

CLAYTON COUNTY: Arresting vocal opponent will cost sheriff \$475,000

By [Kathy Jefcoats](#), [Bill Rankin](#)

The Atlanta Journal-Constitution
Tuesday, September 30, 2008

A federal jury on Monday ordered Clayton County Sheriff Victor Hill to pay \$475,000 to the brother of the man Hill defeated to become sheriff four years ago.

Mark Tuggle was arrested in January 2005 after calling and leaving angry messages for Hill following the sheriff's firing of 27 employees. Tuggle, who was jailed 30 hours, sued for false arrest and malicious prosecution.

The jury awarded Tuggle \$250,000 in compensatory damages and \$225,000 in punitive damages. U.S. District Court Judge Orinda Evans will decide how much in attorneys' fees and expenses will be paid Tuggle's lawyers.

"Dissent is the hallmark of a free society," said Tuggle's lawyer, Bill Atkins. "You're not very free if you're not free to voice your dissent without fear of going to jail. That's what this case was about. This jury spoke the truth to Victor Hill."

Hill, who lost his re-election bid in an August runoff, declined comment Monday.

Mark Tuggle's brother, Stanley Tuggle, served two terms as Clayton County sheriff until Hill defeated him in the 2004 election.

Despite questions that Hill may have cleaned out his desk after losing re-election, Hill continues to work as sheriff, a spokesman said.

Speculation that Hill has essentially quit prompted Gov. Sonny Perdue last week to appoint a three-person panel to investigate. But that's not the case, Hill's chief deputy, John Gibson, said.

"He was in his office over the weekend," Gibson said. "It's business as usual. My office is right next to his and I have not seen anything coming out of it and I've seen the sheriff going in there."

Perdue has given state Attorney General Thurbert Baker and Sheriffs Mike Jolley of Harris County and Gene Pope of Butts County authority to investigate.

Perdue said the men have 30 days to report back to him for determination on whether Hill should be suspended.

Clayton police Chief Jeff Turner said he welcomes an investigation.

"The citizens of Clayton County elected him as sheriff to do his job and he should be doing it until the end of that job," Turner said. "If he is not responsible enough to do his job, I would expect the governor to step in."