



State of North Carolina  
General Court of Justice  
Twenty-Sixth Prosecutorial District

**SPENCER B. MERRIWEATHER III**  
DISTRICT ATTORNEY

**MECKLENBURG COUNTY**

700 EAST TRADE STREET  
CHARLOTTE, NC 28202  
TELEPHONE: 704-686-0700  
FAX: 704-686-0716

January 4, 2023

Mr. Adam Loftin  
Assistant Special Agent in Charge  
NC State Bureau of Investigation  
5994 Caldwell Park Drive  
Harrisburg, NC 28075

Dear Agent Loftin:

On Tuesday, July 5, 2022, I requested the NC State Bureau of Investigation (NC SBI) examine two matters arising from the Pineville Police Department (PPD). I initiated this inquiry following a parallel request for an SBI investigation from PPD Chief Michael Hudgins, dated June 27, 2022. These requests arose from two distinct allegations that suggested possible violations of North Carolina criminal law. First, it was alleged that PPD Corporal Leslie Ryan Gladden (herein Ryan Gladden), on potentially two occasions in June 2022, discharged a firearm within an enclosure with the purpose of inciting fear, in the presence of his estranged wife, in violation of N.C.G.S. § 14-34.10. Second, it was alleged that Pineville Town Councilmember Leslie Robert Gladden (herein Les Gladden), the father of Ryan Gladden, committed acts that willfully and unlawfully obstructed an internal police investigation regarding his son. When I requested this investigation, I did not know whether or not the alleged acts of obstruction of justice were related to the firearm discharge investigation. On October 27, 2022, I received access to the complete SBI investigatory file for these matters. After reviewing the file, I met with SBI investigators on December 15, 2022, to discuss their findings.

**Scope of Investigation**

The scope of this review is limited by the prescribed constitutional authority of the District Attorney to consider cases for prosecution under the criminal law. Criminal investigations of public officials can often raise separate questions of ethics and impropriety, but the District Attorney is not empowered to determine those matters. While much of this SBI investigation—for contextual purposes—relied on historical background related to non-criminal personnel matters adjudicated within the Pineville Police Department, this review strictly seeks to determine whether available evidence from the instances investigated was sufficient to prove a violation of criminal law. As with all allegations of criminal

violations, a prosecutor must ultimately determine whether the available evidence would enable him to prove the guilt of the defendant beyond a reasonable doubt in a criminal trial.

It should be noted that the Town of Pineville commissioned an internal investigation of many matters related to Corporal Gladden, reportedly with much overlap with the subject matter of the SBI investigation. That internal investigation was performed by U.S. Investigative Security Services. The District Attorney's Office did not receive the findings of that investigation, nor were they sought. This review is wholly reliant upon the investigative efforts of the North Carolina State Bureau of Investigation.

As is common in any criminal investigation, there are many details which may be noteworthy or of general interest, but the evidence revealed here is strictly limited to those matters that bear on the District Attorney's constitutional obligation to determine the existence of criminal liability within the specific questions under investigation. To that end, this review will not include every detail of the investigation.

#### **First Incident – Ryan Gladden: Discharging of Firearm within Enclosure to Incite Fear**

The first incident under investigation was the discharging of a firearm within the home of Corporal Ryan Gladden and his estranged wife. SBI investigators conducted interviews with Mrs. Gladden and two people with whom Mrs. Gladden communicated after the event, including her sister and a longtime friend who was a PPD Officer. Ryan Gladden did not agree to an interview with SBI investigators. Available evidence suggests this event occurred on Saturday, June 4, 2022. At the time Ryan Gladden discharged the weapon, he was located in the back master bedroom of the home, while his wife was in the basement. Ryan Gladden fired a single round, ultimately boring a hole in a bathroom door. A child under the guardianship of the Gladdens was also present elsewhere in the home at the time of the weapon discharge.

No one actually witnessed Ryan Gladden discharging a firearm in his bedroom on June 4, 2022. No 911 call was placed related to this incident. This event first came to the attention of Pineville Police when Gladden's wife sent a text to her friend, a PPD Officer, the next day, expressing concern for her and her child's safety in light of Corporal Gladden's aggrieved state of mind. Mrs. Gladden expressed similar concerns to her sister, who later relayed those fears to others in the police department, including supplying them with photos of the resulting hole and a phone video of the aftermath (These materials were not turned over to SBI for this investigation.). Nevertheless, in a subsequent interview with SBI investigators, Mrs. Gladden asserted she did not believe Ryan Gladden was attempting to harm her or her child, declaring that he would never try to hurt her. Mrs. Gladden said she believed it was more likely Ryan Gladden was attempting to do harm to himself. Others who were interviewed recall speaking with Mrs. Gladden when she did articulate additional concerns for her own safety. In fact, there was alleged to have been one other physical incident between Ryan Gladden and his wife occurring in Summer 2022, but the circumstances surrounding that allegation could not be sufficiently corroborated

to establish probable cause. Additionally, there is no indication that incident has any evidentiary value related to this matter under review.

