

CLARKSTOWN

Former Clarkstown sergeant awarded nearly \$1M in lawsuit against town, Hoehmann

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A former Clarkstown police sergeant has been awarded nearly \$1 million in a federal lawsuit against the town and Supervisor George Hoehmann, whom he accused of retaliation.

The sergeant accused Hoehmann of retaliating against him for looking into a dismissed officer's contribution to Hoehmann's political campaign.

Stephen Cole-Hatchard sued Clarkstown and its town council members in July 2016 after he was removed from an investigative team and placed on headquarters duty. The former detective claimed he was punished for exercising his right to freedom of speech. He eventually went to trial, and on June 24 a jury ruled in his favor in White Plains federal court.

The jury awarded \$452,000 in economic damages, \$25,000 in compensatory damages and about \$337,000 in attorney fees to Cole-Hatchard, court records show, and also leveled \$216,900 in punitive damages against Hoehmann — the same amount of the contribution to Hoehmann's campaign that Cole-Hatchard looked into when this dispute began.

Both sides then reached a \$975,000 settlement in Cole-Hatchard's favor this week, according to court records.

The jury verdict was unanimous, and Hoehmann and the town stipulated they would not appeal the verdict.

"The jury's verdict completely vindicates Mr. Cole-Hatchard," one of his lawyers, Armand Mele, told The Journal News/lohud in an email. "It confirms that he was retaliated against for exercising his First Amendment rights, was forced to resign involuntarily, i.e. constructively discharged, in September 2016, and did nothing wrong while he was employed by Clarkstown Police Department.

"We hope this verdict will restore his reputation, which was so savagely attacked in public by Supervisor Hoehmann," Mele added.

Lawsuit: Police sergeant sues Clarkstown, Supervisor Hoehmann

Cole-Hatchard, who resigned from the Clarkstown Police Department in 2016 after more than three decades on the force, deferred to Mele's statement when asked for comment.

Robert Alberty, Clarkstown's director of finance and chief of staff, said the town had no comment. Hoehmann and his lawyers, John Flannery and Lalit Loomba, did not return emails.

Clarkstown controversy raged

Cole-Hatchard's lawsuit was filed during a tumultuous time in Clarkstown, where officials became involved in a dispute that ensnared the police department and town hall.

In August 2015, Michael Garvey was fired from his job as a Clarkstown police sergeant after a lengthy legal battle over his disability status. Hoehmann, who was on the town council and running for supervisor at the time, supported Garvey.

Clarkstown: Garvey's contribution to Hoehmann's campaign questioned

Through a company of his, Garvey donated \$216,900 to the state Reform Party and the Rockland County Republican Committee, much of which was spent on Hoehmann, who went on to win the supervisor's race that fall.

At the time, Cole-Hatchard was a detective serving as the director of the Rockland County Strategic Intelligence Unit. He looked into Garvey's contribution to Hoehmann's campaign, and according to his lawsuit, Garvey's hope was that Hoehmann would get the fired officer back on the force.

According to the lawsuit, after taking over as supervisor in 2016, Hoehmann accessed the emails accounts of Cole-Hatchard and other police officials, including then-chief Michael Sullivan, who opposed rehiring Garvey.

Cole-Hatchard then became a target "to prevent disclosure and further dissemination of information about the aforementioned campaign contributions" by Garvey, according to the lawsuit.

Cole-Hatchard: Detective sergeant resigns from Clarkstown Police Department

Cole-Hatchard was reassigned from the investigative unit to headquarters duty, which he claimed was punishment for looking into Garvey's political contribution to Hoehmann. According to the lawsuit, though, town officials said the reason for the move against Cole-Hatchard was an email exchange he had with a Journal News reporter earlier that year in which he offered his off-the-record opinion on the contribution.

Cole-Hatchard sued Hoehmann and the town in July 2016, and in September that year he resigned from the department, a day after being put on administrative leave.

Sullivan's tenure in the department also ended as the saga played out. He alerted the Rockland County District Attorney's Office about Garvey's campaign contribution, and he was eventually brought up on unrelated disciplinary charges and fired in 2017. Sullivan then ran unsuccessfully against Hoehmann for supervisor that year.

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