

04-15-13P

04-15-13P04:15 FILE

**BOARD OF ETHICS
COMPLAINT FORM**

For Official Use Only:

Received on: _____

Received by: _____

Receipt Initials: _____

PART A – COMPLAINANT INFORMATION

Full Name: LAST: CHIPKA FIRST: Stephen MIDDLE: Thomas

Address of Residence: NUMBER: 1682 Manhasset Drive
CITY: Dunwoody ZIP CODE: 30338

Contact Phone Number: Day: (770) 394-2927 Evening: (770) 394-2927

Email Address: schipka@usa.net

**City of Dunwoody Ethics Complaint
Contents Checklist**

Sec. 2-256. Receipt of Complaints

(c) Any Complaint shall be in writing, and shall be signed by the person filing the Complaint and sworn in the presence of a notary. Each complaint shall state:

- (1) A separate count for each alleged violation;
- (2) The specific section of this Article alleged to have been violated;
- (3) With specificity, the facts which are alleged to constitute the violation; and
- (4) The documentary evidence which the Complainant possesses. Copies of said documentary evidence shall be attached to the Complaint as exhibits*

(d) All Complaints shall contain an oath that the facts set forth therein are true and correct to the best of the complainant's knowledge.

***Note: Dashcam Recording is available from City of Dunwoody Police**

PART B – COMPLAINANT DECLARATION

I DECLARE I, **Stephen T. Chipka**, HAVE A COMPLAINT AGAINST:

Adrian Bonser

The above listed person is an Elected Official, a member of the City Council, holding the Title of City Council Member.

This Council Member holds City Council Post: 2 , District: 2 , of which I am a legal resident.

PART C – DESCRIPTION OF COMPLAINT:

COUNT 1

Stephen T. Chipka does hereby accuse Adrian Bonser with failing to investigate allegations of corruption and cover-ups within the City of Dunwoody Police Department in violation of Sec. 2.09 (a) - Oath of Office. *Chipka*

COUNT 2

Stephen T. Chipka does hereby accuse Adrian Bonser with abandonment of her obligations to serve her District constituents while pursuing other personal interests and accepting compensation from the City of Dunwoody in violation of Sec. 2.09 (a) - Oath of Office. *Chipka*

COUNT 3

Stephen T. Chipka does hereby accuse Adrian Bonser with threatening and abusive behavior toward a member of the public while in the course of her duties in violation of Sec. 2-222 (a) (k) - Prohibited conduct and other abuses or misuses of position

FACTS

On Feb. 9, 2011 I was involved in an incident with another driver who was tailgating my vehicle on Mount Vernon Road from Manhasset Drive to just past the short cut to Tilly Mill Rd. before the power lines. I finally pulled into the entrance lane of a subdivision and let the other vehicle pass. Pulling back in behind the vehicle I reached down for a pad of paper and pen, as I had left my cellphone at home for my short errand.¹

The other vehicle accelerated toward Jett Ferry, and as I followed it through the left hand turn onto Jett Ferry, the driver admitted later to braking hard to “try to get him to stop following me”. After we went through the old Ace Hardware parking lot, the driver pulled into the east entrance to the Orchard Park Kroger shopping center and turned right toward the old Starbucks location. I pulled beside the vehicle to ensure it could not strike me, and to get a glimpse of the driver.

The driver was a female, still on her cellphone as she sat in the Kroger parking lot.²

The statement of Ms. Polzin, a frame of the dashcam video recording, my Brief Supporting Motion to Dismiss all Charges, and Officer Fecht’s Incident Report are included.

¹ A complete reference of my version of the incident is included in the “Defendant’s Brief in Support to Dismiss All Charges against the Defendant”, dated July 24, 2011. Ms. Bonser received a copy of the “Brief” and “Motion to Dismiss” as a CC: to an email on 12/2/2011 at 11:46 pm.

² Later, it was discovered by police that she was a 16 year old juvenile.

As stated in my "Brief", after Kroger Guy Max jumped between the cars, Kent Polzin drove up in his vehicle, and while I was standing behind my vehicle he made a call on his cellphone. Within minutes another man, later identified as APD Lt. Bennett, who lives in Dunwoody, approached from his Jeep CJ vehicle.

Bottom line, even as Officer Fecht looked out the windshield of the 2 cars side-by-side in front of him, he wrote that my vehicle was blocking Ms. Polzin's ability to move her vehicle.

After pleading Not Guilty, and signing the form to accept a non-jury trial at arraignment in Dunwoody Municipal Court on March 15, 2011, a trial date was set for April 27, 2011 at 6:30 pm. On April 21, 2011 I met with then City of Dunwoody City Attorney Brian Anderson. When I refused to accept his "Plea Deal" and I told him I would fill the court room with Dunwoody residents and the press, so they could hear the remarks that Lt. Hegwood made on 2/9/2011, and watch the video of the two cars side-by-side at 2090 Dunwoody Club Drive, Sandy Springs, Ga., he got very upset and stated that these were "Highly Respected Officers" and that I should not "fight City Hall". As I was getting ready to leave, I said "I guess I'll see you in court". He responded that I would not because he was going to "bind the case over to State Court in DeKalb" and I could bring all the press and friends I wanted to the Decatur courthouse.

Having received no documents before the April 27 initial trial date, I attended court that night, and that was when I witnessed officer Drum and Brian Anderson testifying falsely in the Rasida Manno case referenced in the 12/1/2011 email to chief Grogan.

I went to a second arraignment in the DeKalb County State Court on July 6, 2011, pleaded Not Guilty on both counts. A Calendar Call date of August 12, 2011 was set at 9:30 am. At the arraignment I provided information to AGS Catalano regarding the false accusation of obstructing Ms. Polzin's vehicle (frame from dashcam) and the falsification of the location represented by Officer Fecht. He suggested I contact the Dunwoody Police Department, and inform the Judge at Trial.

On July 25, 2011 I hand delivered the "Motion to Dismiss" and the "Brief" to the Court and the AG Solicitor of DeKalb County.

At the Court "Calendar Call" on August 12, 2011 Judge Panos called myself and AG Solicitor Catalano up to the Bench for a sidebar. Obviously he had read the "Brief" and AG Solicitor Catalano had not. Judge Panos understood that Officer Fecht had falsely stated a Dunwoody address on the citation and the Incident Report, and that my car never obstructed Ms. Polzin's as clearly shown from the dashcam video. Officer Fecht stated in his Incident Report that I admitted to the aggressive driving charge, however, no evidence or documentation was provided to the Court. Sharon Lowery, City Clerk of the City of Dunwoody, has failed to respond to an Open Records Request from December 14, 2012 for these documents of admission. She has also failed to provide information on the alleged 7 witnesses who are never mentioned in Officer Fecht's report. Also never

provided is a copy of the "Shift" investigation regarding my complaint regarding Officer Fecht's falsification of information in his report.

Count 2, the charge of obstructing Ms. Polzin's car was thrown out for lack of evidence. When I asked DeKalb AG Solicitor Catalano whether he was going to file charges against the 2 juveniles for filing false charges, he suggested I go to the police. Since the falsification of the information happened in Fulton County, he had no recommendation on which "police" to complain to.

I reached out to Chief Grogan in the 12/01/2011 email to let me know how to handle the charges against the 2 juveniles, and the 2 officers involved, and he threatened me with a defamation action, as you can read. I responded on 12/2/2011 with facts sup[porting all of my statements.

I then reached out to Mayor Davis, who had become Mayor 1/1/2012 and my District City Council Member Ms. Bonser, to address the corruption and cover-up within the Dunwoody Police Department. This is evidenced by the emails dated 1/30/2012 and 2/2/2012.

On 2/8/2012 Ms. Bonser emailed that she was out of town and that she would address my concerns when she returned. I responded to her email on 2/8/2012 suggesting she review the available documents before discussing anything with chief Grogan.

I sent another email to Ms. Bonser on 2/18/2012 giving her an update on the APD Internal Affairs investigation. I received an email from Ms. Bonser in Australia acknowledging my update.

After a few other emails, I sent an email on 3/13/2012 asking when Ms. Bonser might have time to meet. On 3/24/2012 another email to ask for an update. On March 26, 2012 I copied Ms. Bonser on an email to chief Grogan relating to the tampered evidence, the dashcam recording for officer Fecht's car.

March 27, 2012, I sent an email to Mayor Davis and all Council Members, copying previous emails to chief Grogan regarding the evidence. A second email on March 27, 2012 deals with the Open Records Request from 4/8/2011.

On 4/20/2012, another email asking for an update and why Ms. Bonser is not responding.

On May 30, 2012, Ms. Bonser sends an email that is self explanatory. How is the City Council investigating corruption and cover-up by the DPD a legal matter? Obviously she has not even reviewed the video yet.


On July 3, 2012, Ms. Bonser sends a threatening, abusive email to Steve Chipka. It is self explanatory.

On February 3, 2013, Ms. Bonser sends an email stating "I'm looking forward to the Statue of Limitations being up on any complaints you might have against the City. I know it ends this month." This demonstrates she does not even understand that my complaint is in regard to corruption and cover-ups by the City of Dunwoody Police, not the Feb 9, 2011 incident itself.

SOURCE OF EVIDENCE:


Emails, Dashcam recordings, Court documents, and Police documents as referenced in part C above.

I, Stephen T. Chipka, certify that I have read this complaint, I fully understand its contents, and I declare under penalty of perjury under the laws of the State of Georgia, that the foregoing statements and photocopies of attached documents are true and correct. I understand that a copy of this complaint will be sent to the Chair of the Ethics Commission and to the individual charged in this complaint. All papers and communications relating to this complaint must be treated as confidential to the extent allowed by law.

Signature:  _____

STATE OF GEORGIA
COUNTY OF DEKALB
AFFIDAVIT

Personally appeared before the undersigned officer duly authorized to administer oaths, Stephen T. Chipka, who on oath deposes that the statements in the foregoing Complaint are true and correct to the best of his/her knowledge and belief. The affiant further acknowledges that false statements made in this Complaint may result in a prosecution against them for false swearing, a felony under O.C.G.A. 16-10-71.

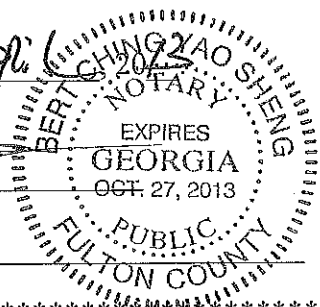


Stephen T. Chipka
1682 Manhasset Drive
Dunwoody, GA 30338

Sworn to and subscribed
Before me this 15 day of April



Notary Public
My Commission Expires: _____



Upon completion of **ALL** sections of the Complaint Form, please either **hand-deliver** or send by **certified mail** with any attachments to:

**Office of the City Clerk
City of Dunwoody
41 Perimeter Center East
Suite 250
Dunwoody, GA 30346**

CITY OF DUNWOODY POLICE

CASE # 11666751

STATEMENT OF: Rebecca Polzin Soc. Sec. # _____
 DOB: [REDACTED] / 94 SEX: F HEIGHT: 5'6 WEIGHT: 130 RACE: _____
 ADDRESS: [REDACTED] APT: _____ CITY/STATE/ZIP: [REDACTED]
 ALTERNATE ADDRESS: _____ EMPLOYER: _____
 PHONE #S: HOME: [REDACTED] WORK: _____ CELL: [REDACTED]
 STATEMENT TAKEN BY: T. Facht DATE: 2-9-11
 TIME: BEGAN: _____ ENDED: _____ LOCATION: _____

I was driving down Mount Vernon after work and a car pulled off to the side of the road by some houses near a neighborhood so I passed him and then he started to come back into my lane before I was past him so I put on my breaks and so did he so I kept going and he pulled on behind me and followed really close and put on his brights and so I tried to get him to stop following me and to him well at first I thought I might be being paranoid so I tried to shake him off so I made two loops through some parking lots and he kept following me and then he pulled up next to me and angled his car so I couldn't get passed him and then he yelled at me to turn off my car call the cops and that's where Max stepped in and he kept yelling at me so I called the police but made Max talk to them because I couldn't. I was scared plus I couldn't tell them where I was because I'm really bad with directions. Then my dad showed up and someone else, a ~~man~~ and then the police showed up.

Signed: [Signature] Page 1 Witnessed: [Signature] 1450
 9-73-92

ATLANTA POLICE DEPARTMENT CITIZEN STATEMENT

EMPLOYEE:

CITIZEN:

OPS:

CITIZEN NAME (LAST, FIRST, MI) Polzin, Rebecca	RACE W	SEX F	DOB [REDACTED] / 1994	DATE & TIME OF STATEMENT 02/13/2012 @ 3:47hours
ADDRESS [REDACTED]	SSN N/A	HOME PHONE [REDACTED]		WORK PHONE

I am Investigator J. D. Smith of the Atlanta Police Department. By your making this statement you are providing information in an investigation being conducted by the Atlanta Police Department. Please be advised that your statement and/or your testimony may be needed at a future time for use in a civil service hearing or court of law.

Q: Were you involved in an aggressive driving incident on February 9, 2011 at 2434 Jett Ferry Road/ Dunwoody Club Drive, Dunwoody, GA?

A: Yes ma'am.

Q: In your words, what exactly happened?

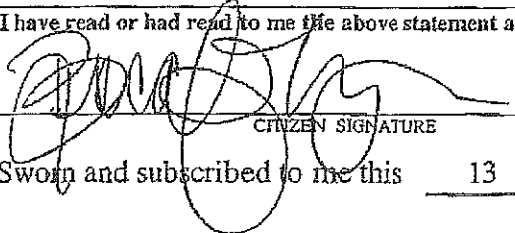
A: It started out with Mr. Chipka was in driving in front of me and then he was behind me and we were driving along Mt. Vernon Road and then he pulled off to the side of the road and then I passed him and then he pulled on back behind me and he was driving really close and he had his "brights" (high beam lights) on and flashed them and I tried to elude him by driving through parking lots. While this was going on, I tried to call my parents on the cell phone. I went to the Kroger's parking lot and he positioned his vehicle in front of mine so that I could not go anywhere. Then he was yelling from his car and then he told me that I needed to turn off my car and I don't remember any other words; he was just yelling.

Then "Max" (the employee at Kroger) he came up to see what was going on and the man was still yelling and at that point I called the police but I was really upset so I could not talk so Max talked to the police and told them what was going on. My dad had gotten there. Then Mr. Bennett approached from one of the stores nearby and he did not say anything. He just witnessed what was going on. My dad had kinda like diffused the situation by talking to Mr. Chipka. The police came and did their investigation.

Q: So you are saying you called the police?

A: Yes, I had dialed the number.

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.


CITIZEN SIGNATURE


Sworn and subscribed to me this 13 day of February in the year 2012

Rebecca Polzin

PRINT CITIZEN NAME

Inv. J. D. Smith

NOTARY PUBLIC


JACQUELINE SMITH
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES FEBRUARY 28, 2014

P - 7 - 1 - 3

ATLANTA POLICE DEPARTMENT
CITIZEN STATEMENT

EMPLOYEE:

CITIZEN:

OPS:

Q: Was anyone else on the scene with you while you were there?

A: Max, the Kroger's clerk, my dad, Mr. Bennett, then the Police arrived.

Q: Did you know the grocery clerk?

A: Before, no. I had not met him previously.

Q: Do you know Scott Bennett? If so, how do you know Scott Bennett?

A: No.

Q: During that incident, did Scott Bennett (Ms. Polzin was shown a picture screen of a photo of Scott Bennett) come and talk to you before Dunwoody police arrive?

A: No. I looked at the picture, but I do not remember that guy.

Q: Did Scott Bennett say anything to you that led you to believe that you should have a script to say certain things to the Dunwoody Police before they arrived?

A: No.

Q: Did Scott Bennett coach/give you a script/tell you what to say/teach/prepare you on what to say to Dunwoody Police before they arrived?

A: No.

Q: Have you answered all questions truthfully and to the best of your knowledge?

A: Yes.

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.


CITIZEN SIGNATURE

Sworn and subscribed to me this 13 day of February in the year 2012

Rebecca Polzin

PRINT CITIZEN NAME

Inv. J. D. Smith

NOTARY PUBLIC

JACQUELINE SMITH
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES FEBRUARY 28, 2016

P - 7 - 2 - 3

ATLANTA POLICE DEPARTMENT
CITIZEN STATEMENT

EMPLOYEE:

CITIZEN:

OPS:

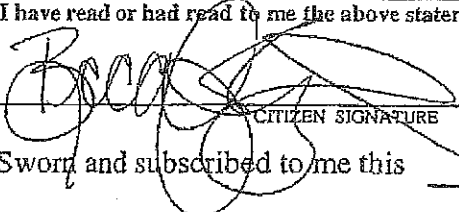
Q: Are you willing to voluntarily submit to a CVSA test pertaining to your statement?

A: Yes.

Q: Is there anything you wish to add to your statement?

A: No.

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.



CITIZEN SIGNATURE

Sworn and subscribed to me this 13 day of February in the year 2012

Rebecca Polzin

PRINT CITIZEN NAME

Inv. J. D. Smith

NOTARY PUBLIC



JACQUELINE SMITH
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA

MY COMMISSION EXPIRES FEBRUARY 28, 2011

P - 7 - 3 - 3

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

§

v.

§

CASE NO. 11C36172-IVB

STEPHEN THOMAS CHIPKA

§

Defendant

DEFENDANT'S MOTION TO DISMISS ALL CHARGES AGAINST THE
DEFENDANT

Comes now the Defendant, Stephen Thomas Chipka, in the above referenced case, in the interest of justice, and pursuant to Article 29: Seizure of Criminal, of Chapter VIII: Circumstances Precluding Wrongfulness, of Part Two: Crime, of The Criminal Code of Georgia, request that this Court consider this Motion to:

- Dismiss all Charges in this Case against Stephen Thomas Chipka,

In support of this Motion, Defendant states:

- In regard to COUNT 1: AGGRESSIVE DRIVING on FEBRUARY 9, 2011, by operating a motor vehicle with the intent to HARASS AND INTIMIDATE another person, in violation of O.C.G.A. § 40-6-397, the above offense having occurred in DeKalb County, Georgia, contrary to the laws of this State, the good order, peace and dignity thereof:

- That the Dunwoody Police Department (DPD) officers failed to accurately portray the facts of the incident as presented by Mr. Chipka,

- Mr. Chipka was never made aware that he was a "suspect", or read his right to an attorney by the DPD officers,

- That the DPD Chief and Deputy Chief failed to take action when made aware that the DPD officers had not represented the incident accurately in their report,

- That DPD members Fecht and Hegwood made no attempt to segregate the participants in this incident, and enabled the contamination of the information gathered by lax investigative procedures.

- That DPD members Fecht and Hegwood made prejudicial, badgering, and baiting comments to Mr. Chipka to further antagonize Mr. Chipka and solicit "hostile" behavior.