The only other explanation for why Ryan Gladden discharged the weapon in his home was offered by Ryan Gladden's father, Les Gladden, during an interview with SBI investigators. Les Gladden said a PPD Captain notified him of the incident. Les Gladden said Ryan told him he was disassembling his personal 9mm Glock handgun as a safety measure because Ryan's adoptive child was in the home with them at the time. Les Gladden said that Ryan had consumed alcohol prior to the attempt to disassemble the weapon and accidentally discharged a round. Les Gladden later went to the home, observed that the fired round went through the bathroom door, through the bathroom wall, and into the adjacent bathroom shower/tub. Les Gladden repaired the holes resulting from the fired round, and no projectile was recovered. To date, there was no evidence offered that suggested the scene of the weapon discharge was ever examined by a law enforcement agency. SBI opted not examine the scene, upon learning that it had been subsequently altered or repaired by Les Gladden.

Multiple accounts tend to show Gladden discharged a firearm in his home on June 4, 2022. But the available evidence is insufficient to confirm Ryan Gladden discharged his weapon within his home with the specific purpose of inciting fear in Mrs. Gladden or her child. In fact, of the theories witnesses suggest that Ryan Gladden discharged the firearm either accidentally or with a potential intent to harm himself, neither can be refuted with available evidence. Accordingly, the State will not seek criminal charges related to this incident.

When this matter was first presented to the District Attorney's Office, it was suggested that there were *two* potential incidents of discharging a weapon within an enclosure with the purpose to incite fear. Investigators identified no second occurrence of Ryan Gladden discharging a weapon within an enclosure. Reference to a second incident likely referred to an allegation that a PPD Officer observed Ryan Gladden discharge a firearm into the ground outside of his house within the town limits of Pineville. If that allegation were true, it would be a violation of the Pineville Town Ordinance. The District Attorney's authority to request NC SBI to investigate a violation of a Town Ordinance, a Class 3 misdemeanor, is unclear, so investigators were not asked to pursue this incident further.

Before the conclusion of the SBI's investigation, Ryan Gladden resigned from his position with PPD in September 2022.

### **Second Incident – Les Gladden: Obstruction of Justice**

The second subject of this investigation related to acts allegedly constituting Obstruction of Justice, purportedly committed by Pineville Town Councilman Les Gladden. The available evidence raises questions as to whether Les Gladden unlawfully and willfully obstructed justice by making statements to PPD officers during an internal personnel investigation involving his son, Ryan, in April and May 2022 (This internal investigation was separate and apart from the criminal inquiry into the June 2022 firearm discharge.). In fact, within six days of Chief Hudgins opening an internal investigation involving

department policy violations by Ryan, Les Gladden contacted two PPD officers—one who was leading the internal investigation and the other who was Ryan Gladden’s direct supervisor—to discuss the investigation, as well as the overall operation of the police department.

In his conversation with the officer leading the internal investigation, Les Gladden presented what was characterized by this officer as an “overwhelming barrage of questions” about the departmental inquiry of Ryan. The officer told SBI investigators that Les Gladden said Pineville Town Manager Ryan Spitzer wanted the officer “to come talk to him about the Chief.” Les Gladden further stated to this officer that Chief Hudgins’ introductory probationary employment period had been extended and that Spitzer “was ready to fire him.” Pointedly, Les Gladden, apparently in reference to the investigation of Ryan Gladden, told the officer, “I don’t know if I can trust you or anybody else.” In assessing these comments, the officer clarified that he did not feel directly threatened by Les Gladden, but the officer did believe the interaction to be inappropriate. The officer stated that the conversation with Les Gladden made him feel uncomfortable, but it did not keep him from faithfully leading the investigation.

In the interaction with the second officer, Ryan Gladden’s direct supervisor, Les Gladden arrived at the officer’s home and again made statements about Chief Hudgins and the internal investigation of Ryan Gladden. Les Gladden admonished the officer “not to align himself with whoever is going after Ryan.” He also stated, “The Chief is not long for this world,” which the officer understood to suggest that the Chief would soon be fired. As evidence of this assertion, Les Gladden reportedly told this officer that the other commanding officers were no longer reporting information to the Chief because they believed he would not be in the position for very long. Les Gladden told this officer that there was “a snitch on your shift,” which the officer took to mean that some other officer would report to Les Gladden who is aligning himself with the Chief and who was siding with Ryan Gladden. As with the first officer, this officer did not suggest he was explicitly threatened or that any specific inducement was offered in return for nonparticipation in the investigation, but the officer did report he was made to feel uncomfortable by the exchange. The officer believed it noteworthy that Les Gladden came to his home and made his inquiries in the presence of his child, believing that was especially inappropriate. This officer told investigators he was not dissuaded by the statements of Les Gladden from cooperating with the internal investigation.

