

April 20, 2023

Via Electronic Mail:

[sqawiy@cityofclarkston.com](mailto:sqawiy@cityofclarkston.com)

Shawanna N. Qawiy, MS, MPA  
City Manager  
City of Clarkston  
City Hall Annex  
1055 Rowland Street  
Clarkston, GA 30021

**RE: *Chief Christine Hudson*  
Notice of Representation, Memorandum of Grievance**

Chief Hudson has retained Buckley Bala Wilson Mew LLP to represent her in connection with her grievance related to the Employee Disciplinary Action issued on April 13, 2023. Chief Hudson objects that the City of Clarkston Employee Handbook, Chapter 9, 3.A, requires her to grieve the disciplinary action to the person who took the action. Please find the following documents attached to this correspondence: (1) Chief Hudson's memorandum of grievance and (2) a Charge of Discrimination we have filed with the U.S. Equal Employment Opportunity Commission ("EEOC") on Chief Hudson's behalf. Finally, we ask that Chief Hudson be protected from any retaliation following the filing of her grievance and Charge of Discrimination.

If you have any questions regarding the above, please contact us directly.

Sincerely,



Edward D. Buckley



Alessandra T. Palazzolo

Enclosures (2)

CC: Stephen G. Quinn  
City Attorney, City of Clarkston  
[squinn@wmdlegal.com](mailto:squinn@wmdlegal.com)

Christine Hudson  
Chief, Clarkston Police Department  
[chudson@cityofclarkston.com](mailto:chudson@cityofclarkston.com)

## MEMORANDUM OF GRIEVANCE

**From:** Christine Hudson, Chief/Clarkston Police Department

**To:** Shawanna Qawiy, City Manager

**Date:** April 20, 2023

**Ref:** Grievance related to Employee Disciplinary Action issued on April 13, 2023

### **Statement of Grievance:**

On April 13, 2023, City Manager Shawanna Qawiy issued Chief Christine Hudson an Employee Disciplinary Action (Ex. A), which subjected Chief Hudson to a five-day suspension without pay (April 14, 17, 18, 19, 20). City Manager Qawiy alleged the following:

Per the City of Clarkston Employee Handbook, Chapter 10- Guidelines for Disciplinary Action you are in direct violation of Section 3. Rules of Conduct as listed below.

- A. Failure or refusal to follow oral or written instructions.
- B. Inefficiency or lack of application in the performance of duties.
- N. Conduct unbecoming a city officer or employee.
- BB. Insubordination.

Pursuant to City of Clarkston Employee Handbook, Chapter 9, 1–3, Chief Hudson files the following memorandum of grievance to her immediate supervisor, City Manager Qawiy, within five workdays of her receipt of the Employee Disciplinary Action. The basis for City Manager Qawiy’s disciplinary action is factually inaccurate. Furthermore, this disciplinary action is merely a pretext for discrimination based on Chief Hudson’s race in violation of Title VII of the Civil Rights Act of 1964, as amended, and 42 U.S.C. § 1981. Therefore, Chief Hudson’s files this grievance because she disagrees with the decision to suspend her, and City Manager Qawiy has mistreated her.

### **Factual Background:**

On April 11, 2023, at 10:38 PM, City Manager Qawiy emailed Chief Hudson the following:

Per the discussion during the April 10th 2023 meeting we reviewed the IA final report. As a follow up you were to schedule a meeting with Fred Mays/GBI. The meeting is scheduled for April 12th at 1PM. As confirmed during the meeting please send your final recommendations to my attention by 11AM on April 12, 2023.

In reference to the vacant Assistant Police Chief position. It was discussed and confirmed that the position will be offered to the next interviewed candidate that has the documented training, education and field experience required for the

position. As discussed, this is high priority and should be completed for internal processing by April 13, 2023.

If there are any delays in completing these tasks please contact with me in a timely manner.

(Ex. B).