- In regard to **COUNT 2: AGGRESSIVE DRIVING** on FEBRUARY 9, 2011, by operating a motor vehicle with the intent to OBSTRUCT another person, in violation of O.C.G.A. § 40-6-397, the above offense having occurred in DeKalb County, Georgia, contrary to the laws of this State, the good order, peace and dignity thereof:

- That the Dunwoody Police Department (DPD) officers failed to accurately portray the facts of this alleged offense in their report,

- That the video from the DPD dash camera supports Mr. Chipka's position that the DPD officers falsified the information that Mr. Chipka's vehicle obstructed the car of the alleged victim at any time,

- That the audio system from the DPD dash camera has demonstrated instability in performing its intended function of accurate playback,

- That the DPD, with knowledge, dispatched their officers to 2090 Dunwoody Club Drive, Sandy Springs, Fulton County, where the alleged incident took place, and then falsely stated in their report that the location was within DeKalb County,

In support of this Motion, Defendant relies upon the Pleadings and evidence presented in the Brief in Support of this Motion for Dismissal, filed contemporaneously herewith.

In support of this Motion, Defendant also relies on **The Criminal Code of Georgia Part Two Chapter VIII: Article 29, which states:**

"Article 29. Seizure of Criminal

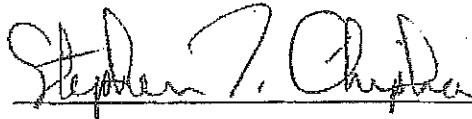
1. A person who seizes a criminal for bringing him to government bodies without overstepping the measure necessary for such seizure shall not be considered to have acted wrongfully.

2. Overstepping the measure necessary for seizure of a criminal is considered where this measure is clearly inappropriate to the gravity of the crime and circumstances of this crime. "

Mr. Chipka truthfully believed Ms. Polzin to be a criminal when she tried to use her vehicle to cause physical harm to himself and the dog with him in his car, this act was not included in the Dunwoody Police report.

WHEREFORE, for the foregoing reasons, the Defendant, Stephen Thomas Chipka, respectfully request that this Court grant the within motion in all respects.

Respectfully submitted this 24th day of July, 2011.



Stephen Thomas(T) Chipka
Pro Se

1682 Manhasset Drive
Dunwoody, GA 30338
(770) 394-2927
schipka@usa.net

STATE COURT OF
DEKALB COUNTY

JUL 25 PM 5:06

Skadd
DEPUTY CLERK

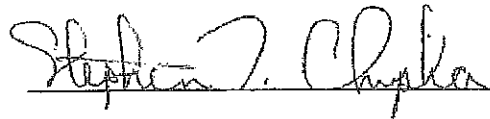
STATE COURT OF DEKALB COUNTY
CASE NO. 11C36172-IVB

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing Motion for Dismissal upon Philip Catalano, Assistant Solicitor-General by hand delivery to:

Suite 500
DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030

This 24th day of July, 2011,



Stephen Thomas(T) Chipka
Pro Se

IN THE STATE COURT OF DEKALB COUNTY

STATE OF GEORGIA

STATE OF GEORGIA

§

v.

§

CASE NO. 11C36172-IVB

STEPHEN THOMAS CHIPKA

§

Defendant

**DEFENDANT'S BRIEF IN SUPPORT OF MOTION TO DISMISS ALL
CHARGES AGAINST THE DEFENDANT**

Comes now the Defendant, Stephen Thomas Chipka, in the above referenced case, and files this Brief in Support of Defendant's Motion.

I.

INTRODUCTION

This case was initiated as the result of activities which took place on the evening of Wednesday February 9, 2009 between about 8:45pm and 9:00pm in DeKalb and Fulton Counties in the State of Georgia. A Citation (D00008938) was issued by Officer Fecht (Badge #1450) of the Dunwoody Police Department to Stephen Thomas Chipka for Aggressive Driving under O.C.G.A. § 40-6-397. Case # 11-000751 was assigned to the investigation of these charges.

On March 15, 2011, at 8:30am, Mr. Chipka appeared for arraignment in the Dunwoody Municipal Court. After pleading Not Guilty, Mr. Chipka was assigned a court date on April 27, 2011 at 6:30pm.

Brian Anderson, City Attorney for Dunwoody, met with Mr. Chipka in his office on April 20, 2011 at about 10:00am. Failing to reach any agreement with M. Chipka, Mr. Anderson bound the case over to the State Court of DeKalb

STATE COURT OF DEKALB COUNTY
CASE NO. 11C36172-IVB

I

9-14-92

County. When Mr. Chipka did not receive anything in writing from Mr. Anderson, or the State Court of DeKalb County, he chose to attend the April 27, 2011 court session, where he received the documentation indicating the transfer of the case.

On June 15, 2011, the State Court of DeKalb County notified Mr. Chipka to appear for arraignment again on July 6, 2011 at 9:00am. Appearing before the Honorable Judge Panos on July 6, 2011, Mr. Chipka again pleaded Not Guilty and notified the bench that he would proceed Pro Se.

The next court date is set for August 12, 2011 at 9:30am for a Calendar Call.

II.

COUNT 1

Operating a motor vehicle with the intent to HARASS AND INTIMIDATE another person

A. Background

On a typical night, the Chipkas, Stephen, Heather, and their two dogs, will take a brief ride from their home at [REDACTED] Georgia, to the Chevron Food Mart at 4249 Dunwoody Club Drive, Dunwoody, Georgia, to get lottery tickets for the day, and to give the dogs a "treat". The distance from their home to the Chevron is about 1-1/2 miles taking the direct route east on Mount Vernon Road and then north on Jett Ferry Road (*Exhibit A*). Usually both Mr. and Mrs. Chipka will go with both dogs so someone can stay in the running car while the other goes inside to purchase the tickets. This is especially important when the weather is above 60-70 degrees. The "trip" usually takes a total of about 15 minutes. Mrs. Chipka usually brings her cell phone on these trips.

Mount Vernon Road is a two lane paved surface street from west of Manhasset Drive¹ to it's end near Spalding Drive, well past the Jett Ferry Road turn to the Chevron. Although it is only two lanes, it is not only a local neighborhood street, it is also a through street from the Perimeter area, through Fulton, and on into Gwinnett County. Therefore one never knows, especially at night, who is in the car behind them; it could be a local soccer mom, or a business person coming through on the way to a distant home after a few cocktails after work.

Mount Vernon throughout the section between Manhasset Drive and Jett Ferry Road has dual yellow no-passing stripes, a 35mph speed limit, a crosswalk, and Radar Speed signs to provide traffic safety (*Exhibit B*). There are two right street turnoffs, Mount Vernon Place and Tilly Mill Road, and a couple of subdivision entrances on the right along this section of Mount Vernon Road. Street lighting is nonexistent until east of Tilly Mill Road, where a shopping center provides lighting.

B. February 9, 2011

On the night of February 9, 2009 the sun had set at about 6:20pm. The temperature was in the low 30's, and light snow was forecast for the Atlanta area. Since the weather was cool enough to leave a dog in the car for the 2 minutes it would take to be inside the Chevron, at about 8:45pm Mr. Chipka put "Delta", their 85 pound female Ridgeback, (*Exhibit C*) in the back seat of the car. Mrs.

¹ Manhasset Drive becomes Vermack Road south of Mount Vernon Road.
STATE COURT OF DEKALB COUNTY
CASE NO. 11C36172-IVB

Chipka and their other dog stayed at home. Mr. Chipka proceeded on his way without taking a cell phone in the car.

After stopping at the traffic light at the intersection Mr. Chipka turned left from Manhasset Drive onto Mount Vernon Road headed east. Mr. Chipka got to about the 2000 block of Mount Vernon Road before a car came east on Mount Vernon Road through the light which had changed to green. The car came up behind Mr. Chipka to the point that, at times the headlights were not visible in the rear view mirror.

With Delta in the back seat, and the car so close behind, Mr. Chipka's concern was that something could happen to require a sudden stop and that the vehicle following would not be able to stop, causing an accident. With light traffic in both directions and a 35 mph speed limit there was plenty of room on the road without tailgating, which usually occurs on this section of road during rush hour, but at a speed of about 20 mph.

In an attempt to signal the other driver to move further back from his car, Mr. Chipka tapped his brake pedal quickly a couple of times to flash the brake lights. Usually this resolves the situation and the rear driver will slow and increase the distance between cars. In the daytime it is easy to see what the other driver is doing, be it dealing with kids, or glued to their cell phone. A "local" neighborhood driver who was distracted may even wave an apology. At nighttime it is difficult to see the driver, or what they are doing.

Receiving no reaction to the brake light flashes, and not able to see what the other driver was doing, Mr. Chipka gradually slowed the car down from 35

mph to about 20 mph. Usually this works, because when you return to the speed limit the following car leaves more room. In this case it was as if the following car was hypnotized by Mr. Chipka's rear bumper and they continued to follow closely.

Since following the car had not responded to any attempt to get it to move back, and did not turn right on Mount Vernon Place (a shortcut to Tilly Mill Road), Mr. Chipka pulled off Mount Vernon Road into the entry lane to Vernon Oaks Way (*Exhibit B - upper right photo*), let the car pass, and then pulled back out to Mount Vernon Road eastbound.

Now being behind the car, and without his cell phone, Mr. Chipka reached for a pad to write down the License Tag number of the car so he could call the Dunwoody police when he reached the Chevron. Mr. Chipka turned on his interior dome light, held up the pad, and flashed his headlights to let the other driver know his intention to record their License Tag number. The vehicle accelerated through the Tilly Mill Road intersection and continued to accelerate until they were blocked by traffic at the Jett Ferry Road traffic light which was only green for the left turn lane to Jett Ferry Road (*Exhibit D*). The driver moved into the left turn lane, turned north onto Jett Ferry Road, and appeared to accelerate.

Since that was the way Mr. Chipka was headed to begin with, he made the 90 degree turn north onto Jett Ferry Road. Traffic turning west onto Mount Vernon Road from Jett Ferry Road south blocked the view of the north bound lane of Jett Ferry Road. As Mr. Chipka completed the 90 degree turn and went to

make the 60 degree curve (*Exhibit D1*) he encountered the car, which had lingered after making the turn north. Instead of accelerating, the car slammed on its brakes trying to force Mr. Chipka's car into the concrete curb and sidewalk. (The DeKalb County Assistant Solicitor-General, Mr. Catalano later said that in talking to the female driver, she meant to hit the accelerator instead of the brake when she caused this action. This shows that she had intent to take this action.)

The Chipka car has 4 wheel disk brakes and Mr. Chipka was able to avoid going into the curb as the other car accelerated away rapidly. However, Delta (the dog in the back seat) was thrown into the back of the front seats and onto the floor. As she trembled in fear she climbed back onto the back seat. Seeing this as a second attempt to harass and cause injury to Mr. Chipka and his dog, he was now determined to get the License Tag number of this car and report their actions to the police. As Mr. Chipka followed the other driver, they continued accelerating and driving recklessly on Jett Ferry Road to Dunwoody Club Drive, passing a McDonalds Restaurant and the Chevron Station, both of which were open and well lighted. The car continued into and around the parking lot of the CVS Pharmacy, which was also open and well lighted, back out onto Mount Vernon Road west. Then the car turned north Jett Ferry Road again, proceeding again to Dunwoody Club Drive. This was the second time the car had passed the open McDonalds and the open Chevron station. All this activity was within the City of Dunwoody, DeKalb County, Georgia. As Mr. Chipka followed this reckless driver he was flashing the high beams and honking the horn in hopes of

attracting attention from any police officer in the area, or to get a citizen to call 911 to report the activity. No police officer responded to his efforts at this point.

III.

COUNT 2

Operating a motor vehicle with the intent to OBSTRUCT another person

A. Background

The middle of Dunwoody Club Drive is the boundary line between the City of Dunwoody and DeKalb County on the south side, and the City of Sandy Springs and Fulton County on the north side. The Orchard Park Shopping Center at 2090 Dunwoody Club Drive (*Exhibit E*) is on the north side of Dunwoody Club Drive, placing it in the City of Sandy Springs.

B. February 9, 2011 The Car Stops at 2090 Dunwoody Club Drive

After going east from Jett Ferry Road on Dunwoody Club Drive, the car entered the Orchard Park Shopping Center at the eastern entry. As the car entered the shopping center it turned to the right immediately instead of jogging slightly left and going straight to the Kroger store lighted entry area.

Following the car at a safe distance into the parking lot, and learning from the earlier attempt to run Mr. Chipka's car into the curb on Jett Ferry Road, Mr. Chipka pulled to the left side of the car, the driver side.

After the car braked and accelerated 2-3 times, Mr. Chipka was able to pull up beside the vehicle and finally get a glimpse of the driver due to the light provided by a parking lot light in the far corner of the parking lot (*Exhibit F*). The driver was a young lady who was on a cell phone. Once Mr. Chipka pulled up beside the car, the driver stopped moving the running car. Being unsure of the

driver's intentions to make further attempts to cause him harm, Mr. Chipka used the electric windows in his car to roll down the passenger-side window while keeping his car running and in gear.

The first question Mr. Chipka asked the driver of the car was:

"Are you trying to kill me and my dog?" The driver of the car had her window up so Mr. Chipka shouted at her to "Roll down the window, shut off the engine, and call the police". After Mr. Chipka yelled that at her several times, she rolled down the window and said "No!". At this time Mr. Chipka still had no idea who, or how old, this driver was. All he knew is that she had finally stopped the car and was still on a cell phone.

Exhibits F, G, and H provide a police video still shot and a daytime placement of the Chipka car (on July 17, 2001 about 6:00pm) in relation to the position of the car on February 9, 2011 at about 9:00pm. These exhibits show the Chipka car about 3 feet from a concrete curbed planting area filled with mulch. During the summer this area is covered with mulch with mondo grass plantings. Since it was winter, the area was covered with mulch. To the right of the approximately 6 feet wide Lexus of the Chipkas, is about 3 feet of space between the two cars. At no time was Mr. Chipka's car obstructing the other car's path. In the police dash cam video, at 21:37:30, a police car goes around the cars on the right, and proceeds past the Starbucks, between the cars and the Starbucks.

In the July 17, 2001 restaging in *Exhibits G and H*, there is about 33 feet of clear space to the parking curb on the right. *Exhibit F1* is a diagram to show the location of each car in the dash camera view, *Exhibit F*.

The Chipka's Ridgeback, "Delta" (*Exhibit C*) was still in the back seat starting to settle down from the slam to the back of the front seats she received earlier (when talking to the DeKalb County Assistant Solicitor-General later, Mr. Catalano suggested I get a seat belt for "Delta").

C. February 9, 2011 "Kroger Guy" Intervenes

Suddenly, out of seemingly nowhere, a young man in his teens to early twenties jumped between the two cars. He started shouting at Mr. Chipka to stop yelling at the female driver. He was standing at the passenger door of Mr. Chipka's car with his head in the window, yelling in a very loud voice. Not knowing who this person was, Mr. Chipka told him to "back off" and "get away from his car". Delta was restless in the back seat and Mr. Chipka told her to "stay". After repeated attempts to get this person away from his car, and after the other driver shut the engine off in her car, Mr. Chipka shut off his car, and exited the driver side of his car, with the writing pad in his left hand and a pen in his right hand to capture the License Tag of the female driver's car (*Exhibit I*) and attempt to get this male intervener away from the car with the dog inside. Mr. Chipka repeatedly asked if this male was a police officer but only received further demands that Mr. Chipka stop shouting at the female driver. This deranged male refused to get away from the Chipka car. Because of his deranged yelling, Mr. Chipka had no opportunity to warn him of the dog in the back seat. At this point, Mr. Chipka was standing about 5 feet behind the female driver's vehicle, slightly to the left. "Kroger Guy" at that point had the female driver's phone and appeared to be making the call to 911.

Having written the License Tag number down, and seeing "Kroger Guy" talking on the cell phone, Mr. Chipka waited at the back of the car for the assumed City of Sandy Springs Police to arrive.

The License Tag was a DeKalb County, Georgia tag, number [REDACTED] (*Exhibit I – top*). This led Mr. Chipka to the assumption that the car belonged to someone in Dunwoody.

D. February 9, 2011 the "Father" shows up

Just as suddenly as "Kroger Guy" showed up, within a moment or two of "Kroger Guy"'s appearance, an SUV came squealing into the east entrance of the Orchard Park Shopping Center and pulled up to about 5 feet behind the female driver's car. Mr. Chipka had to take evasive action to avoid being struck by the SUV. (The address of the female driver's family is [REDACTED] [REDACTED] a distance of about 2.2 miles or 6 minutes travel time, per Google Maps).

The driver of the SUV, a male Caucasian about 45 years old, jumped out and lunged at Mr. Chipka in "SWAT" police style and yelled for Mr. Chipka to "Get down on the Grass". Since there was no grass in the area, Mr. Chipka just stood still waiting for the next move of this deranged person.

The driver then dialed a call and started describing the incident, even though he had just arrived. As he fed the person on the other end of the phone a description of Mr. Chipka, Mr. Chipka verbally filled in the information trying to calm the situation, i.e.: 160 pounds, 5 feet 7 inches, 57 years old, thinking the man had dialed 911. The male driver focused on the "driver who was terrorizing

his daughter" on the call. This would have been audible in a 911 recording as the male driver was virtually in Mr. Chipka's face with his phone. He then took at least 1 or 2 pictures of the Chipka car with his cell phone, focusing on the license tag area. Mr. Chipka had no objection to this as he was waiting for the police to arrive, so the information would be available anyway.

Mr. Chipka stated that this man could take his daughter home and he could forget the police report, but the man adamantly stated he would wait for the police. Meeting his objective of getting the young ladies License Tag number, and knowing he could talk to the police then, or at a later time, Mr. Chipka had no objection to waiting.

E. February 9, 2011 The Alleged "Shopper" shows up

Not more than 3 minutes later, long enough for a person who lived at [REDACTED] [REDACTED] (the address of APD Lt. Scott H. Bennett), Dunwoody, to get into their car and drive to the scene, a Jeep Wrangler styled vehicle pulled up to the left of Mr. Chipka's vehicle, completing 3 out of 4 legs of a box around the Chipka car. A male Caucasian about 45 years old, seeming to be intoxicated, jumped from the vehicle and started ranting about "brake checking" and "intent to obstruct" comments very loudly in slurred speech.

F. February 9, 2011 Dunwoody Police Officer Fecht Arrives

Finally, at 9:07 pm, Dunwoody Police Department Officer Timothy Fecht (Badge Number 1450) rolled casually onto the scene without his blue lights or siren activated (this was more than a little bazaar relative to the situation that had occurred). After a minute or two of assessment Officer Fecht asked Mr. Chipka to

move back inside his vehicle, where Officer Fecht would join him shortly. Mr. Chipka made Officer Fecht aware of "Delta", the 85 pound Ridgeback in the back seat who was still anxious about the threat that had been posed by the female driver's actions. Officer Fecht then requested that Mr. Chipka move to one of the outside tables at the Starbucks Coffee shop at the corner of the shopping center about 100 feet away and wait for him. *Exhibit F* shows Mr. Chipka and Officer Fecht at the Starbucks under the "C" of the Coffee part of the sign.

Officer Fecht did not take any exception to Mr. Chipka's comments at the time but later in his report will state that Mr. Chipka was "defensive and verbally hostile in nature." (Since Officer Fecht failed to "activate" his dash camera at the time he arrived, none of the activities prior to 9:31pm or after 9:39pm, an 8 minute window out of an hour plus incident, is available from the dash camera).

