

STATEMENT OF RICHARD ARMSTRONG

My name Rick Armstrong and for nearly 14 years I had the privilege of serving the citizens of Raleigh as a Police Officer. And for nearly 10 years I have had the privilege of being the President of the Raleigh Police Protective Association, often known as the RPPA. I have vigorously and effectively lead that Association and raised and addressed the issues of most concern to the Police Officers who are its members. On July 5, 2011, I was terminated from my job as a Police Officer, and that termination is directly related to my vigorous leadership and advocacy on behalf of the RPPA and it's members. I appealed my discharge to Chief Dolan. He not only upheld it, but manufactured several more excuses to try to justify my firing. I have faith and hope that at some point in the near future, I will once again have the privilege of serving the fine citizens of this community as a Police Officer.

A lawsuit was filed this morning, and you have been given a copy of the legal document that was submitted to the Court. While I am a party to the lawsuit, it is really about the survival of the RPPA as an effective voice for the concerns of Raleigh Police Officers. After I was fired, I was able to obtain my Internal Affairs file. I then discovered that I had been the subject of a prolonged investigation that went on for more than 18 months. Not only was the investigation of a very extended nature, it also involved a substantial commitment of personnel and other resources. Turns out members of the Special Enforcement Unit and the Threat Assessment Response Unit were assigned to follow me around while I was both on and off duty, and surveil me and record my activities. These are resources that could and should have been better used to fight crime and protect Raleigh citizens. I also discovered that not only had a GPS device been placed on my patrol car, but similar devices had been placed on my personal car, and even the car

that my wife drives. I also discovered that my personal cell phone records had been obtained. Even more astonishing, and personally offensive, I discovered that records from my wife's cell phone had also been obtained — Now I ask you, what justification is there for invading the privacy of my wife? But this investigation was essentially a run-away train — it knew no limits. Thirty-nine persons other than me were interviewed, with many of them being interviewed multiple times. The file runs to more than 2000 pages — far larger than any other investigative file that anyone I know has ever seen. And I say to you that all of this attention — all of these resources were focused on me not because I am such a bad guy and did lots and lots of bad things ----- NO! These tremendous resources were focused on me because myself and the RPPA were an effective voice for the Police Officers of the Raleigh Police Department, and Chief Dolan was not happy with that.

Because of my suspension and eventual firing some months later, many members of the Association became scared. In early August the person who replaced me as president of the RPPA, Sgt., Eric DeSimone, as well as one of the RPPA's strong supporters and shop stewards, Officer Matt Cooper — both of these fine Officers were placed on administrative leave.

If there is any sense of fairness and justice in the leaders of this City, they should take all steps necessary to return these two fine Officers back to work out in the field serving the citizens.

I told you that with my suspension and then my firing, many members of the RPPA became scared that their careers might be damaged if they continued to support the Association. Well with the suspension of Sgt. DeSimone and Officer Cooper, the level of fear was ratcheted up substantially by the Chief. Over the past couple of months several members of the Association have resigned. Many other officers are considering leaving the RPPA because of

fear for their career. The Chief has instilled a fear in the rank and file and there is no one to stand up for their concerns within the department.

Now you have probably heard that there were Raleigh Police Officers who were engaging in sexually inappropriate actions with prostitute while on duty, and you probably assume that I was fired for just such alleged actions. Well that is not the case. Internal Affairs did interview many prostitutes, but concluded that there was no credible evidence that I ever engaged in inappropriate activities with prostitutes. Instead, the Police Department says that I engaged in sexually inappropriate activities with a Hispanic lady named Ms. Flores, who is not a prostitute.

Let me tell you that I am a religious person — a practicing Catholic. Part of my faith involves helping those who are less fortunate. Also, Chief Dolan has emphasized that he wants Raleigh Police Officers to engage in what is known as “community policing”, which involves Officers getting out of their cars and walking around in the areas that they serve to get to know the citizens who live there. I agree with that style of policing. I did befriend Ms. Flores and her children, and I did spend time in the vicinity of her home, both on and off duty. My actions in helping Ms. Flores and particularly her children were consistent with my faith and with the practices of Raleigh Police Officers encouraged by Chief Dolan. I never denied or tried to hide the help and assistance that I provided to Ms. Flores, or the time that I spent in her neighborhood. When I was interviewed by Internal Affairs, I readily admitted that I would spend time near her home, and would bring her and her children food or clothing from time to time.