After reading the email at the start of her shift on April 12, 2023, Chief Hudson approached City Manager Qawiy to request an extension for her final recommendations related to the IA investigation until after the meeting with Investigator Fred Mays. Chief Hudson made this request because she had not had the opportunity to have an in-depth discussion about the investigation with Investigator Mays, which Chief Hudson opined was necessary to make her final recommendations. Chief Hudson also explained that she had a DeKalb County Chiefs meeting that morning. Despite these factors, City Manager Qawiy insisted Chief Hudson send her recommendations by 11:00 AM. Ultimately, Chief Hudson met the 11:00 AM deadline, submitting her recommendations to City Manager Qawiy by email at 10:58 AM. (Ex. C). Chief Hudson then sent City Manager Qawiy an email at 12:55 PM requesting clarification regarding the deliverable for the vacant Assistant Police Chief position. (Ex. D).

As scheduled, City Manager Qawiy and Chief Hudson met with Investigator Mays that same day at 1:00 PM. During the meeting, City Manager Qawiy questioned why Investigator Mays did not interview Chief Hudson as part of his investigation because Chief Hudson spoke to Officer Dillard. City Manager Qawiy stated that she did not know what Chief Hudson discussed with Officer Dillard, in a manner and tone that attacked Chief Hudson's integrity. At this point, Chief Hudson pushed her chair back, fidgeted with the pen in her hand, and said, "Here we go again." City Qawiy replied, "That's disrespectful, Chief." Chief Hudson did not respond, and the meeting continued without issue.

The following day, on April 13, 2023, City Manager Qawiy called Chief Hudson to her office for a meeting. During this meeting, City Manager Qawiy issued the Employee Disciplinary Action, alleging that Chief Hudson's actions on April 12 amounted to (1) failure or refusal to follow oral or written instructions, (2) inefficiency or lack of application in the performance of duties, (3) conduct unbecoming a city officer or employee, and (4) insubordination. City Manager Qawiy also placed Chief Hudson on a five-day unpaid suspension.

**Specific Wrongful Act & Harm Done:**

Chief Hudson is a dedicated law enforcement officer with a stellar reputation in the community, who joined the Clarkston Police Department in 2009 and has served as its Chief since 2012. Throughout her approximately forty-year career in law enforcement, Chief Hudson has received countless awards, accolades, and extensive training. Despite Chief Hudson's excellent service and commitment to serving City of Clarkston citizens, City Manager Qawiy has repeatedly tried to impede Chief Hudson's ability to perform her job based on her discriminatory animus

towards white people.<sup>1</sup> The Employee Disciplinary Action and five-day unpaid suspension is City Manager Qawiy's most recent attempt to discredit Chief Hudson and attack her character based on her race.

At worst, Officer Hudson met City Manager Qawiy's deadline for one assignment, requested clarification about another, and pushed her chair back, fidgeted with the pen in her hand, and said, "Here we go again." This behavior does not merit a public five-day suspension. City of Clarkson citizens, other City of Clarkston employees—including the police officers who report to Chief Hudson, and the local media<sup>2</sup> have all taken notice of Chief Hudson's five-day unpaid suspension for undisclosed reasons. The public nature of the disciplinary action will likely result in a loss of confidence in Chief Hudson's ability to serve as Chief of Clarkston Police Department, both by its citizens and the department's officers, which could create public safety issues.

In addition to Chief Hudson's reputation loss and emotional distress, the Employee Disciplinary Action also resulted in financial harm—costing her five days of her salary.

**Remedy or Adjustment Sought:**

The City of Clarkston should publicly rescind the Employee Disciplinary Action and five-day unpaid suspension, Chief Hudson should receive backpay resulting from the five-day unpaid suspension, and Chief Hudson should be protected from retaliation following the filing of her grievance and Charge of Discrimination with the U.S. Equal Employment Opportunity Commission.

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<sup>1</sup> Based on information and belief, City Manager Qawiy has told at least one former City of Clarkston employee, "You can't trust [white people]."

<sup>2</sup> Dan Whisenhunt, *Clarkston Police Chief Suspended for Five Days, but City Won't Say Why*, DECATURISH, Apr. 14, 2023, <https://decatrish.com/2023/04/clarkston-police-chief-suspended-for-five-days-but-city-wont-say-why/>.