After having dealt with the activities of the female driver, her intentional attempt to force his car off the road causing evasive action throwing "Delta" to the floor, the verbal assault of this strange young "Kroger Guy", the verbal assault of the "Father", and the ranting of the intoxicated "Shopper", to say Mr. Chipka was agitated would be far more accurate. The audio portion of Officer Fecht's dash camera also provides a short example of the interaction between Mr. Chipka, Officer Fecht, and the later identified Lt. Hegwood.

G. February 9, 2011 Dunwoody Car #2 Arrives

Several minutes later, while Officer Fecht was working with the other people around the 4 cars, a second Dunwoody Police car casually rolled up, again without its blue lights or siren on. This seemed strange as the apparent

"Father" of the female driver had been so adamant about how Mr. Chipka had "terrorized" his daughter in his cell phone call to 911. It became apparent that the father, Mr. Polzin, had not been calling 911, but was calling Lt. Scott H. Bennett of the APD to come to the scene and interfere with the investigation by claiming to be "grocery shopping at Kroger".

(Note: The Dunwoody Police Department never responded to questions about the time that the second vehicle arrived at the incident or why the vehicle never activated its dash camera at all, even though it was staffed by a "highly respected" Lieutenant of the Dunwoody Police Department).

H. February 9, 2011 What is Going On?

As Mr. Chipka sat at the table outside Starbucks he removed his Georgia driver's license and his BellSouth retiree identification card (*Exhibit J*) and placed them on the table. Since he had not returned to his car after he got out to capture the License Tag number, the pen and pad were still in his hand. As he was making a couple of notes, Officer Fecht came over to the table and instead of joining the seated Mr. Chipka, he remained standing.

As Officer Fecht picked up the driver's license only, he asked for Mr. Chipka's version of what happened. Since Mr. Chipka had the pad open, he drew a map (*Exhibit K*) and briefly told the story as recounted above in Section II. This was probably from 9:10 pm – 9:15 pm. Without his cell phone, and not wearing a watch, Mr. Chipka had no way to know the exact time.

The other people seemed to be in a group between the Chipka car and Officer Fecht's car with the other Dunwoody Police officer.

While sitting at the table Mr. Chipka waiting, Mr. Chipka struck up a conversation with the manager of the Starbucks. When he mentioned he did not have his cell phone and could not contact his wife to let her know what was happening, the Starbucks manager offered Mr. Chipka his cell phone. Mr. Chipka called hi home and talked with his wife for several minutes.

Officer Fecht returned at about 9:25 pm² (*Exhibit L*) with the second officer (both remained standing while Mr. Chipka was seated). Mr. Chipka finished his cell phone call by stating he needed to check on "Delta" who had been sitting alone in the car for about 20 – 25 minutes now. Officer Fecht said that "Delta" was "calm" and that it shouldn't be that much longer (*Exhibit L- top left*). Mrs. Chipka also heard Officer Fecht's comment through the cell phone. Mr. Chipka returned the cell phone to the Starbucks manager

Suddenly the second officer thrust his arm out toward Mr. Chipka. He erupted into a speech that the business card he was holding in his hand was the card of the Atlanta Police Department officer (*Exhibit L- bottom left*) who had intervened, and how Mr. Chipka "failed to show him respect". Mr. Chipka, assuming it was the card for "Kroger Guy", stated that he had asked several times if he was a police officer, and that he had never identified himself as such. The officer angrily retorted that "he doesn't have to". Both actions were rather shocking and unexpected. Mr. Chipka wasn't ready for this stranger to shove his hand in his face, and then tell him that police officers don't have to identify themselves, especially when repeatedly asked. The behavior of this Dunwoody

² This is where the audio/video from Officer Fecht's Dash camera begins on the Certified CD provided by the Dunwoody Police Department. See IV - C.

Police officer did cause some confusion for Mr. Chipka, who, having dealt with similar situations as a Certified Organizational Effectiveness/Change Management Consultant at BellSouth for 10 years, decided not to take the "bait".

Expressing further anger, the second officer asked:

"Are You A Dunwoody Resident?"

Mr. Chipka responded with a single word:

"YES."

Having experienced the outburst about the APD card, and this anger by a stranger, Mr. Chipka was not quite prepared for this officer's next comment:

"THAT EXPLAINS IT!"

Not wanting to antagonize this person who has just insulted one of the citizens who voted for the City of Dunwoody and who pays taxes to support that city, Mr. Chipka remained silent. Officer Fecht stood silent next to this second officer.

Continuing on his rant, this second officer launched into his speech about:

"I've got 20 Plus Years of Doing this Job....."

After he was done with his rant, he turned and walked away. Mr. Chipka asked Officer Fecht who this man was. He responded with his own name and badge number, and then provided Lt. Hegwood's name and badge number (#1405).

Mr. Chipka asked Officer Fecht **"Why would he say that to me?"**

Officer Fecht responded: **"I can only speak for myself."**

Mr. Chipka did find out when he received the Incident Report that Lt. Hegwood was talking about Mr. Scott H. Bennett, a Lt. with the APD, which made Lt. Hegwood's outburst even more confusing, as Mr. Bennett was the "Shopper" who showed up in his Jeep, after the "Father". Officer Fecht stated "He was slightly defensive and verbally hostile in nature and would interrupt officers while being spoken to." on page 5 of his Incident Report. The only time Mr. Chipka was with officers was during this brief encounter with Officer Fecht and Lt. Hegwood. Having waited for the police to arrive to deal with this "menacing reckless driver", Mr. Chipka was a little confused as to what had just happened with Fecht and Hegwood. Within the next few minutes he would find out.

Officer Fecht stated that the young lady and "Kroger Guy" had said that Mr. Chipka had "pulled in front" of the young lady's car and "blocked her from moving". He responded that "I never pulled in front of her", that he would never do that as the result of an experience during the Mariel boat lift in Miami in the late 70's, early 80's. Mr. Chipka launched into the story about the time he could have blocked a car being chased by several marked and unmarked Miami-Dade police units, didn't, and later found out that the driver had a gun, and started shooting when finally cornered by police.

During this conversation Mr. Chipka could hear the conversation between the Lt. and the "witnesses" in their group behind the Chipka car. As a group they were discussing the fiery crash of the previous day on I-285. (*Exhibits M & N*).

This added to the bizarre nature of the incident, as "Kroger Guy" was still hanging around being entertained by the group.

After the conversation concluded, Officer Fecht said he would compile his notes and thoughts and get back quickly. Mr. Chipka stated that he had never made it to get his lottery tickets at the Chevron. Officer Fecht said there was still 22 minutes (9:38pm) until the Chevron closed. Mr. Chipka responded that the Chevron shut down their lottery terminals at 9:45pm (since this was almost a daily event, Mr. Chipka was well aware of when the Chevron closed their terminals). Officer Fecht offered the suggestion that Kroger had lottery tickets to which Mr. Chipka responded (semi-jokingly) that Chevron was his "lucky" spot.

Officer Fecht then returned to his car.

I. February 9, 2011 The Citation and Officer Fecht

At about 10:10 pm (half an hour later) Officer Fecht returned to the table at Starbucks where Mr. Chipka was sitting. He handed Mr. Chipka a pad with the citation for Mr. Chipka to sign. Mr. Chipka asked if the female driver was charged with anything. Officer Fecht replied in the negative. Mr. Chipka expressed dismay at that decision, but signed the citation without delay.

As Officer Fecht was turning to go back to his car, he asked:

"Why didn't you call the police?" (Exhibit O)

J. February 9, 2011 Mr. Chipka is Excused and Buys Lottery Tickets

Mr. Chipka went to his car, pulled back around by where Lt. Hegwood, the "Father", and "Kroger Guy" were still standing and said he would be talking to the

mayor about Lt. Hegwood's earlier comment. Lt. Hegwood defiantly said "What Comment?", Mr. Chipka answered "The That Explains It comment". Without hesitation, Lt. Hegwood responded "Yeah, That Explains Your Behavior".

Mr. Chipka drove over to Kroger to get the lottery tickets. The store team leader, Bill Schwartz, was standing in the east entrance looking out to the police cars in the east parking lot. Mr. Chipka asked him to identify "Kroger Guy". He provided his own name, and provided "Kroger Guy's" identity as Mark Ruddell, a Courtesy Clerk for the store.

I finished getting the lottery tickets at the service counter and moved toward the east exit. As I said goodnight to Mr. Schwartz, Officer Fecht and "Kroger Guy" were walking back into the store together. This seemed very bizarre, but I just said "good to see you again" and left the store.

IV

FOLLOWUP

A. Background

Over the next few weeks Mr. Chipka communicated with Dunwoody Mayor Ken Wright and Chief Grogan by e-mail in regard to this incident and the comments and behavior of Lt. Hegwood. Mr. Chipka finally met with Deputy Chief Sides on March 9, 2011 at 1:00pm at the Dunwoody City Hall / Police Station.

B. Communications with Deputy Chief Sides

1. Lt. Hegwood's Remarks

On April 8 and April 12, 2011 (*Exhibit P*) Deputy Sides addressed the issue of the inappropriate remarks made by Lt. Hegwood on February 9, 2011.

2. The 8 Minute Dash Cam Video

E-mails between Mr. Chipka and Deputy Chief Sides (*Exhibits Q, R & S*) address the issue of why the Certified CD does not include the entire incident. Deputy Chief Sides confirms several times that the CD is complete and that the issue is lack of activation by the officer involved.

C. Certified CD from Officer Fecht's Dash Camera

1. Case Chain of Custody and the Certified Disk Copy

Exhibit T is a copy of the alleged Case Chain of Custody Report for the Diskette provided to Stephen T. Chipka March 9, 2011 for \$20.00 after his meeting with Deputy Chief Sides on March 9, 2011. This Chain of Custody is for Certified Copy #102. The Disk (*Exhibit U*) provided is Certified Copy #104.

2. The Video on Certified Disk #104

The video portion of the Disk contents support the position of Mr. Chipka that he never pulled his car in front of Ms. Polzin's car. The video clearly shows the two cars side-by-side approximately 3 feet apart, the space where Mr. Ruddell claimed he "stepped in between the vehicles and told the offender to stop yelling". Mr. Ruddell stated "the offender was yelling loudly at the victim to stop and turn off her vehicle. If Mr. Chipka had parked in front of her vehicle, blocking her from moving, as reported, why would he be yelling at her to stop?"

As stated, Mr. Chipka turned off his car, exited the car (pg. 9, Section III.C. of this document) on the driver's side, and walked to the rear of Ms. Polzin's car to write down her License Tag number. At any time, Ms. Polzin could have driven

away, totally "unobstructed". Mr. Chipka never entered his car again until Officer Fecht gave him the citation and told him he was free to leave.

3. The Audio on Certified Disk #104

The audio portion of the Disk is another matter totally. It appears there are major defects in the audio recording system that was used for this disk.

As stated on page 14 paragraph 2 of III H. "What is Going On?", Mr. Chipka was on the cell phone belonging to the Starbucks manager, talking to his wife, as Officer Fecht and Lt. Hegwood approached. Mr. Chipka made a comment to Mrs. Chipka about checking on Delta at about 9:25pm. Officer Fecht can be heard telling Mr. Chipka that Delta was fine at 21:31:10 on the Disk. Suddenly, at 21:31:32, Mr. Chipka seems to have gone berserk, asking for the name of the person who asked him if he was a Dunwoody resident. This mini fit of anger happened after Lt. Hegwood made his comments and then walked away, discussed on page 15 paragraph 5 of III H. "What is Going On?" As discussed on page 15, Officer Fecht says it is 9:38pm as he is heading back to his car, which means at least a 5 to 6 minute segment of audio is missing from the Disk.

In addition to the missing audio segment above, in the conversation where Mr. Chipka states "I never pulled in front of her car", the word "never" is missing to form the new sentence "I pulled in front of her car". The audio segment seems to have different changes every time the Disk is played. Something seems to be unstable in the software controlling the audio playback. Mrs. Chipka experienced

total silence from the Disk until 21:32 at least twice while she was listening to the disk.

I am in the process of making arrangements to send the Disk #104 back to L3 Communications, Mobile-Vision, Inc. in a secure manner, so they can analyze how and where these changes could have occurred. If this is a systemic problem with their software, they need to understand how it is occurring, and how to fix it. I am also going to contact a couple of Metro Police Departments who also use L3's package to see if they have experienced the same phenomena with the recording system. Having worked in the technology industry since 1971, I am keenly aware of the opportunity for "gremlins", as they are called.

V.

CONCLUSION

WHEREFORE, for the reasons stated hereinabove, Defendant, Stephen Thomas Chipka, respectfully requests that this Court consider this Brief in Support of the accompanying Motion for Dismissal of All Charges Against the Defendant at its earliest convenience. Given no relief as requested, I would ask that the audio portion of the Disk be disallowed as evidence, until it can be analyzed and certified by L3 Communications.

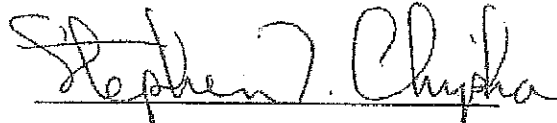
Respectfully submitted this 24th day of July, 2011.

STATE COURT OF
DEKALB COUNTY

JUL 25 2011

FILED

DEPUTY CLERK



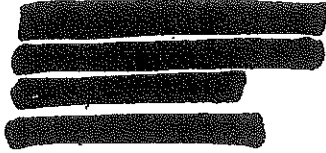
Stephen Thomas(T) Chipka
Pro Se

STATE COURT OF DEKALB COUNTY
CASE NO. 11C36172-IVB

21

9-31-92





CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing Brief Motion for Dismissal upon Philip Catalano, Assistant Solicitor-

General by hand delivery to:

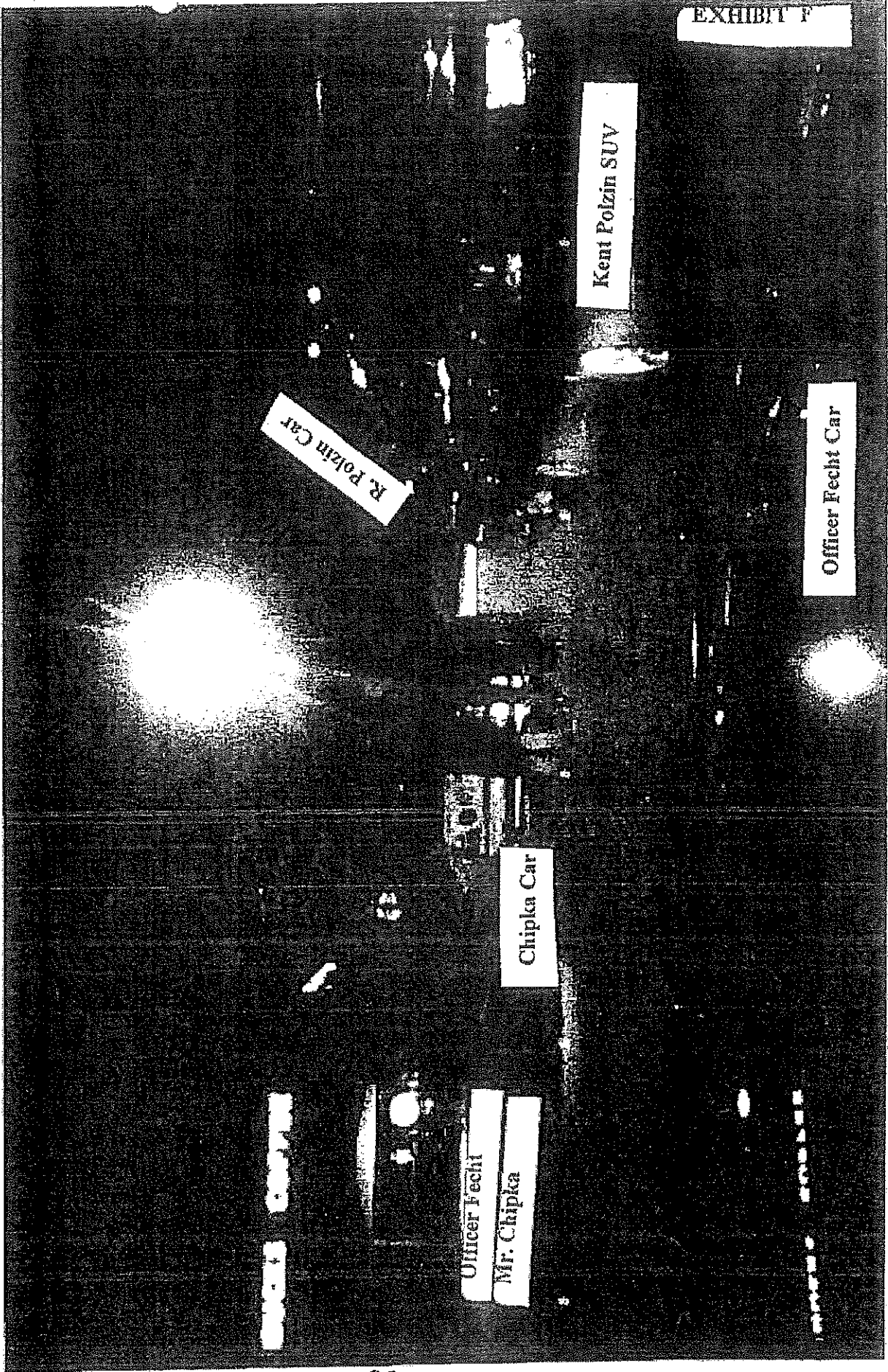
Suite 500
DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030

This 24th day of July, 2011,

Stephen Thomas(T) Chipka
Pro Se

9-35-92

EXHIBIT F



P. 9-42-92

STARBUCKS

Chipka Car

R. Polzin Car

S. Bennett Jeep

Kent Polzin SUV

Officer Fecht Car

Lt. Hegwood Car

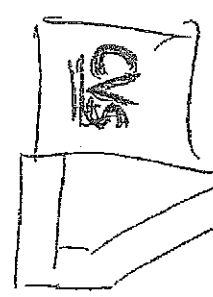
CARS WERE CIRCLING
BLOCK AS MARKED.

STARBUCKS

KROGER

JEFF FERRARI'S
MOTORSPORTS

DUNWOODY CLUB



JEFF FERRARI'S

Lexus

Toyota

When I heard gift-liveries for help.

Chalkings

ME when first seeing chase.