When I visited on duty in the vicinity of Ms. Flores’ home, I was always in my assigned district and available to respond to calls. Much of the time when I was in the vicinity of Ms. Flores’ home, both on duty and off duty, I was not actually in her home. I spent far more time

outside and up and down the street where she lived, often playing with and talking to her children and other children and adults who lived in the area. Again, these actions are consistent with the community policing practices that had been emphasized by chief Dolan.

In fact, many of the neighbors of Ms. Flores thanked me for being in the area as much as I was, and for having my patrol car parked in the neighborhood. This was particularly true after an unfortunate accident when a child who lived in the neighborhood was hit and killed by a car.

Not only did I befriend Ms. Flores and her children, but so did my wife. Our children played with Ms. Flores' children, and were even invited to attend one of our kid's birthday parties. My wife and I felt that helping Ms. Flores, and really helping the children who were much less fortunate than our own, was the right thing to do. But my help to Ms. Flores and her family has now become the lynch pin that the Chief uses to justify my firing.

I never engaged in any inappropriate sexual actions of any sort with Ms. Flores either on or off duty. Ms. Flores is the only witness in the entire investigation that was not interviewed by Internal Affairs Officers. Instead, at the request of the Raleigh Police Department, agents of the Immigration and Customs Enforcement Division — commonly known as ICE — took Ms. Flores into their office and interrogated her for several hours. Now it seems to be a reasonable question to ask, how is it that Internal Affairs can interview every other witness, but for some reason needs help from ICE with Ms. Flores? Well, she was undocumented, and she admits that during the interrogation. She has six kids, and knowing her, I'm sure that she was fearful both of being deported and of being separated from her kids, who she very dearly loves. The interview with Ms. Flores is the only interview for which there is no audio recording and for which there is no transcript, so we don't really know what occurred and what she said. We do know that she

initially denied that she and I had ever engaged in any activities of a sexual nature, which is the truth. But then at some point, and I expect after some hours, she started saying that she and I did have sexual encounters. And by the end of the interview, Ms. Flores was making statements that nearly every time I saw her, she and I engaged in some form of sexual encounter.

That is not true, and I have never done anything sexually inappropriate with Ms. Flores. Indeed, since she was living in a small house with her 6 kids and she had a housemate. That house mate confirmed that she had seen no indication of inappropriate activity between Ms. Flores and myself. In fact, the housemate corroborates my statements that I was there helping the children.

I stand here out of work with my professional and personal reputation seriously tarnished because of what Ms. Flores may have said when she was interrogated by ICE. It has caused me and my family much pain and anguish. But I say to you that I understand and I forgive what Ms. Flores did. She did the only thing that she thought she could do to be able to keep her family together, and that is tell ICE and the Raleigh PD what they wanted to hear, and lie that she and I had been engaging in sexual activities.

In terms of the allegation made against me and relied upon by the Chief in firing me, that I had sexual relations with a citizen while on duty, I want to state unequivocally that I have never done any such thing. I have been faithful to my wife since we were married, and have not been sexually involved with any other women since then. My wife, Nancy is here today. She knows in her heart of hearts that what I say is true.

In closing I want to again point out that while a lot of the matters set out in the legal document that we filed concern me, this lawsuit is about a lot more than me. It is about whether

or not Raleigh Police Officers, will be allowed to exercise their fundamental rights guaranteed by our constitution. This is about whether or not the Chief will be allowed to retaliate against Police Officers who take a leadership role in the RPPA , such that other Officers become so sacred for their careers that they withdraw from the Association and it withers and dies -- as I believe Chief Dolan wants —

Or will Raleigh Police Officers be allowed to express their concerns and have an effective Association that can represent them. If there is justice and fairness still in our land, their can be only one answer ----- the members of the Raleigh Police Protective Association and the leaders of the Association MUST be able to address the Police Officers' concerns without fearing for their jobs and careers.