

HALIFAX BOARD OF SELECTMEN  
**EXECUTIVE SESSION**  
TUESDAY, AUGUST 23, 2016 – 9:17 P.M.  
SELECTMEN MEETING ROOM

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Moved by Roy and seconded by Millias the Board voted as follows to enter into Executive Session with Selectmen Troy Garron, Tom Millias and Kim Roy to hold a grievance hearing to appeal a three (3) day suspension for Officer Al Hingst. Also present was Officer Al Hingst, Police Chief Broderick, Officer Schleiff, Attorney Michael Gilman, Attorney Amy Davidson, Mrs. Hingst and Denise Sharp:

Troy E. Garron	-	Yes
Tom Millias	-	Yes
Kim R. Roy	-	Yes

Garron began by asking what is Officer Hingst asking and Attorney Davidson said to reverse the three day suspension. Roy asked what proper procedure is. Attorney Gilman said that this situation is unusual and that the Board was made aware of this not from documentation but was brought to them by Chief Broderick. As far as documentation there is the Chief's three day suspension notice dated July 27, 2016; grievance letter from Attorney Davidson dated August 5, 2016; Chief's denial of grievance dated August 10, 2016 and letter from Attorney Davidson requesting a hearing dated August 15, 2016. Attorney Gilman said the facts of the situation are very simple; the chief suspended Officer Hingst for prohibited conduct. The misconduct relates to a photo that was sent to Millias which in turn he sent to Roy and Roy then forwarded it to Chief Broderick. From our prospective the photo speaks for itself. Why it was taken or how does not matter as it is on a Facebook page and for that matter it is still out there. This is not favorable to the Police Department as a whole.

Attorney Davidson thanked the Board for meeting with them. She began by saying that Officer Hingst has worked in Halifax since 1992 and during his thirty-four years of service he has had an unblemished record. The photograph does not show what really happened.

Ms. Sharp was given the opportunity to speak. She began by saying that she was at the Mudfest event and saw Al there. He called her name she ran over jump on him gave him a hug and jumped off. She has known him for thirty years.

Officer Hingst then said that he has known Denise for thirty years. He called her over. She just lost her son and I just wanted to offer my condolences. When she hopped on me I pushed back. I know I should have jump off right then and there. No one should lose a son the way she did.

Attorney Davidson said that it was a momentarily moment and that he did not invite her on the bike he was just offering her his condolences.

Officer Hingst continued to say that he was just taking his helmet off and did not know she was going to jump on him. He is embarrassed to his wife and the department. He just wanted her to know that I was sorry for her loss.

Attorney Davidson said she just jumped on and that he should not be punished for something he did not cause. She said they understand that this is an embarrassment for the Town and he is embarrassed also. He was taken by surprise and is asking that his record be unblemished.

Officer Hingst said that he does the best possible job he can do and does not want this moment to define who is really is.

Millias said the last thing he wanted was to be involved. He did not know if this photo was old or new so he reached out to Roy who then showed it to the Chief.

Officer Hingst said that he came into work and was told that the Chief wanted to see me. Attorney Gilman asked if the Chief asked him about the picture and Hingst said that he said this Denise and she was telling me how the chief and Sheila helped her. Officer Hingst said that if he had an inkling that this was going to happen he would have jumped up but he is not as quick as you can see and couldn't.

Chief Broderick said that the photo was forwarded to him and now it is live on Facebook. This is unfortunate, no matter what the circumstance/story is in ten years the picture is still out there. We are in uniform and in the public eye. He continued to say that he has known Denise for as long as Al. If he got off the bike and gave her hug that would have been okay and this decision was not made hastily as it was thought out for a week. This impacts the department and he should have known better.

Attorney Gilman asked how long was she seated with him and Hingst said a minute or two and as you can see from the picture he was backing off. He tried to think how to get off the vehicle without hurting her or tipping over. Attorney Gilman said that he looks relaxed and he said that he was listening to her story; her hand is on her heart. Again I was trying to think of how do to disengage without tipping over. Attorney Gilman asked if this was the first time he was in her company after the loss of her son and he said yes.

Roy said that she had the same interpretation and asked why you didn't just say hey I'm on duty Denise you have to get off. Mr. Hingst said he would have done that knowing this now.

Roy said this is difficult to ask these questions and people are no going to know the situation behind the photo as she has you in a locked position. People will say look at this picture he is sitting on a Halifax vehicle making such and such amount of money and not know the whole story. Hingst said that he is sorry from the bottom of his heart and Roy said she knows he is.

Attorney Gilman asked Attorney Davidson if they had any questions for the Board of Selectmen and she said no.

At this time Mrs. Hingst asked if she could speak. She said that there was no communication, no one asked him about the picture. Someone should have spoken to him. Everyone is entitled to explain their side of the story. A three day suspension was handed to him and was told he was going to be fired. It was asked who wanted to fire him and Chief Broderick said he did.

Attorney Davidson said that she did get off and Roy said I know but no one knows the story behind it. Attorney Davidson even if he said you have to get and she did the photo still could have been taken.

Attorney Gilman asked the Board of Selectmen if they wanted to take this under advisement. Garron said that a picture speaks a thousand words. He has known Al since he started. He continued to say that he wears a uniform and is in the spotlight 24/7 and asked if the punishment fits the crime? He would like to take it under advisement. Roy thought that it was up to the department head.

She said that she is the one who sent the picture to him but they need to support what the department head and Attorney Gilman has to say.

Millias wanted to add that he received this photo in a group message and supports the chief.

Moved by Roy and seconded by Millias, the Board voted as follows to affirm the chief's decision of a three (3) day suspension for Officer Hingst:

Troy E. Garron	-	Yes
Tom Millias	-	Yes
Kim R. Roy	-	Yes

Moved by Roy and seconded by Millias, the Board voted as follows to come out of Executive Session at 9:55 p.m.:

Troy E. Garron	-	Yes
Tom Millias	-	Yes
Kim R. Roy	-	Yes

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Kim R. Roy  
Clerk

/pjm