JACQUELINE SMITH
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES FEBRUARY 28, 2014

P-8-6-6

MARKET: RUDOLPH

Market Rudolph
31 1/2

INCIDENT/INVESTIGATION REPORT

Case# **11-000751**
 Date / Time Reported **02/09/2011 22:10 Wed**
 Last Known Secure **02/09/2011 20:45 Wed**
 At Found **02/09/2011 21:00 Wed**

Agency Name
Dunwoody Police Department
 ORI **GA 0447100**

** Contains Restricted Names **

Location of Incident **2434 Jeff Ferry Rd/dunwoody Club Dr, Dunwoody GA**
 Premise Type **Highway road alley**
 Zone/Tract **20**

I
N
C
I
D
E
N
T
D
A
T
A

# 1	Crime Incident(s) Aggressive Driving 40-6-397	(Com)	M	Weapon / Tools NOT APPLICABLE/NONE	Activity
	Entry	Exit	Security		
# 2	Crime Incident	()		Weapon / Tools	Activity
	Entry	Exit	Security		
# 3	Crime Incident	()		Weapon / Tools	Activity
	Entry	Exit	Security		

MO

V
I
C
T
I
M

of Victims **1** Type **INDIVIDUAL (NON LE)** Injury: Domestic: **N**

VI	Victim/Business Name (Last, First, Middle) JUVENILE Restricted	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
		1	Age	W	F			

Home Address _____ Home Phone _____
 Employer Name/Address _____ Business Phone _____ Mobile Phone _____

YR	Make	Model	Style	Color	Lic/Lis	VIN
----	------	-------	-------	-------	---------	-----

O
T
H
E
R
S

I
N
V
O
L
V
E
D

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)

Type: **INDIVIDUAL (NON LE)** Injury:

Code	Name (Last, First, Middle) POLZIN, KENT D	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
IO			965	W	M		Resident	

Home Address _____ Home Phone _____
 Employer Name/Address _____ Business Phone _____ Mobile Phone _____

Type: _____ Injury: _____

Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
			Age					

Home Address _____ Home Phone _____
 Employer Name/Address _____ Business Phone _____ Mobile Phone _____

P
R
O
P
E
R
T
Y

1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown
 ("OJ" = Recovered for Other Jurisdiction)

VI #	Code	Status From/To	Value	OJ	QTY	Property Description	Make/Model	Serial Number
	02	SUSP	50.00		1	2000 GLD, [REDACTED] GA	LEXUS G3500	[REDACTED]
	02	VICT	50.00		1	1997 SIL, [REDACTED] GA	TOYOTA Camry U.S.C	[REDACTED]

Officer/ID# **FECHE, T. D. (1450)**
 Invest ID# **FECHE, T. D. (1450)**
 Supervisor **WITCHER, J. (1413)**

Status Complainant Signature _____ Case Status **Cleared By Arrest 02/10/2011** Case Disposition _____ Page 1

9-660-92

Incident Report Additional Name List

OCA: 11-000751

Dunwoody Police Department

Additional Name List

Page 2

** Contains Restricted Names **

NameCode/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	Juvenile					
Restricted	Address					H:
	Empl/Addr					B:
						Mobile #:
2) WI 2	BENNETT, SCOTT					W M
Restricted	Address 226 Peachtree St, Atlanta, GA 30303-					H:
	Empl/Addr					B: [REDACTED]
						Mobile #:

9-67-72

REPORTING OFFICER NARRAT

Dunwoody Police Department

OCA
11-000751
Date / Time Reported
Wed 02/09/2011 22:10

Victim
POLZIN, REBECCA MARIE

Offense
AGGRESSIVE DRIVING

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

ON 2-9-11 AT 2057 HOURS I, OFFICER FECHT, RESPONDED TO 2090 DUNWOODY CLUB REGARDING TWO POSSIBLE INCIDENTS; THERE WAS ONE 911 CALL INVOLVING A 16 YEAR-OLD DAUGHTER BUT THE DETAILS WERE UNCLER FROM DISPATCH AND WHILE IN ROUTE TO THE CALL ANOTHER CALL WAS RECEIVED REGARDING A DISPUTE IN THE PARKING LOT INVOLVED A RECKLESS DRIVER. I MET WITH ALL PARTIES IN THE PARKING LOT OF KROGER NEAR DUNWOODY CLUB DRIVE.

MR. RUDELL IS AN EMPLOYEE OF KROGER AND WAS WORKING IN THE PARKING LOT DURING THE INCIDENT. MR. RUDELL STATED THAT HE OBSERVED TWO VEHICLES ON DUNWOODY CLUB AND THE PARKING LOT OF CVS PHARMACY DRIVING AROUND MAKING LOUD NOISES WITH THEIR TIRES AND BRAKES. HE SAID THAT THE VEHICLES THEN ENTERED THE PARKING LOT OF KROGERS AND AT THAT TIME THE OFFENDERS VEHICLE MOVED AHEAD OF THE VICTIMS VEHICLE AND PARKED IN FRONT OF THE VICTIMS VEHICLE IN ORDER TO RESTRICT THE MOVEMENT OF THE VICTIM. DURING THIS TIME THE OFFENDER WAS YELLING LOUDLY AT THE VICTIM TO STOP AND TURN OFF HER VEHICLE. MR. RUDELL PROCEEDED TO THE VEHICLES TO SEE WHAT WAS GOING ON AND THE OFFENDER CONTINUED TO YELL AT THE VICTIM FROM HIS VEHICLE. MR. RUDELL STEPPED IN BETWEEN THE VEHICLES AND TOLD THE OFFENDER TO STOP YELLING AT THE VICTIM BECAUSE SHE WAS A YOUNG FEMALE AND VISIBLY UPSET ABOUT THE INCIDENT WHICH WAS INDICATED BY HER CRYING HYSTERICALLY IN HER VEHICLE. AT THAT POINT THE OFFENDER BECAME HOSTILE TOWARDS MR. RUDELL AND EXITED HIS VEHICLE AND APPROACHED MR. RUDELL IN WHAT HE INTERPRETED A THREATENING MANNER. MR. POLZIN, THE VICTIMS FATHER, ARRIVED ON SCENE AFTER THE INCIDENT AND TOLD THE OFFENDER TO STOP ONTO THE GRASS AWAY FROM HIS DAUGHTER. SHORTLY THERE AFTER POLICE ARRIVED ON SCENE AND TOOK CONTROL OF THE SITUATION.

MR. CHIPKA, THE OFFENDER, STATED THAT HE WAS TRAVELING EAST ON MT. VERNON ROAD FROM VERMACK, DURING THAT TIME HE WAS BEING FOLLOWED BY THE VICTIM. THE OFFENDER FELT THAT THE VICTIM WAS TAILGATING HIM SO HE APPLIED HIS BRAKES SEVERAL TIMES IN ORDER TO TRY AND MAKE SPACE BETWEEN THE VEHICLES. WHEN THE VICTIM CONTINUED TO DRIVE IN THE SAME MANNER THE OFFENDER PULLED OVER TO THE RIGHT IN A TURN LANE OF A SUBDIVISION IN ORDER TO LET THE VICTIM PASS. WHEN THE VICTIM PASSED THE OFFENDER BEGAN TO FOLLOW IN ORDER TO OBTAIN A TAG NUMBER OF THE VEHICLE. THE VEHICLES CONTINUES ON MT. VERNON THEN MADE A LEFT ONTO JETT FERRY ROAD AND THEN MADE A RIGHT ONTO DUNWOODY CLUB DRIVE. BOTH VEHICLES THEN WENT THROUGH THE CVS PARKING LOT TO MT. VERNON ROAD THEN MADE A RIGHT TURN THEN ANOTHER ONTO JETT FERRY ROAD THEN ANOTHER RIGHT ONTO DUNWOODY CLUB, THE VEHICLES THEN TURNED LEFT INTO THE KROGER PARKING LOT WHERE THE OFFENDER "WAS ABLE TO STOP THE VEHICLE" BY BLOCKING THE VICTIMS PATH WITH HIS OWN VEHICLE. THE OFFENDER ADMITTED THAT WHILE FOLLOWING THE VICTIM HE FLASHED HIS BRIGHT LIGHTS SEVERAL TIMES IN ORDER TO GET THE VICTIMS ATTENTION AND GET HER TO PULL OVER. THE OFFENDER STATED THAT THE ONLY REASON HE CONTINUED TO FOLLOW SO LONG WAS FOR THE SOLE REASON OF OBTAINING THE TAG NUMBER AND HE WAS TRYING TO GET A PEN AND PAPER TO WRITE IT

Reporting Officer: FECHT, T. D.

Page 4

Printed By: MTHOMAS, NCSXP0005 04/26/2011 15:16

9-86-92

REPORTING OFFICER NARRAT

Dunwoody Police Department

OCA
11-000751
Date / Time Reported
Wed 02/09/2011 22:10

Victim	Offense
POLZIN, REBECCA MARIE	AGGRESSIVE DRIVING

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

DOWN. THE OFFENDER STATED THAT HE LEFT HIS PHONE AT HOME OTHERWISE HE WOULD HAVE CALLED POLICE IMMEDIATELY. IN MY DEALINGS WITH THE OFFENDER HE WAS SLIGHTLY DEFENSIVE AND VERBALLY HOSTILE IN NATURE AND WOULD INTERRUPT OFFICERS WHILE BEING SPOKEN TO. EVEN AFTER GOING THROUGH THE INCIDENT WITH THE OFFENDER HE HAD A DIFFICULT TIME UNDERSTANDING HOW HIS ACTIONS WERE UNREASONABLE AND COULD CAUSE THE VICTIM TO FEEL INTIMIDATED AND FEAR FOR ONES SAFETY.

THE VICTIM, MS. POLZIN, WAS STILL VERY UPSET AND CRYING WHEN I ARRIVED ON SCENE. SHE DESCRIBED THE INCIDENT IN A SIMILAR MANNER. THE VICTIM ADVISED THAT SHE WAS SURE IF SHE WAS BEING FOLLOWED IMMEDIATELY SO SHE DROVE CIRCLES THROUGH PARKING LOTS BUT WAS SURPRISED THAT THE OFFENDER CONTINUED TO FOLLOW HER, AT THAT TIME SHE CALLED HER PARENTS WHO ADVISED HER TO FIND A WELL LIT PLACE IN THE KROGER PARKING LOT AND STOP AND WAIT FOR POLICE. WHEN THE VICTIM PULLED INTO THE PARKING LOT SHE WAS CUT OFF BY THE OFFENDER WHO BLOCKED HER FROM MOVING FORWARD AND PROCEEDED TO YELL AT HER AND TOLD HER TO TURN OFF HER CAR. MS. POLZIN CALLED THE POLICE BUT WAS SO UPSET SHE ASKED MR. RUDELL TO SPEAK FOR HER. MS. POLZIN COMPLETED A VICTIM STATEMENT WHICH WAS PLACED INTO PROPERTY AS EVIDENCE.

MR. BENNETT WAS ON SCENE AND SPOKE WITH LT. HEGWOOD REGARDING THE INCIDENT. MR. BENNETT IS AN ATLANTA POLICE OFFICER WHO WAS OFF DUTY IN CIVILIAN CLOTHES DOING HIS GROCERY SHOPPING, HE OBSERVED THE OFFENDER ARGUING WITH MR. RUDELL IN THE PARKING LOT BUT DID NOT OBSERVE THE DRIVING PORTION OF THE INCIDENT.

AFTER MY INVESTIGATION OF THE INCIDENT I DETERMINED THAT THROUGH HIS OWN ADMISSIONS THAT THE OFFENDER WAS IN VIOLATION OF TRAFFIC LAW ACCORDING THE LAW OF AGGRESSIVE DRIVING AND CHARGED AS SUCH AND ISSUED A TRAFFIC CITATION AND RELEASED AT THE SCENE. MR. CHIPKA WAS HOSTILE AND MENTIONED THAT HE WAS GOING TO GET MR. RUDELL FIRED FROM KROGER AND THAT HE WAS GOING TO COMPLAIN TO THE MAYOR AND BRING PEOPLE TO COURT. MR. CHIPKA DID ISSUE AN APOLOGY TO MR. POLZIN IN A CALM MANNER THEN LEFT THE SCENE.

9-87-92

DUNWOODY MUNICIPAL COURT
COUNTY OF DEKALB
STATE OF GEORGIA

CITY OF DUNWOODY Vs. CHIPKA, STEPHEN T

AGGRESSIVE DRIVING (1ST OFFENSE)

D00008938

NON-JURY TRIAL DEMAND

The above named defendant having this the 15th day of March, 2011, appeared before the Court for arraignment and entered a plea of not guilty.

PLEASE SELECT EACH ACKNOWLEDGING YOU HAVE READ THE FOLLOWING:

- I understand that by asking for a non-jury trial, I am waiving my right to a jury trial.
- I understand that in most cases I have a Constitutional right to a jury trial and hereby waive that right.
- I do not have the right to a jury trial if I have been charged with a local City Ordinance.
- I understand I have the right to retain an attorney and in the alternative, I have the right to be interviewed for a court-appointed attorney if I cannot afford one.
- I understand the charges against me and the maximum and minimum punishment for each of the charges against me.
- I understand that the rules of evidence will apply to me although I am not an attorney.
- I understand I do not have to testify and I have the right to remain silent. I further understand that if I do not wish to testify, this cannot be used against me.
- I understand that I am entitled to the subpoena powers of this court in order to subpoena any witnesses to appear for trial.
- I understand that I am required to bring any and all evidence with me on my trial date.

I attest that by signing this demand, that no promise of threat has been made to me to waive my right to an attorney or waive my right to a jury trial. I further attest that I have read this document in its entirety and understand its contents.

- At this time, I wish to go forward with a non-jury trial before this court.
- At this time, I wish to be interviewed for a court appointed attorney.
- I will bring my own attorney on the below court date.
- I wish to proceed to trial pro se, that is without the benefit of an attorney.

I acknowledge my Non-Jury Trial date has been set for April 27, 2011 at 6:30 PM.


STEPHEN T CHIPKA, (Signature)

770-394-2927
Phone No.

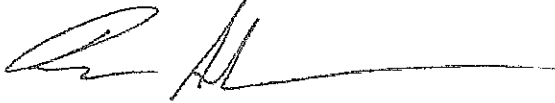
DUNWOODY MUNICIPAL COURT
COUNTY OF DEKALB
STATE OF GEORGIA

CITY OF DUNWOODY : D00008938, ET AL
: :
Vs. : :
: :
CHIPKA, STEPHEN T : :

MOTION TO BINDOVER

The Solicitor of the City of Dunwoody does hereby request a transfer of the foregoing case to *the State Court of DeKalb County pursuant to The State v. Johnson, 257 GA App 162*, the defendant having been charged with the above listed offense(s) in violation of the laws of the State of Georgia. The Clerk and the City of Dunwoody are hereby ordered to transfer any cash bond or property bond in this matter to the State Court of DeKalb County instanter.

RESPECTFULLY SUBMITTED, the 21st day of April, 2011.



SOLICITOR, City of Dunwoody

STEPHEN T CHIPKA, Defendant
1682 MANHASSET DRIVE
DUNWOODY, GA 30338

, Attorney

IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

The State of Georgia vs. Stephen Chipka, Defendant Case No. 11C36172

Offense(s) Aggressive Driving

ORDER / ACKNOWLEDGEMENT OF COURT DATE

- I will represent myself
- Plead Not Guilty
- Request a Jury Trial
- I will hire my own attorney
- Waive Arraignment
- Request a Bench Trial
- I request the assistance of the Public Defender
- Request 10 days to file motions
- Request a date to enter a Plea

Defendant State has requested a continuance for the following reason(s): _____

By Consent of both the Defendant and the State the case is continued. _____

I hereby acknowledge that I have been notified of my constitutional and legal rights, including the right to counsel, appointed counsel if necessary, and to return to this Court, for

- Arraignment
- Hearing (motion, plea, other matters)
- Calendar Call
- Trial

on the 12 day of August, 20 11, at 9:30 a.m. / pm in Courtroom C2 floor of the DeKalb County Courthouse, 556 N. McDonough Street, Decatur, Georgia 30030.

I hereby acknowledge that I am on _____ hour(s) call from _____ until _____ 20_____.
If I am not called for trial I will return to court on the dates listed above.

AN ARREST WARRANT AND BOND FORFEITURE WILL BE ISSUED FOR FAILURE TO APPEAR and I may be charged with the additional offense of BOND JUMPING which is a misdemeanor.

SO ORDERED this 6 day of July, 20 11.

Stephen T. Chipka Defendant (please sign and print) Stephen T. Chipka Judge / Clerk / Witness [Signature] Clerk, State Court, DeKalb County

FILED IN THIS OFFICE
THIS 8 DAY OF July 20 11
[Signature]

Defendant's Address: _____
City: _____ State: _____ Zip: _____
Assistant Solicitor or staff (please sign and print): _____
Defendant's Attorney (please sign and print): _____

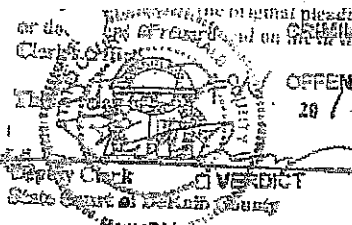
Telephone Number: _____
Notice of Service: The State Defendant Attorney Other _____ was served via mail / in person with the above order.

9-60-92

The State
vs.

OFFENSE(S): CT.1 AGGRESSIVE DRIVING CT.2 AGGRESSIVE DRIVING
28/12

STEPHEN THOMAS CHIFFA
PLEA



OTHER DISPOSITION

NEGOTIATED
 GUILTY ON COUNT(S)
 NOLO CONTENDERE ON
COUNT(S) 1

JURY
 NON-JURY

GUILTY ON
COUNT(S) _____
 NOT GUILTY ON
COUNT(S) _____

NOLLE PROSEQUI ORDER ON
COUNT(S) 2
 DEAD DOCKET ORDER ON
COUNT(S) _____

2 Fine Amount: 150
POPIDF: 1.5
Plus 10%: 1.5
Jail Staffing: 15
Victims Assistance: 7.5

Photo Cost: _____
Joshua's Law: 7.5
Victim's Fund: _____
Brain & Spinal
Injury Trust Fund: _____

Drug Assessment: _____
Crime Lab Fee: _____
Restitution: _____
Public Defender Fee: _____
Probation User Fee: _____

* Mandatory Assessment on All Fines.

Total Amount Due: 210.00

IT IS CONSIDERED, ORDERED AND ADJUDGED BY THE COURT:

Defendant is to serve a sentence of _____ hours / days / months, consisting of _____ hours/days/months in confinement, credit for _____ hours / days / months already served, and the remainder on Probation.

PROVIDED THAT:

- () 1. The defendant, having been granted the privilege of serving all or part of the above-stated sentence on probation, hereby is sentenced to the following general conditions of probation: (A) not violate the criminal laws of any governmental unit; (B) avoid injurious and vicious habits- especially alcohol intoxication and narcotics and other dangerous drugs unless prescribed lawfully; (C) avoid persons or places of disreputable or harmful character; (D) report to the Probation Officer as directed and permit each Officer to visit him/her at home or elsewhere; (E) work faithfully at suitable employment insofar as may be possible; (F) not change his/her present place of abode, move outside the jurisdiction of the Court, or leave the State for any period of time without prior permission of the Probation Supervisor; (G) support his/her legal dependents to the best of his/her ability.
- () 2. Payment by defendant of the fine and costs in the amount of \$ 210.00, and restitution in the stipulated amount of \$ _____, shall be a condition of probation.
- () 3. The defendant shall perform _____ hours of community service at times and places specified by the Probation Office.
- () 4. The defendant shall report to the DeKalb County Jail on _____ at _____ o'clock (a.m.)(p.m.).
- () 5. Defendant is to attend a Risk Reduction Program and/or undergo alcohol and/or drug evaluation and treatment as directed by the Probation Office, and/or attend AA / NA _____ times a week for _____ months, and show proof of same to the Probation Office.
- () 6. Defendant is to pay \$ _____ per month supervision fee.
- () 7. Defendant may work off fine and fees by performing community service at the rate of \$ _____ per hour.
- () 8. Defendant is to submit to random screening of blood, breath, urine or other bodily substances, at Defendant's cost.
- () 9. Defendant to complete approved Domestic Violence Intervention Program and to return to court on _____ at _____ a.m./ p.m. to show compliance.
- () 10. Non-Reporting Probation once all conditions are met. However, Defendant shall report for no less than _____ months.
- () 11. Other: pay Instantly / Close Case

SO ORDERED this 12 day of August 2011

STATE COURT OF
DEKALB COUNTY, GA

Judge, State Court of DeKalb County
Johnny Pange

2011 AUG 12 PM 3:16

I have read or have had read to me the above conditions of probation and the Court's General Conditions of Probation. I understand that my probation is an alternative to a jail sentence. I also understand that my probation may be revoked, and I may be immediately arrested, and the balance of my probation served in jail if I fail to abide by these conditions.