# EXHIBIT A





## MEMORANDUM

**From:** Shawanna Qawiy, City Manager Shawanna Qawiy  
**To:** Christine Hudson, Chief/Clarkston Police Department  
**Date:** April 13, 2023  
**Ref:** Department Head/Employee Disciplinary Action

Per the City of Clarkston Employee Handbook, Chapter 10- Guidelines for Disciplinary Action you are in direct violation of Section 3. Rules of Conduct as listed below.

- A. Failure or refusal to follow oral or written instructions.
- B. Inefficiency or lack of application in the performance of duties.
- N. Conduct unbecoming a city officer or employee.
- BB. Insubordination

# EXHIBIT B



## **Christine Hudson**

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**From:** Shawanna Qawiy  
**Sent:** Tuesday, April 11, 2023 10:38 PM  
**To:** Christine Hudson  
**Subject:** Follow up from April 10th Meeting

Chief Hudson.

Per the discussion during the April 10th 2023 meeting we reviewed the IA final report. As a follow up you were to schedule a meeting with Fred Mays/GBI . The meeting is scheduled for April 12th at 1PM. As confirmed during the meeting please send your final recommendations to my attention by 11AM on April 12, 2023.

In reference to the vacant Assistant Police Chief position. It was discussed and confirmed that the position will be offered to the next interviewed candidate that has the documented training, education and field experience required for the position. As discussed, this is high priority and should be completed for internal processing by April 13, 2023.

If there are any delays in completing these tasks please contact with me in a timely manner.

Thank you in advance for your attention to these matters.

Shawanna N. Qawiy, MS, MPA  
City Manager  
City of Clarkston  
City Hall Annex  
1055 Rowland Street  
Clarkston, GA 30021  
(404) 296- 6489 Ext. 421  
Sqawiy@cityofclarkston.com

Help Line:  
(678) 409-9683  
help@cityofclarkston.com  
www.clarkstonga.gov

# EXHIBIT C

## Christine Hudson

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**From:** Christine Hudson  
**Sent:** Wednesday, April 12, 2023 10:58 AM  
**To:** Shawanna Qawiy  
**Subject:** Recommendation  
**Attachments:** Walker IA Form.doc; Priest IA Form.doc

*C.A. Hudson, Chief of Police*

**City of Clarkston**

3921 Church Street

Clarkston, GA 30021

Office: 404-292-9465

Cell: 404-391-4178



# EXHIBIT D

## Christine Hudson

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**From:** Christine Hudson  
**Sent:** Wednesday, April 12, 2023 12:55 PM  
**To:** Shawanna Qawiy  
**Subject:** RE: Follow up from April 10th Meeting

City Manager Qawiy,

On January 13, 2023, we had a meeting to discuss the open vacancy of Assistant Chief. You advised you were not willing to negotiate Joseph Hudgins counteroffer even though he scored the highest for this position. I advised you in this meeting that the female candidate did not have any police experience as her experience is in courts and jail. The third candidate did not score very high on the interview.

You stated to me that we could repost for this position and you were considering using an outside recruiting company. I advised we could use the Georgia Chiefs Association (GACP) and sent you the documentation outlining the process. I have not heard back from you in reference to using GACP, however, at a much later date you stated we would be using a recruiter.

In our meeting on Monday, 04-10-23, you told me that you wanted to pick one of the two remaining candidates and you were not going to spend money on the selection process. As your police chief, it is still my strong recommendation to have GACP post for the position so the Department and the City can have the best, most qualified candidate. Again, I feel the need to stress that the female candidate you wish to proceed with does not have patrol experience nor the leadership skills needed to qualify her as an Assistant Chief.

Lastly, I am unclear what you mean to have the candidate completed for internal processing by April 13 as I am not in possession of either file.

***C.A. Hudson, Chief of Police***  
**City of Clarkston**

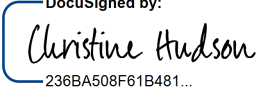
3921 Church Street  
Clarkston, GA 30021  
Office: 404-292-9465  
Cell: 404-391-4178



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**From:** Shawanna Qawiy <sqawiy@cityofclarkston.com>  
**Sent:** Tuesday, April 11, 2023 10:38 PM  
**To:** Christine Hudson <chudson@cityofclarkston.com>  
**Subject:** Follow up from April 10th Meeting

Chief Hudson.