SBI investigators interviewed Les Gladden, pursuant to this inquiry. In this interview, Les Gladden acknowledged speaking to the officers, but he denied attempting to exercise any undue influence on them. Les Gladden said he approached both officers because he had known them for a long time, saying “...with these two, I was concerned about them being part of a situation that I believed would continue to go south,” referencing Chief Hudgins’ leadership of PPD. In explaining whether it would seem like he was attempting to use his position on the Town Council to intimidate or dissuade these two officers from cooperating with the internal investigation of his son, Les Gladden responded, “The words I used probably sounded intimidating because I was so pissed at them because of their lack of caring for Ryan. Was my choice of words correct? Probably not. It was disturbing for me to see them turning their back on somebody so close to them and close to me...then, yeah, I was pissed off.”

Throughout his interview with investigators, Les Gladden regularly conflated his desire to protect his son's employment interests with his obligation to provide institutional oversight to the police department as a Town Councilperson. Les Gladden admitted Town Manager Ryan Spitzer, before the events of April 2022, kept him commonly apprised of disciplinary issues that arose involving Ryan Gladden. Again, before April 2022, Les Gladden said the Manager arranged, at his urging, a meeting with Chief Hudgins to discuss disciplinary matters involving Ryan. In his own interview with SBI, Town Manager Spitzer admitted he invited Les Gladden to speak with the Chief and him about Ryan's personnel challenges for his dual interest, "...as a father and a Councilman." Though the Town Manager denied knowledge of Les Gladden's individual engagement with officers during the later internal investigation, it is not surprising that such blurred lines of protocol ultimately led to uncomfortable moments throughout the internal investigation of Ryan Gladden.

Though the actions of Les Gladden, as described above, raise clear questions of impropriety, they do not amount to criminal illegality. The crime of Obstruction of Justice is broadly defined as consisting of "any act that prevents, obstructs, impedes, or hinders public or legal justice." *In re Kivett*, 309 N.C. 635, 670 (1983). In order for a person to be held accountable for committing this criminal act, both the willfulness and unlawfulness of that act must be able to be proven beyond a reasonable doubt in a criminal trial. The mere occurrence of Les Gladden, even in his position of Town Councilman, asking about an internal police investigation involving his son, does not clearly amount to an act of willful or unlawful obstruction of justice. Similarly, Les Gladden's request for an officer to align himself with his son and against a sitting Chief of Police is not an act of obstruction of justice, in the absence of a more explicit ask to lie, defraud, offer a false account, or otherwise hinder the investigation. *See id.*, at 670.

In each of these instances, despite his contrary assertions, Les Gladden very well may have intended to chill the cooperation of these officers in an investigation where his son was the principal subject. But, in considering the available evidence, it is just as plausible that Les Gladden, in engaging with these officers, was attempting to line up allies against a police chief he did not favor. While such acts might be imprudent—and even crude—they are not be unlawful. As the State could not possibly satisfy its burden of proof in attempting to prove beyond a reasonable doubt that Les Gladden was guilty of the alleged crime of Obstruction of Justice, the State will not be pursuing any further prosecution in this case.

### **Concluding Analysis**

In assessing the evidence presented in this investigation and reviewing the applicable law, the State has fulfilled its constitutional obligation. And yet, the remaining questions of impropriety raised here by the appearance of nepotism and undue political influence within the Pineville Police Department are deeply concerning. The recent censure of Town Councilman Les Gladden and the Council's attempt to bar him from all interference in police affairs certainly indicates that the Town Administration in Pineville is now doing its part to restore accountability and impartiality to its oversight of law enforcement. But the fact that such conflicts of interests were allowed to persist within a police department—and, at times, were seemingly cultivated by town administration—is of grave concern to this office, which depends on law

enforcement as a critical partner in upholding fair and objective justice. Had it not been for Chief Hudgins insisting these matters be independently reviewed, first by a contracted internal investigative agency and then by the State Bureau of Investigation, one wonders whether these institutional failures would have been ultimately remedied. Fortunately, even in the absence of criminal prosecution in these incidents, it appears these underlying concerns are being addressed. These steps forward provide considerable hope to this office as a justice system stakeholder, to the Pineville Police officers whose work can continue unimpeded by the appearance of politics and favoritism, and to the people of Pineville who are wholly deserving of integrity in the delivery of public safety to their town.

Sincerely,

A handwritten signature in black ink that reads "Spencer B. Merriweather III". The signature is written in a cursive style with a distinct "III" at the end.

Spencer B. Merriweather III  
District Attorney  
Mecklenburg County, North Carolina

Cc: Michael Hudgins, Town of Pineville, Chief of Police