Stephen T. Chiffa
Defendant

DEPUTY CLERK

sentence1-2007(rev)

ORIGINAL

P-9-1-92

Date: 12:01 PM EST, 12/01/2011

From: "Stephen T. Chipka" <schipka@usa.net>

To: "david.sides" <david.sides@dunwoodyga.gov>, "B. Grogan" <Billy.Grogan@dunwoodyga.gov>, "brian.anderson" <brian.anderson@dunwoodyga.gov>, "Ken Wright" <Ken.Wright@dunwoodyga.gov>, "adrian.bonser" <adrian.bonser@dunwoodyga.gov>, "danny.ross" <danny.ross@dunwoodyga.gov>

Cc: <schipka@usa.net>, "Barry Kanne" <barry.kanne@gmail.com>, "rasidakola" <rasidakola@hotmail.com>

Subject: APD COMPLAINT, CHARGES AGAINST POLZIN AND RUDELL,DPD

Hey,

Here's what went to APD Internal Affairs, will go to DeKalb Court re: their Prosecutor, and the GBI as part of my complaint about the Dunwoody Police Dept.

I need to know who to contact to file Criminal Charges against Ms. Polzin and Mr. Rudell for filing false statements to the Dunwoody Police regarding charges against me relating to this incident. I will handle the Civil Charges against both, I am interested in the Criminal Charges based on **O.G.C.A. 16-10-21 False Statements and Writings; Concealment of Facts.**

Does the Dunwoody Police Department have an Internal Affairs Office that deals with Police Officer Fraud, and Tampering with Evidence, in this case the video from Officer Fecht's Police Vehicle?

Since the Honorable Judge Johnny Panos of the State Court of DeKalb County closed this case on August 12, 2011, I would like to receive an answer in a timely manner.

If there is any question about the video involved in this case, it will soon be available on YouTube, without the tampered audio, for anyone interested in why the Dunwoody Police need additional Officers for spitting and tailgating parties with "alleged witnesses", while responding to calls in Sandy Springs on "slow nights". Seems these resources could have been preventing crime in Dunwoody instead of wasting time in Sandy Springs making up false "facts".

The key questions that needs to be asked are: *"Why did the city attorney, Brian Anderson, bind this case over to DeKalb County when he was, until recently, an officer of Citizens for Dunwoody professing the Independence from DeKalb County because of the lack of support to Dunwoody of their Law Enforcement resources? Did he know that Fecht and Hegwood were not only lying about the location of this incident, but that they also tampered with the 8 minute video to remove content that would be insulting to every resident of Dunwoody, including the 7 Dunwoody Police Officers who receive \$300/month subsidies to live in Dunwoody? Why did Chief Grogan say that after viewing the video that he supported the allegations of his Officers? Did he have the video modified to remove the alarming content? Who in the Dunwoody Police Department has the access to tamper with dash-cam video of the Dunwoody Police cars? Who ordered/approved the tampering of this incident video?"*

Should the Dunwoody City Council call for a GBI investigation of how many incidents were reported by Chief Billy(who after age 19 calls themselves Billy?) Grogan that actually were incidents where Officers responded to calls outside Dunwoody when business was "slow", so the statistics could be falsified to show a need for additional Dunwoody Police so Chief Grogan could expand his force?

What about incidents where Police Officers falsified charges to increase the number of tickets they generated, such as citation # D00009270 issued 2/22/2011 for speeding

through a school zone with warning lights flashing at 8:38am when communication with the DeKalb School system proved the lights cut off at 8:00am and the City of Dunwoody refunded the \$192.50 to Ms. Rasida Manno, one of my neighbors, as a result of the Officer's and Brian Anderson's false testimony? How much time could be recovered if the Dunwoody Police Department did not live in a culture of lies and animosity toward Dunwoody residents? Ask Lt. Hegwood what he said to me twice the night of February 9, 2011 about Dunwoody residents.

Had enough? I want to know who hired Grogan, Fecht, Hegwood, and Anderson, and who can fire them. These people are not positive assets for the growth and long term value of residents and businesses moving to Dunwoody. You can add all the parks and ball fields you want to the area but as long as you have alleged public servants like these three, no-one will want to move to this municipality.

Having spent time over the last several months fighting the lies of these City of Dunwoody employees, and Chief Grogan's "I watched the video and you are guilty" comments in an email, I feel it is time to do an audit of the City Attorney and the Dunwoody Police Department for accuracy of their alleged performance of their duties, and to take appropriate action if the audit demonstrates a pattern of violation of the City of Dunwoody citizen's trust in the government they voted for.

If the Dunwoody Police effectively managed their resources, and followed "Best Practices", they could achieve a higher level of resource utilization and citizen service than Chief Grogan can justify by comparing Dunwoody to other municipalities.

I await your responses,

Steve Chipka

 BENNETT APD COMPLAINT 12_1_2011.doc (25K)

Date: 11:10 AM EST, 12/02/2011

From: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>, "D. Sides" <David.Sides@dunwoodyga.gov>, Brian Anderson <Brian.Anderson@dunwoodyga.gov>, Ken Wright <Ken.Wright@dunwoodyga.gov>, Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>, Danny Ross <Danny.Ross@dunwoodyga.gov>

Cc: Barry Kanne <barry.kanne@gmail.com>, rasadakola <rasadakola@hotmail.com>, Warren Hutmacher <Warren.Hutmacher@dunwoodyga.gov>, William Hegwood <William.Hegwood@dunwoodyga.gov>

Subject: RE: APD COMPLAINT, CHARGES AGAINST POLZIN AND RUDELL,DPD

Mr. Chipka,

I am both disturbed and alarmed by both the content and tone of this email as well as the previous ones you have sent. However, I will try and answer the questions you have in it.

We have investigated this case and there is no evidence to suggest Ms. Polzin or Mr. Rudell made any false statements. Your only recourse is civil. Having said that, you should remember that you did plead Nolo Contendere to Aggressive Driving and paid a \$210 fine. Essentially, a guilty plea. Considering your actions in this case, you are extremely fortunate.

We do have an Internal Affairs function within our department. Your original complaint was handled as a shift complaint and it was dealt with appropriately. This is the first time I have heard allegations about a tape being tampered with. For your information, the cameras in our cars are digital, electronically downloaded to a secure server and the recording you received has not been amended. We, in brief, do not have the capability to amend a video recording. It is a true and accurate copy of the recording of the incident in question.

I am not sure this is really a question, but you mention something about us answering calls in Sandy Springs. We do not routinely respond to calls for service outside the City of Dunwoody. However, when an incident occurs in Dunwoody, we can go where we need to go to answer that call.

No officer falsified charges to issue a citation. An officer may have made an error but certainly did not falsify a charge.

I hired Officer Fecht and Lt. Hegwood and I am their supervisor. I was hired by the City Manager, Warren Hutmacher, and he is my supervisor. The City Attorney, Brian Anderson, was hired by the City Council and reports to them.

In your long email, you make certain allegations that officers have falsified charges, tampered with evidence and conducted ourselves in a non-professional manner. I am sure you have heard of libel, slander and defamation. Libel and Slander occur when a person or entity communicates false information that damages the reputation of another person or entity. Slander occurs when the false and defamatory communication is spoken and heard. Libel occurs when the false and defamatory communication is written and seen. The laws governing libel and slander, which are collectively known as defamation, are identical.

If you continue to make such baseless accusations, you may open yourself up to potential liability.

I hope I have been able to answer your questions and you can put this incident behind you and move on.

Regards,

Billy Grogan

Chief of Police

City of Dunwoody

41 Perimeter Center East, Suite 100

Date: 11:31 PM EST, 12/02/2011

From: "Stephen T. Chipka" <schipka@usa.net>

To: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>, "D. Sides" <David.Sides@dunwoodyga.gov>, Brian Anderson <Brian.Anderson@dunwoodyga.gov>, Ken Wright <Ken.Wright@dunwoodyga.gov>, Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>, Danny Ross <Danny.Ross@dunwoodyga.gov>, <Warren.Hutmacher@dunwoodyga.gov>, <William.Hegwood@dunwoodyga.gov>

Cc: "" <schipka@usa.net>, <barry.kanne@gmail.com>, rasidakola <rasidakola@hotmail.com>

Subject: RE: APD COMPLAINT, CHARGES AGAINST POLZIN AND RUDELL,DPD

Chief Grogan,

I think you need to watch the video again. The two cars are side-by-side as I stated to Deputy Chief Sides before I even got the tape. There is no way a reasonable person could claim my car (the one that Lt. Hegwood is standing behind and leaning on) is obstructing the movement of Ms. Polzin's car, the one on the right.

At one point in the video you can even see Mr. Kent Polzin walk between the cars and say something to his daughter.

As you listen to the audio of the video, specifically you will notice a distinct shift from when I am talking to my wife on the borrowed cell phone in the first 30 seconds, finally saying "these Dunwoody police officers don't look too friendly", until my outburst about Lt. Hegwood's "Are you a Dunwoody resident?" and his "That figures" comments to Officer Fecht. There is a 5 minute audio gap in which Lt. Hegwood did his rant. The video does not show any gap during this period.

Also on the tape you can clearly hear me say, "I pulled ahead of "her", I did not cut her off". The "her" is Ms. Polzin sitting in her car. If you notice in the video, there is a tall parking lot light about 100 feet ahead of both vehicles, the only way I could see the driver of the other car was to pull ahead of her in the driver's seat to see her face. I did not say I pulled ahead of her car. In his report Officer Fecht states "That through his own admissions that the offender was in violation of traffic law of aggressive driving..." I made no such admissions, the tape backs that up, and no such admissions were ever on anything I signed.

As to your comments about libel and slander, you did not address ticket number D00009270, which I witnessed in court where Officer Drum (1425) stood in front of the Judge, as did City Attorney Brian Anderson, and testified that the school lights were operating at 8:38 am, when he issued the ticket to Ms. Mann, my neighbor. After court April 27, 2011 my wife and I took Ms. Manno for a glass of wine since she was very upset. Our conversation led to my suggestion that she discuss what happened with another neighbor who has a long relationship with DeKalb County officials. On May 20, 2011 Ms. Manno received a refund of her \$192.50 fine from the City of Dunwoody.(Check #201164). (Exhibits 1&2). How do you explain the refund if the statements Officer Drum made were true, in other words not false?

And in regard to your own false statements, I was attending the Calendar Call in the State Court of DeKalb County on August 12, 2011. The State had 2 counts(Exhibit 3), Count 2 was the allegedly Obstructing Ms. Polzin's car in the parking lot. When Judge Panos found out the parking lot is in Sandy Springs, Fulton County, and then was made aware the video clearly shows the cars side-by-side, he ordered **Nolle Prosequi on Count 2.** (Exhibit 4) **Obviously your investigation into my case outcome was as accurate as the investigation into the original incident on Feb. 9, 2011.**

The Nolo Contendere plea means "I will not contest it", it is not the same as a guilty plea. As you can see on Exhibit 4, the actual fine was \$150, after Judge Panos and I discussed whether bringing everybody, including Jurors to a trial in Decatur for at least

a day was worth it. I believe you and your Officers are fortunate that they did not have to spend time and be embarrassed when the video was shown in Court of Lt. Hegwood spitting and tailgating with alleged "witnesses", with no car obstructing anyone.

I did not ask for your legal opinion, I asked for who to contact to file charges against Polzin and Rudell. I do not find any reference to an Internal Affairs contact in any City of Dunwoody information.

In regard to your claim that no officers have conducted themselves in a non-professional manner; How come I received emails on April 8 and 12, 2011 from Deputy Chief David Sides apology for Lt. Hegwood's inappropriate comments during the incident February 9, 2011? Why were they so inappropriate that Deputy Chief Sides would not quote them in his apology?(Exhibit 5)

You did not answer the question about why this case was moved out of Dunwoody. Didn't we form this city because DeKalb could not meet our needs?

You make a threat of potential liability in my "baseless accusations". It's funny how a Judge could make sense of it in about 5 minutes. If you continue to threaten me in my pursuit of the truth in this matter, and spread false information of the case settlement, I may be forced to take additional action.

I have also attached the Motion for Dismissal that was submitted to Judge Panos by hand delivery on July 25, 2011. Also included is the Brief in Support that goes with it. The exhibits are not included. Those are available if needed, but I think anyone needing access to the video should contact Chief Grogan. Or maybe we can show it at a City City Council Meeting for all to see.

The incident is not what is bothering me, it is the behavior of Dunwoody employees who have been involved in the followup activities, including charging me \$20 for a video tape that proved my innocence of the false charges filed by Polzin and Rudell.

Maybe the APD will do a better job of investigating. At least DeKalb County did a better job of managing the Court Case. And you can't even get that right.

Sincerely,

Steve Chipka

----- Original Message -----

Received: 11:10 AM EST, 12/02/2011

From: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>, "D. Sides" <David.Sides@dunwoodyga.gov>, Brian Anderson <Brian.Anderson@dunwoodyga.gov>, Ken Wright <Ken.Wright@dunwoodyga.gov>, Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>, Danny Ross <Danny.Ross@dunwoodyga.gov>

Cc: Barry Kanne <barry.kanne@gmail.com>, rasidakola <rasidakola@hotmail.com>, Warren Hutmacher <Warren.Hutmacher@dunwoodyga.gov>, William Hegwood <William.Hegwood@dunwoodyga.gov>

Subject: RE: APD COMPLAINT, CHARGES AGAINST POLZIN AND RUDELL,DPD

Date: 11:46 PM EST, 12/02/2011

From: "Stephen T. Chipka" <schipka@usa.net>

To: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>, D. Sides <David.Sides@dunwoodyga.gov>, Brian Anderson <Brian.Anderson@dunwoodyga.gov>, Ken Wright <Ken.Wright@dunwoodyga.gov>, Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>, Danny Ross <Danny.Ross@dunwoodyga.gov>


Cc: "" <schipka@usa.net>

Subject: Motion & Brief

See Attached

Steve Chipka

 [7 21 2011 MOTION to Dismiss.doc](#) (38K)

 [7 21 2011 Brief to Support MOTION.doc](#) (89K)

Date: 11:00 AM EST, 01/30/2012
From: "Stephen T. Chipka" <schipka@usa.net>
To: "adrian.bonser" <adrian.bonser@dunwoodyga.gov>
Cc: <schipka@usa.net>
Subject: Feburary 9, 2011 Incident

Ms. Bosner,

I felt it appropriate to wait until after the Chinese New Year to bother you with this annoying issue with the Dunwoody Police department.

Have you had a chance to review the documents I sent you as part of the response to Chief Grogan?

That is my only question for now, as any further communication will be based on your review of information relating to this incident.

I await your reply as our city representative. Thanks,

Steve Chipka

Date: 11:20 AM EST, 02/02/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: "adrian.bonser" <adrian.bonser@dunwoodyga.gov>, <mike.davis@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Fwd: Feburary 9, 2011 Incident

Ms. Bosner,

Is there a problem at least acknowledging the forwarded e-mail?

The APD has an investigation regarding this incident in progress by their Internal Affairs Department(they did not refer this to a "shift investigation"), the only internal review in Dunwoody is under the control of Chief Grogan. Is there a reason the Dunwoody City Council is in fear of Dunwoody Police Chief Grogan? What about the people he has personally hired and personally supervises?

What is going on with the Dunwoody Police Department? Do the citizens of Dunwoody know what is going on behind the veil of Chief Grogan's shield?

Do you feel you do not owe an answer to any Dunwoody tax-paying resident who asks you to clarify a situation?

I was going to run for City Council, as suggested by the City Attorney, Brian Anderson, but he made sure the case was moved to DeKalb County and tied up time I could have spent campaigning. Is he a part of this cover up of the corruption of the Dunwoody Police Department?

Do I need to refer this matter to the Governor for referral to the GBI, or will you and your other sworn Council Members do that referral as part of your Oath of Office responsibility to the City of Dunwoody? The best case is that the GBI will find that the Dunwoody Police Department is free of any acts of conspiracy or corruption.

You know the GBI will protect you if you have been threatened by a local police Chief or members of his/her Department.

Did you not understand that as part of your responsibility to the citizens of Dunwoody, as a member of the City Council, that you were responsible to protect the rights of all of the citizens of Dunwoody? Violation of that trust is a violation of the trust of the people who elected you to represent them.

I have one last question for you:

Do you personally believe that the Dunwoody Police Department Chief, Billy Grogan, and his personally hired Dunwoody Police Department employees, Officer Timothy Fecht (Badge #1450) and Lt. Hegwood (Badge #1405) were in compliance with the Professional Standards for Sworn Officers in regard to the incident at 2090 Dunwoody Club Drive on February 9, 2011 when they charged Stephen T. Chipka with the Offense of Aggressive Driving in DeKalb County, Georgia?

Thanks for your reply.

Forwarded message is attached.

Steve Chipka

Date: 05:15 PM EST, 02/08/2012

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

Subject: Re: February 9, 2011 Incident

Steve,

I am out of the country at this time. I received your first e-mail just before I left on my trip. The Chief was out-of-town at that time therefore, was unavailable to answer my questions. I will address your concerns upon my return.

Thank you for contacting me. I apologize for any inconvenience this may cause you.

Best,
Adrian Bonser

Sent from my iPhone

On Jan 31, 2012, at 5:00 AM, "Stephen T. Chipka" <schipka@usa.net> wrote:

Ms. Bosner,

I felt it appropriate to wait until after the Chinese New Year to bother you with this annoying issue with the Dunwoody Police department.

Have you had a chance to review the documents I sent you as part of the response to Chief Grogan?

That is my only question for now, as any further communication will be based on your review of information relating to this incident.

I await your reply as our city representative. Thanks,

Steve Chipka

Date: 07:43 PM EST, 02/08/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

Subject: Re: Feburary 9, 2011 Incident

Ms. Bosner,

Thank you for your note. Hope the trip is for fun, and if not, at least to a neat place.

Anyway, there is other documentation related to this matter that provide significant facts. I would suggest you wait to get with the Chief until you have all the information, or he may slam you like he slammed me.

I will send you 2 more emails. One is related directly to the Dunwoody Police Department with the other documentation. The second is about a subject related in general to the DPD matter, but also related to the Perimeter College traffic subject. I think you'll see why they are 2 separate discussions once you get a chance to review them.

Take care, I look forward to hearing from you when you "land" back home.

