

## Gadsden police officer suspended 61 days without pay

By

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### 2016 Cop Domestic Violence Josh Partee

The Gadsden Civil Service Board meted out punishment that will put Gadsden officer Josh Partee on suspension without pay for 61 days.

The charges of insubordination (disrespect toward a superior officer) and conduct unbecoming an officer, stemmed from a March 15 incident at his home.

Gadsden Police Chief Lamar Jaggears notified Partee he would seek termination of his employment on June 21 -- well before Partee was arrested on a charge of domestic violence and violation of a family protection order on July 8.

After the arrest, Partee was put on administrative leave with pay. He was arrested again July 19 for two counts of violating a family protection order and has been in the Etowah County Jail since.

During his board hearing, Etowah County Chief Deputy of Corrections Scott Hassell was present to supervise Partee.

The domestic violence-related charges were not considered in the board's deliberations.

Partee was accused of telling Sgt. Josh Russell, a superior officer, to "get the f--- out of his house." Russell and detective Wayne Hammonds testified Partee approached Russell in an aggressive manner. Hammonds, who intervened, said he believed Partee was insubordinate and displayed conduct unbecoming an officer.

Defense attorney Randy Phillips said the case was a question of whether officers are ever truly off-duty. During the March incident, he said, Partee was in his home, "his castle," in his bedroom and off-duty.

He contended Partee got upset when Russell suggested Partee's wife was going to leave the house with their son for the night. Russell said in a domestic call, when no one is being arrested, officers often suggest one of the parties leave the home for the night to prevent further incident.

Phillips also intimated there might have been "bad blood" between Russell and Partee in the past, and he questioned why Russell was the one to speak to Partee in a volatile situation.

City Attorney Lee Roberts brought evidence of Partee's 14-year history with the department. Sgt. John Hallman of the department's professional standards division, said that since Partee joined the department he had 13 reprimands which involved corrective disciplinary action; five neutral incidents and 27 positives -- such as commendations.

Partee had seven suspensions on his record, one for refusing or neglecting to comply with orders. In September 2015, Partee was given 20 days suspension for a violation involving moral turpitude in an off-duty incident that was not detailed.

He was suspended for three days with the rest of the punishment held in abeyance; he later served another three days of suspension.

He had 14 days remaining in abeyance coming into the hearing Thursday.

In handing down their punishment, the Civil Service Board imposed those 14 days on suspension and an additional 47 days. While the math got complicated, their intent, board president Alice Pruettt said, was that he be suspended without pay for 61 days out of a 180-day discipline, with the remainder in abeyance provided he complete counseling as required by the city and undergo an evaluation before returning to work.

Should Partee face further issues of discipline, he could be suspended for the remainder of the 180 days.

The charges against Partee had nothing to do with two July arrests. Those criminal charges are pending, and Phillips had argued that the case be continued because he could not allow Partee to answer questions about those pending criminal matters.

After the March incident, police responded to three separate domestic disturbances involving Partee. After one of those incidents, Partee's wife sought the protection order that Partee would later be arrested for violating.

While waiting for the domestic violence-related criminal charges to be resolved might have simplified the case, Roberts said it was important to the department to take action in the case.