr. Adams and Mr. Porter.

Contrary to your assertions, the Mayor has the executive power to enforce all ordinances, rules and regulations of the Columbus Council and state law under section 4-201(1) of the Columbus Charter. Section 1-101 of the Columbus Charter provides "The mayor shall be aided by a city manager, who, in the performance of his or her duties, shall be responsible to the mayor." In addition, Section 4-302(11) provides that the city manager shall "under and subject to the direction of the mayor" . . . "Examine regularly accounts, record and operations of every board ... department, office and agency which receive appropriations from the Council." Thus, the Mayor has clear independent legal authority to investigate the Parks and Recreation Department. This power is independent of and in no way conflicts with the power of the Columbus Council to investigate any department.

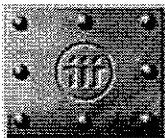
The Columbus Police Department is well versed in conducting investigations including the provision of Garrity waivers to protect the rights of current employees.

The Police Chief with his over 38 years of experience is also perfectly capable of requesting assistance from the Georgia Bureau of Investigation, the District Attorney or State General's Office.

You, of course, are free to advise your clients as you deem proper under the circumstances.

Sincerely,
Jaimie DeLoach
Assistant City Attorney
(706) 653-4025

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06/22/2010 01:14 PM

Please respond to
thesportsgroup@yahoo.com

To jdeloach@columbusga.org
cc "Stacy Jackson, Esq." <jns.development@yahoo.com>
Subject Tony Adams/Herman Porter

Be advised that I have been retained as co-counsel for Mr.'s Tony Adams and Herman Porter in connection with the ongoing police investigation of the Parks and Recreation Department. I am writing to address my clients' concerns relative to the ongoing investigation.

The current manner in which the investigation is being handled constitutes a

blatant conflict of interest, appears to to be a calculated, politically motivated effort to derive a desired, specific conclusion, usurps the authority of the City Council to oversee municipal government and, in light of recent efforts to intimidate municipal employees, may constitute an illegal effort to coerce incriminating statements. Both the initial audit, which found no evidence of wrongdoing, and the subsequent investigation appear to be blatant and illegal actions by the current Mayor to second guess prior action by the City Council and former Mayor. (Notably, the very actions that are now "investigated" were the subject of a congratulatory resolution from the former Mayor and City Council on August 5, 2003).

My clients request that this investigation be immediately transferred to the Georgia Attorney General, the local District Attorney or, alternatively, the Georgia Bureau of Investigation to assure that the inquiry is completed in a fair, conflict-free and unbiased manner. Refusal to do so would clearly indicate a desire to manufacture and create criminal charges where there is no basis whatsoever for such charges. Notably, the recent internal memorandum threatening municipal employees with criminal prosecution (if they lie about aspects of this investigation) or charges of insubordination if they are deemed uncooperative appears to be an effort to intimidate city employees. Further, the refusal to allow these employees to be represented by counsel (where their statements could result in criminal charges) is a clear violation of federal law. This is particularly troubling in light of the fact that many of the interviewees have been questioned about issues that are entirely unrelated to this "investigation". This conduct amounts to a clear abuse of authority.

It is my client's desire to resolve this matter without the necessity of legal action. However, the continuation of an investigation over actions that have been previously authorized by the City Council appears to be nothing more than a politically motivated effort to damage the reputations of Mr.'s Adams and Porter.

I look forward to hearing from you relative to this matter.

Donald Maurice Jackson, Esq., Principal
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The Sports Group
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