Sincerely,

Steve Chipka

----- Original Message -----

Received: 05:15 PM EST, 02/08/2012

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

Subject: Re: Feburary 9, 2011 Incident

Steve,

I am out of the country at this time. I received your first e-mail just before I left on my trip. The Chief was out-of-town at that time therefore, was unavailable to answer my questions. I will address your concerns upon my return.

Thank you for contacting me. I apologize for any inconvenience this may cause you.

Best,

Adrian Bonser

Sent from my iPhone

On Jan 31, 2012, at 5:00 AM, "Stephen T. Chipka" <schipka@usa.net> wrote:

Ms. Bosner,

I felt it appropriate to wait until after the Chinese New Year to bother you with this annoying issue with the Dunwoody Police department.

Date: 08:09 PM EST, 02/18/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: "adrian.bonser" <adrian.bonser@dunwoodyga.gov>

Subject: update

Councilwoman Bosner,

Just a quick note.

I will provide you the other info I mentioned in my earlier email soon. I was waiting for the update from the APD Internal Affairs group for their investigation status. As of Friday it is still ongoing, no completion date provided. That is the investigation of the "passerby shopper" Lt. Bennet who was an alleged witness interviewed by DPD Lt. Hegwood.

I hope to finish the main documents this weekend.

Regards,

Steve Chipka

Date: 02:39 AM EST, 02/19/2012

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

Subject: Re: update

Steve,

Thank you for keeping me up to date. I'm in Australia right now. We'll be back on February 25.

Please forward your phone number as well. It may be easier to talk over the phone.

Regards,
Adrian Bonser

Sent from my iPhone

On Feb 19, 2012, at 12:09 PM, "Stephen T. Chipka" <schipka@usa.net> wrote:

Councilwoman Bosner,

Just a quick note.

I will provide you the other info I mentioned in my earlier email soon. I was waiting for the update from the APD Internal Affairs group for their investigation status. As of Friday it is still ongoing, no completion date provided. That is the investigation of the "passerby shopper" Lt. Bennet who was an alleged witness interviewed by DPD Lt. Hegwood.

I hope to finish the main documents this weekend.

Regards,
Steve Chipka

Date: 11:57 AM EST, 02/19/2012
From: "Stephen T. Chipka" <schipka@usa.net>
To: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>
Subject: Re: update

Wow,

What a wonderful place.

My wife and I spent 3 weeks in Australia and New Zealand on a vacation.

We went from seeing the Great Barrier reef via Hamilton Island to seeing the Phantom of the Opera and the Fairy Penguins down south in Melbourne. We even got to hold a Koala Bear and hand fed a 6' Kangaroo. I'll never forget the feeling of the Kangaroo teeth on my palm. **What a wonderful place.** We stayed on the east coast, never made it to the Outback. Still have the video of Heather being chased by a kangaroo (what?*). Take lots of pictures, I still look at them when I need a spiritual lift.

How about that jostling while crossing the equator, thought we were going to die. We didn't. Flight attendants kept serving as if nothing was out of the ordinary.

Hope you **have a wonderful time in a wonderful place**, have a safe trip home,

Steve Chipka

* Kangaroo in Aborigine means "what"

----- Original Message -----

Received: 02:39 AM EST, 02/19/2012
From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>
To: "Stephen T. Chipka" <schipka@usa.net>
Subject: Re: update

Steve,

Thank you for keeping me up to date. I'm in Australia right now. We'll be back on February 25.

Please forward your phone number as well. It may be easier to talk over the phone.

Regards,
Adrian Bonser

Sent from my iPhone

On Feb 19, 2012, at 12:09 PM, "Stephen T. Chipka" <schipka@usa.net> wrote:

Councilwoman Bosner,

Just a quick note.

I will provide you the other info I mentioned in my earlier email soon. I was waiting

Date: 11:58 AM EST, 02/19/2012
From: "Stephen T. Chipka" <schipka@usa.net>
To: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>
Subject: Re: update

Sorry,

I got carried away with memories of Australia.

My phone number is (7) 394-2927.

Cheers,
Steve Chipka

----- Original Message -----

Received: 02:39 AM EST, 02/19/2012
From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>
To: "Stephen T. Chipka" <schipka@usa.net>
Subject: Re: update

Steve,

Thank you for keeping me up to date. I'm in Australia right now. We'll be back on February 25.

Please forward your phone number as well. It may be easier to talk over the phone.

Regards,
Adrian Bonser

Sent from my iPhone

On Feb 19, 2012, at 12:09 PM, "Stephen T. Chipka" <schipka@usa.net> wrote:

Councilwoman Bosner,

Just a quick note.

I will provide you the other info I mentioned in my earlier email soon. I was waiting for the update from the APD Internal Affairs group for their investigation status. As of Friday it is still ongoing, no completion date provided. That is the investigation of the "passerby shopper" Lt. Bennet who was an alleged witness interviewed by DPD Lt. Hegwood.

I hope to finish the main documents this weekend.

Regards,
Steve Chipka

Date: 02:54 PM EST, 03/02/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: "adrian.bonser" <adrian.bonser@dunwoodyga.gov>, "mike.davis" <mike.davis@dunwoodyga.gov>

Subject: Brief Update

Hey,

Hope you had a good week.

Just wanted to let you know I am still working on docs. I have 94 emails in the stc-vs-dunwoody file, and that does not include docs separate from emails.

I found out how to make the copies of the Fecht video, as I wanted to provide one to Sandy Springs Police with other appropriate evidence/documents of false statements by Polzin and Rudell and falsification of Incident Location for Count 2 by Officer Fecht (1450). Plan to meet with SS Police this afternoon.

I also found out, after a one hour telephone conversation with the Ga. Bar, that the forms I had been developing were the initial screening forms for a complaint. The second set of forms is used to pursue demonstrated(documented) violations of the Bar Rules of Professional Conduct. The representative of the Bar told me the conversation satisfied the initial screening requirements, and since they do not leave the second level forms on their web site, they would mail me copies. Luckily the documents I have worked on are in a format that can be transferred to the new documents as exhibits.

Rest of stuff for you should be on its way tonight.

Forwarded message is attached.

Have a great weekend. I'll contact you early next week by email to see if the three of us (and possibly Bob Wilson) can set up about an hour to discuss this matter,

Steve Chipka

Attached Message

Date: Fri, 24 Feb 2012 16:47:11 -0500

From: "Stephen T. Chipka" <schipka@usa.net>

To: "mike.davis" <mike.davis@dunwoodyga.gov>, "adrian.bonser" <adrian.bonser@dunwoodyga.gov>

Subject: Filing Dunwoody Police Report

Just found the attached on the DPD web site. **I must live in another Dunwoody!!!!**

"Filing a Dunwoody Police Report (Incident or Accident must have occurred within Dunwoody City limits!)"

I just talked to the Sandy Springs Police Department and will meet with them Monday to File Police Report for Filing False Charges, since Ms. Polzin was in the parking lot at 2090 Dunwoody Club Drive, in Sandy Springs, when she signed the false sworn statement.

I'm glad I got the Fecht video before it "disappeared. I wonder if Lt. Hegwood was the one who conducted the "Shift Investigation" concerning complaints against his own behavior. Maybe you

could get a copy of the Shift Investigation, and invite Attorney Bob Wilson to our meeting to provide an independent set of eyes and ears.

The other documents will be to you shortly, have been working on making sure the Georgia Bar Complaints are done by their procedures, lots of phone calls.

Have a good weekend,

Steve Chipka

 DUNWOODY POLICE REPORT.doc (21K)

Date: 10:26 AM EDT, 03/13/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: "adrian.bonser" <adrian.bonser@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Meeting

Councilmember Bonser,

Looks like I'm going around in circles.

Would you have some time on Wednesday, Thursday, or Friday after 1:00pm to talk about this matter?

Have you had a chance to review the documents I sent previously and the video? Did anyone request a copy of Chief Grogan's "shift investigation" into this matter?

I also have some documentation on specific laws which relate to juvenile drivers under 18. I found it very interesting that members of the DPD are not aware of these State Laws, and/or are choosing not to enforce them. Specifically on our streets around schools and other areas where people are at risk from distracted drivers.

Did you know that SR23 prohibits the use of a cellphone by a person under 18 while they are driving a vehicle? An offender will have their license suspended at least until they are 18, depending on other violations (ie tailgating), possibly until they are 21.

As President Obama has stated repeatedly; "We don't need a bunch of new laws, we just need to enforce the ones we already have."

Forwarded message is attached.

*Have a good day,
Steve Chipka*

Attached Message

Date: Mon, 12 Mar 2012 11:39:24 -0400

From: Mike Davis <Mike.Davis@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

CC: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

Subject: Re: APOLOGY IF WARRANTED - SORRY

Steve

I got your voice message. Please don't send me the files you have. If you want to set up a meeting with Dr. Bonser included, please set it up through her and I'll be happy to sit down and hear the story.

Regards,

Mike Davis

Mayor

City of Dunwoody

Mike.Davis@dunwoodyga.gov

Date: 11:54 PM EDT, 03/24/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: "adrian.bonser" <adrian.bonser@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Update

Councilmember Bonser,

Greetings. Hope this email finds you well.

I sent you an email on the 13th. Have you had a chance to review it?

I guess I'll do an "open Records" request to get a copy of the DPD "Shift Investigation" that Chief Grogan referred to in his last email. I have additional copies of the cd of Fecht's dashcam audio/video if you need one.

Hope to hear from you soon,

Steve Chipka

Date: 08:30 AM EDT, 03/26/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>

Cc: <schipka@usa.net>, "adrian.bonser" <adrian.bonser@dunwoodyga.gov>, "mike.davis" <mike.davis@dunwoodyga.gov>, "brian.anderson" <brian.anderson@dunwoodyga.gov>

Subject: Fwd: RE: March 9, 2011 Incident

Chief Grogan,

You mentioned in your December 2, 2011 email that you had not heard any reference to tampering with the dashcam recording from Officer Fecht's car.

In the forwarded email you say that you reviewed the report, witness statements, and the video. You stated that the video supported the other documents.

If you watched the video, between Lt. Hegwood's spitting, you saw that the 2 cars were side-by-side in the area in front of Starbucks at 2090 Dunwoody Club Drive. If you listened to the audio, you heard me talking to my wife on a borrowed cellphone while sitting at a table outside Starbucks. My last comment to her before hanging up was something like; "these Dunwoody Police Officers(plural) aren't (plural) looking too friendly", to which Officer Fecht responds; "come on". A typical person would say Officers is plural, who were the officers I was referring to? Lt. Hegwood is in the video behind my car as that audio is playing. What other Dunwoody Police Officer was present?

After hanging up with my wife the next sequence of audio is me asking who that officer was with the "Are you a Dunwoody resident" attitude. He then spells Hegwood's name and his own.

Did you not notice:

1. The video is only 8 minutes long, while the officers were there for an hour,
2. There is a definite shift in tone, volume, and subject within a matter of seconds after my saying "these Dunwoody Police Officers aren't looking too friendly".
3. The background music from Starbucks changes mid song.
4. You cannot hear any sound from the tailgating group of Hegwood and 2 witnesses that could clearly be heard from where I was sitting at Starbucks. The conversation, as stated before, was about the I-285 crash that had occurred on 2/8/2011.

Maybe its time for you and I to sit down together with the Mayor and watch the video together. Maybe your version of the video was tampered with to provide you a different copy from the one I was provided.

In addition to the above information, I am in contact with people who know the person who lent me the cellphone I am talking on at the beginning of the video. I will soon have in my possession a copy of the cellphone bill showing the time of the beginning and end of my conversation with my wife that night. I believe that bill will demonstrate dramatically that my claim that the video has been tampered with by members of your organization to be true and accurate.

This issue will be resolved soon, as I cannot spend much more time on it. I also received a \$1400.00 increased bill for my car insurance as the result of your organization's tampering with the truth in regard to this matter. My insurance company said that the increase will last at least 3 years, unless my driver record is changed.

As you stated earlier, beside criminal charges for the alleged victim and the juvenile witness of diminished mental capacity, a civil suit could cost the Polzins thousands of dollars in damages and attorney fees.

All I expect is that you terminate all the people who falsified information regarding this incident, charge Ms. Polzin for the violations which she committed on February 9, 2011 (violations which will result in the loss of her drivers license at least until she is 21, and have my drivers record expunged of these falsified charges, and provide your personal apology for the time and effort I have had to spend on this subject for over a year now.

The alternative is for me to turn over all of my documentation to other organizations which can impact

the outcome of this subject in a manner which will accomplish my requests in a venue that will not reflect positively on your organization, or the fledgling City of Dunwoody.

Forwarded message is attached.

Steve Chipka

Attached Message

Date: Thu, 3 Mar 2011 13:28:34 -0500
From: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>
To: Ken Wright <Ken.Wright@dunwoodyga.gov>, "Stephen T. Chipka" <schipka@usa.net>, Warren Hutmacher <Warren.Hutmacher@dunwoodyga.gov>
Subject: RE: March 9, 2011 Incident

Mr. Chipka,

I have reviewed the report of this incident along with the video and witness statements. We can certainly investigate cases outside of Dunwoody for as long as is required if the original incident occurred in the City of Dunwoody which happened in this case. If you feel you are not guilty of the charge, I would suggest you attend court on your court date and plead not guilty. They will schedule a trial on another date.

If you would like to discuss the way your case was handled, you can certainly call me at 678-382-6902. If you prefer to file a complaint, you can contact Deputy Chief David Sides at david.sides@dunwoodyga.gov or by phone at 678-382-6901 and he would be happy to discuss that process and assist you. D/C Sides can also assist you with getting a copy of the video.

Please let me know if I can be of further assistance.

Regards,

Billy Grogan

Chief of Police
City of Dunwoody
41 Perimeter Center East, Suite 100
Dunwoody, GA 30346
Office: 678-382-6902 / Fax: 770-396-4835

Dunwoody
Smart people - Smart city

billy.grogan@dunwoodyga.gov
www.dunwoodypolice.com
www.twitter.com/dunwoodypolice
www.facebook.com/dunwoodypolice
www.youtube.com/dunwoodypolice

Please consider the environment before printing this email!

From: Ken Wright
Sent: Friday, February 25, 2011 3:36 PM
To: Stephen T. Chipka; Warren Hutmacher; B. Grogan
Subject: RE: March 9, 2011 Incident

Stephen,

Date: 07:53 PM EDT, 03/27/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: <adrian.bonser@dunwoodyga.gov>, <mike.davis@dunwoodyga.gov>, <denis.shortal@dunwoodyga.gov>, <douglas.thompson@dunwoodyga.gov>, <terry.nall@dunwoodyga.gov>, <lynn.deutsch@dunwoodyga.gov>, <john.heneghan@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Fwd: March 26, 2012 Response

City of Dunwoody Mayor and Councilmembers,

This is the kind of behavior you get when your police department is headed by a bully who obviously has run over the management capability (pun) of the City Manager, and the previous Mayor. As I said in an email to Ken Wright last year right after this incident, the City need to bring in an Organizational Effectiveness Consultant to look at the "current state" and "best practices" to get Dunwoody off the list of laughing stocks of police forces, especially as a result of the Neuman/Snidermann fiasco.

I offered an initial consultation for free as a level 3 Consultant in OE (certified while at BellSouth) to then Mayor Wright, but he never engaged on the offer. As one of the founders of this City's situation he probably did not want to hear that his baby should have been aborted.

This Police Chief, "Billy" Grogan demonstrates the behavior style of a bully. When questioned about performance of his organization, he chooses to attack the person giving feedback, even making up information to prove his point and threatening legal action if the feedback doesn't stop. He is a liability to the integrity of the City of Dunwoody. When he and his people are known for falsifying information to close cases, all other cases fall into question about their integrity. This could cause retrials of cases related to the tainted officers.

Obviously, since he personally hired, and supervises Officer Fecht and Lt. Hegwood, he is not receptive to any feedback that demonstrates they are incompetent and a bad match for the needs of the City of Dunwoody. He talks about getting kids to "TRUST" the Dunwoody Police Department in his latest Grogan's Corner piece, while lying about what is stated in a tampered video from the dashcam of Officer Fecht's police car. The City of Dunwoody spent thousands of dollars to equip each car with advanced capabilities, and the answer to why there is only 8 minutes of video from an incident which lasted an hour and 15 minutes is: "It's a training issue, Officer Fecht forgot to turn the system on". How convenient when the missing video is essential to the defense of the alleged "offender". Get a copy of the 8 minute video and you will have a front row seat of Lt. Hegwood spitting every 2 minutes. (Call Chief Grogan for a copy, he charged me \$20.00 + ATM fees to get my copy to support my defense efforts, even though I requested a copy as part of my rights to defend myself in this matter.)

All said, I think it is time to find a Police Chief who has experience in a City with needs like ours, maybe Coral Gables, FL., as compared to someone who has experience in protecting "The Big Chicken". I have put up with a year of turmoil to try to get this Police Chief to admit his people filed false reports, and let another Dunwoody teenager think its OK to harass other drivers tailgating in Dunwoody while they text and play "Angry Birds" on their cellphones, knowing "daddy" knows a cop who will pull favors from the corrupt Dunwoody Police and end up labeled as the "victim".

As Police Chief Grogan suggests, I should probably go ahead and file civil charges against the 16 year old female driver, and the teenage Kroger "Courtesy Clerk MAX"(a person of diminished mental capacity) for filing false police reports, and parade the corruption of the City of Dunwoody in front of the State Court of DeKalb County, the Press, and other people who are against the

establishment of cities like Dunwoody, to once again demonstrate why DeKalb County shouldn't be dismantled. Obviously he has no regard for these minors who will be put on the stand and forced to admit they were coached in answers and that they lied in their sworn statements. Officer Fecht will be confronted with why he falsified the location of the incident, to put it back in Dunwoody where he belonged, and Lt. Fecht will be forced to testify as to why he was even there, and why he holds the citizens of Dunwoody in such contempt. (Nobody has ever explained why Lt. Hegwood went off on me as a "Dunwoody Resident", when in fact the teenage driver and the APD Lt. were also Dunwoody residents). It is as if he just totally "lost it" and was looking for an excuse to start his attack on me. Officer Fecht had already been provided my Georgia Driver License with my Dunwoody address and my BellSouth Retiree ID well before Lt. Hegwood's assault through intimidation attack and verbal assault. Officer Fecht just stood there while Lt. Hegwood, his boss's boss, went through his rant. When confronted with why he did not take any action he responded, "I can only speak for myself". Officer Fecht is as guilty, if not more guilty, as Lt. Hegwood, as at least he seemed to be in control of his emotions, when he failed to control Lt. Hegwood, or advise Mr. Chipka of his rights to initiate a formal complaint for Lt. Hegwood's violent behavior. Given that Lt. Hegwood was Officer Fecht's supervisor's supervisor, it obviously put Officer Fecht in a precarious position as a "new hire" at the Dunwoody Police department.

So, if you as the elected officials decide you do not want to take action in this matter, and make me "whole", I guess I will follow City of Dunwoody Police Department Police Chief "BILLY" Grogan, and drag Dunwoody through the mud in a Court in DeKalb County in front of God and everybody.

I await a rapid response, as I have gotten really tired of dealing with the corrupt members of the City of Dunwoody.

PLEASE GOVERN YOURSELVES ACCORDINGLY,
Steve Chipka

Forwarded message is attached.