<b>CHARGE OF DISCRIMINATION</b>		ENTER CHARGE NUMBER <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	
This form is affected by the Privacy Act of 1974; see Privacy Act Statement on reverse side before completing this form.			
_____ and EEOC (State or local agency, if any)			
NAME (Indicate Mr., Ms., or Mrs.) <b>Chief Christine Hudson</b>		Home Telephone No. [REDACTED]	Date of Birth
STREET ADDRESS (CITY, STATE AND ZIP CODE (COUNTY)) [REDACTED]			
NAME IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME <b>City of Clarkston, Georgia</b>		NO. OF EMPLOYEES/MEMBERS <b>15+</b>	TELEPHONE NUMBER <b>(404) 296-6489</b>
STREET ADDRESS CITY, STATE AND ZIP CODE <b>City Hall Annex, 1055 Rowland Street, Clarkston, Georgia 30021</b>			
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input checked="" type="checkbox"/> RACE ___ COLOR ___ SEX ___ RELIGION ___ NATIONAL ORIGIN ___ AGE ___ RETALIATION ___ DISABILITY		DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (Month, day, year) <b>Continuing violation</b>	
<p>My name is Christine Hudson. I began working for the Clarkston Police Department in March 2009 and have served as its Chief since 2012.</p> <p>Based on information and belief, City Manager Shawanna Qawi has told at least one former City of Clarkston employee, "You can't trust [white people]."</p> <p>Since Qawiy assumed the role of interim City Manager in September 2021 and City Manager in July 2022, she has repeatedly tried to impede my ability to perform my job based on my race (white). Most recently, on April 13, 2023, City Manager Qawiy issued a pretextual Employee Disciplinary Action to me, which included a five-day unpaid suspension.</p> <p>The basis for City Manager Qawiy's disciplinary action is factually inaccurate. Furthermore, this disciplinary action is merely a pretext for discrimination based on my race in violation of Title VII of the Civil Rights Act of 1964, as amended.</p>			
<input type="checkbox"/> I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary to meet State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct. Date _____ Charging Party (Signature) _____		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
4/20/2023  236BA508F61B481...		SIGNATURE OF NOTARY SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)	

## PRIVACY ACT STATEMENT

(This form is covered by the Privacy Act of 1974, Public Law 93-579: Authority for requesting the personal data and the uses are given below.)

1. FORM NUMBER/TITLE/DATE. EEOC Form 5, CHARGE OF DISCRIMINATION, March 1984.
2. AUTHORITY. 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626.
3. PRINCIPAL PURPOSE (S). The purpose of the charge, whether recorded initially on this form or in some other way reduced to writing and later recorded on this form, is to invoke the jurisdiction of the Commission.
4. ROUTINE USES. This form is used to determine the existence of facts which fall within the Commission's jurisdiction to investigate, determine, conciliate and litigate charges of unlawful employment practice. Information provided on this form will be used by Commission employees to guide the Commission's investigatory activities. This form may be disclosed to other State, local and federal agencies as may be appropriate or necessary to carrying out the Commission's functions. A copy of this charge will ordinarily be served upon the person against whom the charge is made.
5. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. Charges must be in writing and should identify the parties and action or policy complained of. Failure to have a charge which identifies the parties in writing may result in the Commission not accepting the charge. Charges under Title VII must be sworn to or affirmed. Charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to provide the requested information.
6.  Under Section 706 of Title VII of the Civil Rights Act of 1964, as amended, this charge will be deferred to and will be processed by the State or local agency indicated. Upon completion of the agency's processing, you will be notified of its final resolution in your case. If you wish EEOC to give Substantial Weight Review to the agency's findings, you must send us a request to do so, in writing, within fifteen (15) days of your receipt of the agency's finding. Otherwise, we will adopt the agency's finding as EEOC's and close your case.

## NOTICE OF NON-RETALIATION REQUIREMENTS

Section 704(a) of the Civil Rights Act of 1964, as amended, and Section 4(d) of the Age Discrimination in Employment Act of 1967, as amended, state:

It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed a practice made an unlawful employment practice by this title or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title.

The Equal Pay Act of 1963 contains similar provisions. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made.

# Redaction Log

Reason	Page (# of occurrences)	Description
no reason	14 (2)	---