



NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION, INC.
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Via Facsimile Transmission and U.S. Mail

The Hon. Gary W. Roche
Chief of Police
Pulaski Police Department
42 First Street, NW
Pulaski, Virginia 24301

Dear Police Chief Roche:

I write on behalf of Mrs. Drema Renee Dominguez and several other Volvo Truck plant employees to express dismay at your characterization of them as liars. I did not hear your response directly, but have seen press reports that quote you as saying the claim that an officer refused to file a police report about United Auto Worker union harassment is “totally, completely, categorically false.”

I hope you were misquoted, because that statement is incorrect, inappropriate and misleading. I have received a sworn statement documenting how, on February 21, 2008, Pulaski Police Officer Quesenberry told Mrs. Dominguez he had friends and family who were striking and he would not take a police report about the nails that were placed in her driveway. Officer Quesenberry told Officer McKnight to put his notepad away because it was not needed. They then departed.

Mrs. Dominguez has prepared a sworn affidavit containing further details about this incident.

After you and WDBJ7 news both received an email that same day from Mrs. Dominguez’s neighbor complaining about this refusal, Pulaski Police Sergeant Anderson called Mrs. Dominguez to apologize and to tell her that Officer Quesenberry was wrong in refusing to take a report at the scene and that Officer Quesenberry had been corrected on this matter. After hearing nothing further from your department for about two weeks, she filed a report on the nail incident with the County Sheriff’s office.

Press reports indicate that you cited a February 21 report to support your denial of the allegations of misconduct. I was puzzled by your detailed response because it revealed that you knew of the exact incident referenced in my earlier letter, even though my letter did not include the date of the incident or the citizen involved. You knew exactly what I was talking about.

Seeing your comments in the press, this past Friday, my client obtained a copy of this February 21 report from your department and, interestingly, Officer Quesenberry’s name does

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not even appear on it, only that of Officer McKnight. The errors in the report, such as the use of my client's maiden name, verify that no officer took notes at the scene, even to ask my client her name. The information in the report was likely obtained by looking up my client's license plate number when a police car later returned to her house, using an out-of-date database. The report verifies that "A. Anderson" is the supervisor.

Mrs. Dominguez appreciated the apology by Sergeant Anderson, but she does not appreciate being called a liar by public officials.

Sadly, this situation has resulted in a law enforcement officer falsely attacking the honesty of a woman who tried to report a crime, instead of seeking out the criminals. And the conduct reported *is* criminal: Virginia Code Section 40.1-53 makes it a crime to "attempt to interfere with another in the exercise of his Right to Work . . . or by the use of insulting or threatening language directed toward such person, to induce or attempt to induce him to quit his employment or refrain from seeking employment."

This law is being ignored while an ugly campaign of union terror has been waged against my clients and other non-striking workers.

Since the strike began, there have been numerous instances of nails being placed in the driveways of Volvo employees who continue to work. The union's insulting and threatening language on the picket line is being constantly directed at Volvo workers, to attempt to induce them to quit, and it is obscene and explicit. Obscenity is not protected speech. The display of open coffins, labeled "scab," is a blatant union endorsement of violence against these honest, hard-working citizens. Employees' windshields have been smashed and tires slashed. Union members have been stalking my clients and terrifying their children. Certain union militants are terrorizing law-abiding citizens and their families, and it is my understanding that even though some have been caught in the act, no one has been charged.

The published quote deceived not only the press and the public, but also other public officials regarding the merits of these claims. At the same time, that false public statement to the media, combined with the failure to enforce Virginia law, only emboldens union militants to engage in increasingly aggressive attacks against workers during and after this Volvo strike, and in the future.

First, I ask you to apologize to Mrs. Dominguez for calling her statements "totally categorically false" or to let us know that you were misquoted. I further ask you to contact the *Associated Press* and retract and disavow that statement attributed to you, wrongly attacking the honesty of a Pulaski citizen who should be receiving full protection from your department, rather than a cold shoulder. To fail to disavow this statement would besmirch the integrity of the entire police department and undermine the public's confidence in it.

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On behalf of Drema Dominguez, I also hereby request under the Freedom of Information Act a copy of all records and communications, including electronic records and email, possessed by the Pulaski Police Department concerning this incident on February 21, 2008, and/or any actions taken to discipline Officer Quesenberry.

I further request to know whether other officers have been disciplined or corrected for their failure to treat these crimes seriously in fulfillment of the public trust, and what steps you will be taking to ensure that the laws of Virginia are enforced by your department, including by officers who happen to have family members or friends who have participated in the strike.

Looking forward to your reply, I remain,

Very truly yours,



Derek A. Poteet

cc: The Hon. Robert F. McDonnell, Attorney General of the Commonwealth of Virginia
The Hon. K. Mike Fleenor, Jr., Commonwealth's Attorney of Pulaski County
Client List