Attached Message

Date: Tue, 27 Mar 2012 01:50:11 -0400
From: "Stephen T. Chipka" <schipka@usa.net>
To: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>
CC: "adrian.bonser" <adrian.bonser@dunwoodyga.gov>, "brian.anderson" <brian.anderson@dunwoodyga.gov>, "david.sides" <david.sides@dunwoodyga.gov>, "mike.davis" <mike.davis@dunwoodyga.gov>, "Warren.Hutmacher" <Warren.Hutmacher@dunwoodyga.gov>
Subject: March 26, 2012 Response

Chief Grogan,

I am awestruck by your 3/26/2012 email. It proved to me that, either:

- A. You are viewing and listening to an entirely different video than I am, or
- B. You have taken to making false statements, furthering the false statements by Officer Fecht

In your email you state:

"On the video, you do say you pulled in front of her and blocked her in after she stopped."
At what time in the video do I make that statement?

In my email response to you on 12/2/2011 I state:

"Also on the tape you can clearly hear me say, "I pulled ahead of "her", I did not cut her off". The "her" is Ms. Polzin sitting in her car. If you notice in the video, there is a tall parking lot light about 100 feet ahead of both vehicles, the only way I could see the driver of the other car was to pull ahead of her in the driver's seat to see her face. I did not say I pulled ahead of her car. In his report Officer Fecht states "That through his own admissions that the offender was in violation of traffic law of aggressive driving..." I made no such admissions, the tape backs that up, and no such admissions were ever on anything I signed."

The quote is on the video @21:35:33 on the time line (the actual quote is "when she stopped, I pulled in front of her, I did not cut her off"). One could also analyze the audio portion and hear that Officer Fecht is not really listening, he is leading the questions to fill in the blanks of the story he has decided to write. The tape ends at 21:39 (9:40) but Officer Fecht does not present Mr. Chipka with the Citation until 22:10 (10:10), a half hour later. Even Deputy Chief Sides expressed surprise that the Officer was at the site so long. One should also be aware that this was the second conversation between Officer Fecht and Mr. Chipka. The first one took place about 9:15pm, however, as if by magic, Officer Fecht did not have his dashcam on except for the 8 minutes the Dunwoody Police Department insists is the total of all video available for this incident.

No-one has responded to why I received CD#104, but the Chain of Custody is for CD #102.

The cars in the video are where they were when we stopped, side-by-side. I explain later in the tape about the episode in Miami where I could have blocked a vehicle chased by Metro-Dade Police but didn't. Later I learned that the driver shot at officers. This is why I pulled up beside Ms. Polzin's car, with one foot on the brake and one foot on the accelerator because until I saw who the driver was I had to be ready to retreat quickly. I don't think her being scared gives her the right to try to use her vehicle as a weapon, or provide false statements to the Police.

If you look at the video you can clearly see the two cars are in an open area of the parking lot at 2090 Dunwoody Club Drive and there is no physical way to block her car in. Exhibits E, F, & F1 of my 7/24/2011 Brief for the Motion to Dismiss All Charges show the positions of the cars for reference.

In your 12/2/2011 email you state:

"In your long email, you make certain allegations that officers have falsified charges, tampered with evidence and conducted ourselves in a non-professional manner. I am sure you have heard of libel, slander and defamation.

If you continue to make such baseless accusations, you may open yourself up to potential liability."

In your 3/26/2012 email you state:

" As I mentioned to you before, Lt. Hegwood is a good officer but did speak inappropriately in this case. This is the first such incident like this involving Lt. Hegwood in three years. He was counseled about this and has assured me it will not happen again." and " However, I certainly do apologize, as I have previously, for Lt. Hegwood's comments."

You first state the I am making "baseless allegations" about the unprofessional behavior and comments regarding Officer Fecht and Lt. Hegwood, and then you say you mentioned to me before Lt. Hegwood's comments, and that you have previously apologized to me. When did you ever apologize to me regarding Hegwood, and why then did you claim I was making "baseless allegations" about his violent behaviour and his disparaging comments about the "Residents of Dunwoody"?

In your 3/26/2012 email you state:

"You were able to negotiate the dismissal of one charge of Aggressive Driving and pled Nolo to the other Aggressive Driving charge. This was an unfortunate situation."

In my email response to you on 12/2/2011 I state:

"And in regard to your own false statements, I was attending the Calendar Call in the State Court of DeKalb County on August 12, 2011. The State had 2 counts(Exhibit 3), Count 2 was the allegedly Obstructing Ms. Polzin's car in the parking lot. When Judge Panos found out the parking lot is in Sandy Springs, Fulton County, and then was made aware the video clearly shows the cars side-by-side, he ordered Nolle Prosequi on Count 2."

- Count 2 Disposition:

- Nolle Prosequi Order (dismissed because of):
 - Admission that Charges Cannot be Proved, and/or
 - Evidence has Demonstrated Innocence, and/or
 - Evidence has Demonstrated a Fatal Flaw in the Prosecution's Claim.

As stated above, Count 2 was the Charge of Obstructing Ms. Polzin's car in the 2090 Dunwoody Club Drive parking lot. The definition of the Disposition of Nolle Prosequi is given above. Judge Panos is the one who initiated the discussion about the evidence that showed the cars side-by-side from the 7/24/2011 Brief/Motion to Dismiss, blatantly showing no obstruction of either vehicle, and the false location of the alleged violation provided by the Dunwoody Police Department. P. Catalano, Assistant Solicitor-General constantly referred to Ms. Polzin as a "Typical Distracted Teenage Driver". He only said that once in front of Judge Panos, who told him that was no basis for her behavior.

What does your remark mean -"This was an unfortunate situation"?

Your finally comment in your 3/26/2011 email is:

" My hope is that you can put this incident behind you, learn from it and move on with your life."

That is an interesting comment, given if I don't pursue the truth in this matter, this incident will stay on my DMV records and impact my insurance, job background investigations for contract or permanent employment, and leave another Dunwoody teenager believing she can get away with this type of behavior because "daddy" knows a cop and he can take care of it. What I have learned from this incident is that there are people employed by the City of Dunwoody in allegedly responsible positions who will violate their oath of office and then go to extravagant measures to try to cover up their actions.

So in summary,

Given A or B above, I am leaning very hard toward B. It appears you are focused on an alleged activity (Count 2) which was adjudicated as dismissed because of the evidence, not what some teenage girl claimed, or what Officer Fecht falsely wrote in his report. It seems the fact is that Ms. Polzin called her "daddy", who then called APD Lt. Scott Bennett, who showed up before Officer Fecht's 12 minute response time. Then, that later, mysteriously, Lt. Hegwood showed up and spent his time with Lt. Bennett, who magically became a "witness", and then after Bennett left, spent time having a group discussion behind my car with the other 2 alleged "witnesses".

I believe the Mayor and City Council should request an investigation by the GBI into this incident and

ensuing activities related to it. The APD, as of 2 weeks ago was 90 days into their active investigation of involvement of their personnel in this matter.

Regards,

Steve Chipka

----- Original Message -----

Received: 06:41 PM EDT, 03/26/2012

From: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

Cc: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>, Mike Davis

<Mike.Davis@dunwoodyga.gov>, Brian Anderson <Brian.Anderson@dunwoodyga.gov>, Warren Hutmacher <Warren.Hutmacher@dunwoodyga.gov>

Subject: RE: RE: March 9, 2011 Incident

Mr. Chipka,

I will try and respond as best I can to this email in response to the multiple emails you have sent. I thought I had responded already and given you our position on most of the points you keep making. This case has already been adjudicated. You were able to negotiate the dismissal of one charge of Aggressive Driving and pled Nolo to the other Aggressive Driving charge. This was an unfortunate situation. On the scene, you described how frightened you were of the car behind you because you didn't know the intentions of the person. You didn't know if the person was a criminal. These comments were given as justification for your actions. Imagine how frightened the 16 year old girl was because of your actions. She did not know if you were a criminal. On the video, you do say you pulled in front of her and blocked her in after she stopped. I suggest you or anyone who gets tailgated inappropriately, should call 911 and report it if possible. Another alternative would be to pull over and let the car by you, but in no case should you chase the car down. What if you caught the person and they were a criminal or even armed with a gun. What would you have done then? The way you handled this situation was inappropriate.

I have reviewed the videotape. It has not been altered. We do not have a way to alter it in the system. It is built that way on purpose. As I mentioned to you before, Lt. Hegwood is a good officer but did speak inappropriately in this case. This is the first such incident like this involving Lt. Hegwood in three years. He was counseled about this and has assured me it will not happen again.

The men and women of the Dunwoody Police Department enjoy serving our community. We have formed many valuable partnerships with our community, especially through our Neighborhood Watch Program. It takes all of us working together to make our community safer.


The suggestions you make in this email about what you would like to happen will not happen. No one falsified a report; we are not going to charge Ms. Polzin; and we are not going to have your record expunged. However, I certainly do apologize, as I have previously, for Lt. Hegwood's comments.

My hope is that you can put this incident behind you, learn from it and move on with your life. I wish you the best of luck.

Regards,

Billy Grogan

Chief of Police
City of Dunwoody
41 Perimeter Center East, Suite 100
Dunwoody, GA 30346
Office: 678-382-6902 / Fax: 770-396-4835

 Dunwoody Logo web

billy.grogan@dunwoodyga.gov
www.dunwoodypolice.com
www.twitter.com/dunwoodypolice
www.facebook.com/dunwoodypolice
www.youtube.com/dunwoodypolice

Please consider the environment before printing this email!

From: Stephen T. Chipka [mailto:schipka@usa.net]
Sent: Monday, March 26, 2012 8:30 AM
To: B. Grogan
Cc: schipka@usa.net; Adrian Bonser; Mike Davis; Brian Anderson
Subject: Fwd: RE: March 9, 2011 Incident

Chief Grogan,

You mentioned in your December 2, 2011 email that you had not heard any reference to tampering with the dashcam recording from Officer Fecht's car.

In the forwarded email you say that you reviewed the report, witness statements, and the video. You stated that the video supported the other documents.

If you watched the video, between Lt. Hegwood's spitting, you saw that the 2 cars were side-by-side in the area in front of Starbucks at 2090 Dunwoody Club Drive. If you listened to the audio, you heard me talking to my wife on a borrowed cellphone while sitting at a table outside Starbucks. My last comment to her before hanging up was something like; "these Dunwoody Police Officers(plural) aren't(plural) looking too friendly", to which Officer Fecht responds; "come on". A typical person would say Officers is plural, who were the officers I was referring to? Lt. Hegwood is in the video behind my car as that audio is playing. What other Dunwoody Police Officer was present?

After hanging up with my wife the next sequence of audio is me asking who that officer was with the "Are you a Dunwoody resident" attitude. He then spells Hegwood's name and his own.

Did you not notice:

1. The video is only 8 minutes long, while the officers were there for an hour,
2. There is a definite shift in tone, volume, and subject within a matter of seconds after my saying "these Dunwoody Police Officers aren't looking too friendly".
3. The background music from Starbucks changes mid song.

4. You cannot hear any sound from the tailgating group of Hegwood and 2 witnesses that could clearly be heard from where I was sitting at Starbucks. The conversation, as stated before, was about the I-285 crash that had occurred on 2/8/2011.

Maybe its time for you and I to sit down together with the Mayor and watch the video together. Maybe your version of the video was tampered with to provide you a different copy from the one I was provided.

In addition to the above information, I am in contact with people who know the person who lent me the cellphone I am talking on at the beginning of the video. I will soon have in my possession a copy of the cellphone bill showing the time of the beginning and end of my conversation with my wife that night. I believe that bill will demonstrate dramatically that my claim that the video has been tampered with by members of your organization to be true and accurate.

This issue will be resolved soon, as I cannot spend much more time on it. I also received a \$1400.00 increased bill for my car insurance as the result of your organization's tampering with the truth in regard to this matter. My insurance company said that the increase will last at least 3 years, unless my driver record is changed.






As you stated earlier, beside criminal charges for the alleged victim and the juvenile witness of diminished mental capacity, a civil suit could cost the Polzins thousands of dollars in damages and attorney fees.

All I expect is that you terminate all the people who falsified information regarding this incident, charge Ms. Polzin for the violations which she committed on February 9, 2011 (violations which will result in the loss of her drivers license at least until she is 21, and have my drivers record expunged of these falsified charges, and provide your personal apology for the time and effort I have had to spend on this subject for over a year now.

The alternative is for me to turn over all of my documentation to other organizations which can impact the outcome of this subject in a manner which will accomplish my requests in a venue that will not reflect positively on your organization, or the fledgling City of Dunwoody.

Forwarded message is attached.

Steve Chipka

-  [2011_2_9_EXHIBIT_E.jpg](#) (201K)
-  [2011_2_9_EXHIBIT_F.jpg](#) (233K)
-  [2011_2_9_EXHIBIT_F1.jpg](#) (319K)
-  [2011_8_12_State_Court_Order.JPG](#) (682K)
-  [2011_6_30-pp2_Charges.JPG](#) (266K)

Date: 08:27 PM EDT, 03/27/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: <adrian.bonser@dunwoodyga.gov>, <mike.davis@dunwoodyga.gov>, <denis.shortal@dunwoodyga.gov>, <douglas.thompson@dunwoodyga.gov>, <terry.nall@dunwoodyga.gov>, <lynn.deutsch@dunwoodyga.gov>, <john.heneghan@dunwoodyga.gov>, "brian.anderson" <brian.anderson@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Open Records Request

Hey Gang,

Just another email to add to why the City of Dunwoody pays you the big bucks.

I have three question as a citizen of the City of Dunwoody, and a citizen entitled to Subpoena and Open Records requests:

What did the City of Dunwoody City Attorney Brian Anderson do with the attached Subpoena/Open Records request dated 4/8/2011? This document was hand delivered to the City of Dunwoody and stamped received as of 4/8/11. It was addressed and intended to go to the City Clerk Sharon Lowery.

Is this the way that the City of Dunwoody meets Federal Open Records requests?

Who do I complain to about the lack of acknowledgment and fulfillment of this request? (whether you like it or not, you have to respond to this question. If you choose not to answer the other questions is up to your integrity.

I will deal with Mr. Anderson through the attached Georgia Bar Grievance Process, but you need to be aware if I am successful, Mr. Anderson will be disbarred as an Attorney, and you will need to hire a new City Attorney.

The State of Georgia authorities I discussed this matter with expressed dismay that City Attorney Brian Anderson intercepted this request and that it was not responded to per government guidelines.

Why does this City feel they do not owe citizens open information and responses, you put the City of Dunwoody at risk of liability of significant penalties.

PLEASE GOVERN YOURSELVES ACCORDINGLY,


Steve Chipka


 [2011 4 8- pp1 SUBPOENA REQUEST.jpg](#) (224K)

 [2011 4 8-pp2 SUBPOENA REQUEST.jpg](#) (163K)

 [2011 4 8-pp3 SUBPOENA REQUEST.jpg](#) (105K)

 [2012 1 1 GA BAR COMPLAINT.jpg](#) (175K)

 [2012 1 1 Open Records Request.jpg](#) (146K)

 [2012 1 1 Dunwoody City Clerk.jpg](#) (83K)

Date: 08:20 PM EDT, 04/20/2012

From: "Stephen T. Chipka" <schipka@usa.net>

To: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Re: Read: Fwd: Lt. Bennet Complaint

Councilmember Bonser.

I noticed you read this last message, or at least your email system sent a "read" receipt.

It seems you stopped "reading" my emails after Mayor Davis jumped into the discussion of the "Polzin/Kroger Incident".

I thought after I read of your vote to not give our City Manager a raise that you would be one person who would look to resolve questionable/unethical behavior/integrity-image issues involving City of Dunwoody employees/contractors. Was I wrong in my impression?

This incident relates directly to the "distracted driver" behavior you mentioned in your comments about drivers in school areas of Dunwoody.

Are you aware that it is now illegal (SR23) for anyone under 18 years of age to use a cellphone "at all" while operating a motor vehicle in the State of Georgia? Are you aware that there have only been 23 convictions of violations of that law in the State of Georgia as of mid-December 2011? Georgia Code 40-6-241.1 violations require a fine and suspension of the offender's driver licence until at least 18, depending on other violations, which could cause a loss of licence until 21 for a minor. Do you see where this is going, and why it is directly related to this Polzin incident?

If she had been charged with; Tailgating, Using her vehicle as a weapon, Reckless driving, Falsifying a police Report, etc., Ms. Polzin would not be able to drive until she was at least 72 (just kidding, 21). That she called her father, who then called APD Lt. Bennett, who then put on a charade that he was "just shopping" with the Dunwoody Police, who were outside their jurisdiction, and are still reeling from the Sniederman murder, does not justify Dunwoody Police Department Lt. Hegwood from ignoring the fact that Ms. Polzin admitted in her statement that she was on her cellphone while driving her vehicle.

Of course now we get to the issue that she blatantly lied that I blocked her ability to leave the Kroger parking lot with my vehicle, so maybe she was also lying about being on her cellphone while driving. Maybe she was lying about the whole incident, it never happened, she and just wanted some attention from "Daddy".

But I digress. The real issue is that there is a law against cellphone use by drivers under 18, and Georgia Code 40-6-241.2 prohibits people 18 years and older from "writing, sending, or reading text based communication" while operating a motor vehicle. (557 Convictions through mid-December 2011, both effective 7/1/2010).

Finally, it appears this incident on February 9, 2011 became an issue of emotions. Between Ms. Polzin's 75 minute-long crying hysteria, Kroger "Courtesy Clerk" Rudell jumping between the cars to save his damsel-in-distress, and Lt. Hegwood's emotional rant about drivers in Dunwoody (nobody ever seems to have addressed that Ms. Polzin lives in Dunwoody also, and that Chief Grogan originally threatened me with a slander lawsuit, then agreed that Lt. Hegwood's behavior/remarks were "inappropriate"), and then City of Dunwoody Attorney Brian Anderson intercepting my Subpoena/Open Records Request and Binding the case over to DeKalb so he wouldn't have to defend the Dunwoody Police's actions in Dunwoody Court based on the

fact that the alleged activity happened in Sandy Springs, and had falsely been reported under a Dunwoody address, I think you can see how there really are no winners in this matter.

If we are going to solve the problem around our Dunwoody neighborhoods where children are going to/from school, or even playing, we are going to have to have a police department that can "own" their responsibility to enforce the laws the Legislatures have put on the books to protect the people of Georgia. "PEOPLE-UP" DPD, your job is not to keep every "Daddy" happy that his overachieving child has actually done something wrong, and for once in their life they will be held accountable personally for their actions, your job as DPD is to enforce the laws of the State of Georgia impartially and competently.

If that means setting up enforcement sites to "catch" teens using their cellphones within certain areas of the city, that is for the City of Dunwoody City Council, Mayor, and DPD to decide. Maybe 1-strike instead of 0-tolerance should be the message sent out. However, after 1-strike, you are out.

My thoughts to you on the safety of our community, and the corruption within the DPD which is re enforcing the behavior of these young drivers that they can get away with bad behavior by calling "Daddy", who knows a cop, who knows a cop, who knows a police chief.

'Nough said.

Spring and the Dogwood Festival are here, enjoy.

Sincerely,
Steve Chipka

----- Original Message -----

Received: 02:01 PM EDT, 04/19/2012
From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>
To: "schipka@usa.net" <schipka@usa.net>
Subject: Read: Fwd: Lt. Bennet Complaint

Your message was read on Thursday, April 19, 2012 2:01:28 PM (GMT-05:00) Eastern Time (US & Canada).

> -----
> Attachment: Forwarded Message
> MIME Type: message/disposition-notification
> -----

Date: 11:36 AM EDT, 05/30/2012

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

Subject: RE: Support

Mr. Chipka,

Thank you for your support. I did acknowledge the e-mails I received from you when I was in New Zealand. I admit I told you I would call you when I got back into town but, I walked into a hornet's nest when I got back. I've been working to take care of this mess ever since. That is the discouraging part. Antics like the one the Mayor pulled, only distract us and, take us away from doing the work of the people. I apologize for not following up.

Your situation is very complicated. I believe it would be best to leave it in legal hands. I hope you will respect my decision. I will ask the Chief if I may see the video of the incident to get a better understanding but, I am not a lawyer or police officer.

Thank you for contacting me. I hope you will find the resolution you seek in this situation. If not, do what I do; let it go like water off a duck's back.

Building a Smart City Together,

Adrian

Dr. Adrian G. Bonser
C: 678-358-1090
Dunwoody City Council, District 2
41 Perimeter Center East, Suite 250
Dunwoody, GA 30346
adrian.bonser@dunwoodyga.gov

From: Stephen T. Chipka [schipka@usa.net]

Sent: Tuesday, May 29, 2012 6:35 PM

To: Adrian Bonser

Cc: schipka@usa.net

Subject: Support

Councilmember Bonser,

I read your reply to the report and saw the part where many people have called or emailed to offer you support in your position on the PVC farm and the investigation.

I would have emailed my support also but it seems I have emailed you several times recently in regard to the DPD and the alleged driving incident with not even an acknowledgment that you received them.

Personally, I am in the process of filing a complaint with the Georgia Bar about Mr. Anderson's activities and behavior regarding his handling, or not, of the legal side of that subject. Chief Grogan continues to deny that his organization tampered with the dashcam video and still refuses to accept that 2 of his personal proteges actually lied about the location of the incident to cover up that they knowingly responded to a Sandy Springs location.

Date: 12:23 PM EDT, 07/03/2012

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>, Lenny Felgin <Lenny.Felgin@dunwoodyga.gov>

Cc: "B. Grogan" <Billy.Grogan@dunwoodyga.gov>, Mike Davis <Mike.Davis@dunwoodyga.gov>

Subject: RE: Lack of Ethics

Mr. Chipka,

This is the last time I will respond to your harrassing e-mails. It is quite obvious to me as a healthcare professional that, you need to seek help for your issues. You are ruminating on an issue in your life that I am not able to help you with. I suggest you seek help from a qualified therapist or, your pastor.

It has been recommend to you on mulitple occasions by myself, our Chief of Police, and our City Attorney that you seek legal help for your concerns. Your constant harrassment of myself and others only serves to verify the charges against you. You have been charged with aggressive driving. You pled "no contest" therefore, you agreed with the charges against you. You should have been charged with road rage and harrassment amongst other charges. You had your day in court. You agreed with the charges. That's the end of your story.

I am instructing our IT department to mark your e-mail address as SPAM. I will no longer receive e-mails from you in this mailbox. Should you decide to use a different e-mail address to contact me, I will also refer that one to our IT department. I will not read or respond to another e-mail from you- even if your house is on fire. You have lost that priviledge.

I'm sure this is not the only issue you have in your life and, I wish you well in seeking help for all of your problems. You are a troubled man. Get some help.

Dr. Adrian G. Bonser

C: 678-358-1090

Dunwoody City Council, Post 2, District 2

41 Perimeter Center East, Suite 250

Dunwoody, GA 30346

adrian.bonser@dunwoodyga.gov

From: Stephen T. Chipka [schipka@usa.net]

Sent: Tuesday, July 03, 2012 9:26 AM

To: Adrian Bonser

Cc: B. Grogan; schipka@usa.net; Mike Davis

Subject: Lack of Ethics

Ms. Bonser,

Do you want to admit that you have been derelict in your duties as you try to convince the tax-paying citizens of Dunwoody that you are not wasting taxpayer dollars in the pursuit of allegations against you?

Do you want to wait until I present evidence at a City Council meeting that Chief "Billy" Grogan has been corrupt and covered-up the false statements of himself and officers in his command, until you admit that you were made aware of his activities, and failed to take action to terminate his employment with the City of Dunwoody?

You have cost the citizens of Dunwoody in several ways. You know you received my email suggesting you admit your disclosure of information from a City Council meeting you attended that was deemed "private" by Brian Anderson, you took no action then, and you have taken no action based on the

I had recommended to Mayor Davis that he use Wilson to investigate the corruption and cover-up of Anderson and Grogan in that matter. The Mayor finally sent me an email saying that all happened before he got the job, so he would not respond to anymore communication on that subject.

My last hope from the City of Dunwoody was you. Now the APD Internal Affairs Department is investigating the activities of the "alleged" witness, Lt. Scott Bennett, in interfering with the incident and tampering with witnesses. When the people who are supposed to assist you in these matters abandon you, there is always another route to getting assistance. The Attorney General's office, Stefan Ritter, has suggested a 3-prong approach for my solution. Every one of the prongs will embarrass the City of Dunwoody, and the 4th prong is the media. After this City Attorney episode I am sure they will have a field day with the Police Department, the City Manager, and the City Council.

Sorry to be so cruel, but I don't have much support for a person who offers assistance and then disappears.

I truly hope this turns out OK for you. If this is a time for you to move on to reduce the stress in your life I would say move on quickly. Only you can decide how much the fight is worth to your health and happiness.

As I wrote to Mayor Wright last year when my incident first occurred, I was on my way out of Atlanta quietly until I ran into the corruption in the Police Department and Brian Anderson. It's been over a year and it has cost a lot more than it has been worth so far. Luckily I have not had the additional expense of hiring an attorney on top of my time and personal expenses.

Dunwoody, the new city already too broken to be fixed.
Dumb People, Corrupt Police, Corrupt Politicians

Regards,
Steve Chipka

Date: 10:42 PM EST, 01/04/2013

From: "Stephen T. Chipka" <schipka@usa.net>

To: <adrian.bonser@dunwoodyga.gov>, <mike.davis@dunwoodyga.gov>, <denis.shortal@dunwoodyga.gov>, <douglas.thompson@dunwoodyga.gov>, <terry.nall@dunwoodyga.gov>, <lynn.deutsch@dunwoodyga.gov>, <john.heneghan@dunwoodyga.gov>, "Warren.Hutmacher" <Warren.Hutmacher@dunwoodyga.gov>, "B. Grogan" <Billy.Grogan@dunwoodyga.gov>, "Sharon Lowery" <Sharon.Lowery@dunwoodyga.gov>, "Lenny Felgin" <lfelgin@rileymclendon.com>

Cc: <schipka@usa.net>

Subject: Fwd: Fired Utah State Trooper Lisa Steed Accused of Falsifying DUI Arrests - ABC News

Looks like Utah has nothing on the City of Dunwoody.

I am still waiting for the rest of the documents from my Open Record Request of December 14, 2012.

Looks like the City of Dunwoody is just inviting the State Attorney General in to investigate why documents are withheld, or seem to have "disappeared".

Mayor Davis insists he is not responsible for any of these actions, as the original incident occurred before he was Mayor. "Billy" seems to still insist that on Fecht's dashcam recording I said I blocked the teenager on her cellphone's car so she was trapped. Yet he cannot provide the reference timing on the recording to back up his false statements and cover-up of the falsification of police documents by "officer of the Year" Fecht. Funny, Grogan has time to run off to Korea to run with a torch, but doesn't have 8 minutes to review the dashcam recording to backup his fictitious statements that cover-up the corruption he has nurtured within the City of Dunwoody Police Department.

This behavior of officer Fecht, and all of his superiors at the City of Dunwoody, including the City Clerk who has withheld requested documents, will not be resolved until the truth is fully in the public view. The involved parties have had plenty of opportunity to act on the issues of this incident and have refused to fulfill their obligations to the citizens of Dunwoody that ethics will be a standard for behavior of all city employees and elected officials. I won't even start on the behavior of contractors who pretend to be city employees.

PLEASE GOVERN YOURSELVES ACCORDINGLY,

Forwarded message is attached.

Steve Chipka

schipka@usa.net

Attached Message

Date: Fri, 4 Jan 2013 22:19:31 -0500

From: schipka@usa.net

To: schipka@usa.net

Subject: Fired Utah State Trooper Lisa Steed Accused of Falsifying DUI Arrests - ABC News
Seems like Timothy Fecht, William Hegwood, and "Billy" Grogan have a friend in Utah.

<http://abcnews.go.com/US/fired-utah-state-trooper-lisa-steed-accused-falsifying/story?id=18127921#.UOebw8jxv34.email>

Date: 09:20 PM EST, 02/03/2013

From: "Stephen T. Chipka" <schipka@usa.net>

To: "Mike Davis" <mike.davis@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Fwd: RE: Use of alleged Professional Standing to Disparage Others

Did you people even pay attention when you were voting on the Moratorium on Ethics Violations. Looks like Ms. Bonser admits that she made threatening and abusive remarks to me and is watching the clock. How would she know that unless Diane and Sharon made a copy of my complaint and provided it to Ms. Bonser?

You guys are so out of control.

Another question. Did your engineers factor into the Vermack/Womack traffic flow once the left turn light to Vermack is complete at Vermack/Mount Vernon? Once you condition people to come in from Gwinnett, take a left at Vermack, then a right on Womack to bypass Mount Vernon to Perimeter Center, you're "engineers" will tear up Vermack/Womack and Mount Vernon/Chamblee Dunwoody and send them into chaos on our neighborhood streets looking for a new way through to Ashford Dunwoody.

Do you even live in Dunwoody, or are you renting like top performer Warren Hutmacher?

Forwarded message is attached.

Steve Chipka

schipka@usa.net

Attached Message

Date: Sun, 3 Feb 2013 17:02:37 -0500

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

Subject: RE: Use of alleged Professional Standing to Disparage Others
Stephen,

I LOL when I read your e-mail. You are a funny man. I have a Doctor of Dental Surgery degree which, I received from The Ohio State University 23 years ago. No one can take that away from me. It's a done deal. What you are saying is preposterous.

I'm looking forward to the Statue of Limitations being up on any complaints you might have against the City. I know it ends this month.

Cheers,

Adrian

Dr. Adrian G. Bonser

C: 678-358-1090

Dunwoody City Council, Post 2, District 2

41 Perimeter Center East, Suite 250

Dunwoody, GA 30346

adrian.bonser@dunwoodyga.gov

From: Stephen T. Chipka [schipka@usa.net]

Sent: Saturday, February 02, 2013 12:36 AM

To: Adrian Bonser

Cc: schipka@usa.net; B. Grogan; Mike Davis; Adrian Bonser; Mike Davis; Denis Shortal; Douglas Thompson; Terry Nall; Lynn Deutsch; John Heneghan
Subject: Use of alleged Professional Standing to Disparage Others

Ms. Bonser (since I am working with Georgia State authorities to revoke your standing to use the term "Doctor" as a "medical professional" within the State of Georgia, and I am pursuing similar efforts in regard to your BFF's, Grogan & Anderson),

I find it interesting that you would use your alleged status as a "medical professional" to support the unethical behavior of your personal best friends, police chief "Billy" Grogan & Brian "City Attorney" Anderson, in making remarks that challenge my personal character after a State Judge ruled the allegations were frivolous and without merit based on evidence presented, or not, by Billy and Brian in a Court of Law.

Obviously they have taken their losses poorly, and continue to lie about the facts of the incident in question. Such manly men that you align with. My mission to bring the actions of you and these other 2 to the attention of organizations which provide your professional status are not complete. I am working to remedy that situation on a continuing basis.

That mayor Davis continues to absolve himself of any responsibility in this matter is also being addressed by his "higher authorities". Unfortunately, the ploy to postpone acceptance of ethics violations has only postponed the public disclosure of the behavior of yourself and others mentioned above. The outcome of the Ethics Complaint Procedure and Form project will only delay the inevitable. Oh wait, you all thought you could change the City Charter and rewrite the Ethics Policy without a general election, pardon me, I think you have gone way over the edge in abusing your positions as the City Council. Just saying.

Hope your ability to ever again use the term "medical professional" is revoked in the very near future. As to Brian Anderson and "Billy" Grogan, I hope they have new career plans for when their professional certifications are taken away due to unethical behavior.

Regards,
Steve Chipka
schipka@usa.net<<mailto:schipka@usa.net>>

Date: 06:58 PM EST, 02/04/2013

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>, Mike Davis <Mike.Davis@dunwoodyga.gov>, Denis Shortal <Denis.Shortal@dunwoodyga.gov>, Douglas Thompson <Douglas.Thompson@dunwoodyga.gov>, Terry Nall <Terry.Nall@dunwoodyga.gov>, Lynn Deutsch <Lynn.Deutsch@dunwoodyga.gov>, John Heneghan <John.Heneghan@dunwoodyga.gov>

Subject: RE: RE: Use of alleged Professional Standing to Disparage Others

I meant Statute of Limitations. Sorry about the typo.

Building a Smart City Together,

Adrian
Dr. Adrian G. Bonser
C: 678-358-1090
Dunwoody City Council, Post 2, District 2
41 Perimeter Center East, Suite 250
Dunwoody, GA 30346
adrian.bonser@dunwoodyga.gov

From: Stephen T. Chipka [schipka@usa.net]
Sent: Sunday, February 03, 2013 9:23 PM
To: Adrian Bonser; Adrian Bonser; Mike Davis; Denis Shortal; Douglas Thompson; Terry Nall; Lynn Deutsch; John Heneghan
Cc: schipka@usa.net
Subject: Fwd: RE: Use of alleged Professional Standing to Disparage Others

Ms. Bonser,

You realize you just extended the SOL by another 6 months. Thank You.
Forwarded message is attached.

Steve Chipka
schipka@usa.net<<mailto:schipka@usa.net>>

Date: 09:35 AM EST, 02/05/2013

From: "Stephen T. Chipka" <schipka@usa.net>

To: "Adrian Bonser" <adrian.bonser@dunwoodyga.gov>, <adrian.bonser@dunwoodyga.gov>, <mike.davis@dunwoodyga.gov>, <denis.shortal@dunwoodyga.gov>, <douglas.thompson@dunwoodyga.gov>, <terry.nall@dunwoodyga.gov>, <lynn.deutsch@dunwoodyga.gov>, <john.heneghan@dunwoodyga.gov>, "B. Grogan" <Billy.Grogan@dunwoodyga.gov>

Cc: <schipka@usa.net>

Subject: Fwd: RE: YOUR RESIGNATION AS CITY COUNCIL MEMBER

Ms. Bonser,

In the forwarded email message you claim you are not a lawyer, blah, blah, blah. But all of a sudden you are trying to spell Statute of Limitations, and quote the impact of such on any claims I may have with the city of Dunwoody.

Obviously, again, you are providing public information without disclosing your source of facts.

Do you know facts that set the baseline for my claims, did you consult someone who is a legal expert, or once again did you make up facts based on your background as a dentist before making false comments to others in the community about the standing of a Dunwoody citizen in regard to their rights to take legal action against the City of Dunwoody.

By receipt of your emails, and lack of action to curtail your threatening and abusive treatment of a Dunwoody citizen, all others of the City elected and employed members, will be held accountable for violation of oath of office/employment as a result of your actions.

PLEASE GOVERN YOURSELF ACCORDINGLY, ALL CONCERNED,

Forwarded message is attached.

Steve Chipka

schipka@usa.net

Attached Message

Date: Wed, 6 Jun 2012 12:23:12 -0400

From: Adrian Bonser <Adrian.Bonser@dunwoodyga.gov>

To: "Stephen T. Chipka" <schipka@usa.net>

Subject: RE: YOUR RESIGNATION AS CITY COUNCIL MEMBER

Mr. Chipka,

I have not heard of any rumors that I would resign or, not seek re-election next year. Please forward to me the written statement from the Mayor that you state you have in your possession. I have not violated my oath of office or trust of the City. I have been accused of it but, there is no evidence to support the accusations. In this country, you are innocent until proven guilty. I am very sorry you are swayed by gossip. In reading the Crier "Letters to the Editor," I am convinced most folks "get" what is going on. I am sorry you are not able to see the truth.

Regarding my not responding to you: Mr. Chipka, I did respond to you and explained to you that, I am neither a law enforcement officer nor, a legal expert. I recommended you handled this matter through the legal process.

On a more personal level: Our home internet service went out last Wednesday, May 30th.. I did not receive our new router/modem from AT&T until late Monday and, did not get it installed until late Monday night. During that time, the City Council received an "e-mail bomb" of over 300 e-mails for a petition for the Brook Run Dog Park. We have also received numerous e-mails regarding an issue with Mt. Vernon Rd. I have been working as diligently as possible to read and clear e-mails out of my mailbox which, is nearly full.

You may or may not also be aware, I initiated, helped organize, and, paid for an amazing event held at the Donaldson-Bannister House this past Sunday for the entire Dunwoody Community. I am sorry you weren't there. It was a wonderful event. The preparation for this event has consumed enormous amounts of my time and energy since last November but, was well worth it. The Preservation Celebration event allowed members of our community a chance to tour the grounds and house of the Donaldson-Bannister House for the first time in history. The home is on the National Registry of Historic Sites. The event brought awareness to the community of the need to restore the house, outer buildings, and grounds.

Please direct your concerns to your legal council. Attorneys are trained to address situations such as yours.

Dr. Adrian G. Bonser
C: 678-358-1090
Dunwoody City Council, District 2
41 Perimeter Center East, Suite 250
Dunwoody, GA 30346
adrian.bonser@dunwoodyga.gov

From: Stephen T. Chipka [schipka@usa.net]
Sent: Wednesday, June 06, 2012 4:53 AM
To: Adrian Bonser
Cc: schipka@usa.net
Subject: YOUR RESIGNATION AS CITY COUNCIL MEMBER

Ms. Bonser, Dr. Bonser, City Council Member Bonser,

There have been rumors around town that you are going to resign as a City Council Member for our District because of your violation of the trust of the City of Dunwoody and your constituents. The Mayor has stated to me in writing that you will not resign but that you will not seek re-election.

Is that why you have not responded to my requests for your assistance in this matter with Chief Grogan?

Chief Grogan seems to be at the heart of the issues related to the problems related to the City of Dunwoody.

I have been warned by several parties to be careful in challenging City of Dunwoody Police Chief

Grogan as he has built a police force based on previous members of his Marietta police force.

If that is the case, I find it disgusting that you would take money from the City of Dunwoody in the form of City compensation while you know you have violated your oath of office.

I think it is reprehensible that you would take compensation from the citizens of the City of Dunwoody while you refuse to address issues that constituents have presented to you to present to the City Council.

You should refund all compensation you have received from the City of Dunwoody and resign your position on the City Council.

Forwarded message is attached.

Steve Chipka
schipka@usa.net