

U.S. NEWS

Legally blind Florida man arrested when cane is confused for a gun

The Columbia County sheriff said the Oct. 31 arrest of James Hodges, who is legally blind, was "unacceptable." Two of his deputies face suspension without pay.

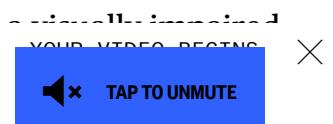
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Nov. 9, 2022, 2:42 PM EST

By Antonio Planas

Two deputies will be suspended and a Florida sheriff has apologized after a man was arrested last month when his walking cane was mistaken for a gun.

James Hodges, 61, of Lake City, was arrested the morning of Oct. 31 and an officer without violence, according to an arrest report and body camera video of his



detainment provided Wednesday to NBC News by the Columbia County Sheriff's Office.

In a [videotaped statement](#) Tuesday on Facebook, Sheriff Mark Hunter identified the arresting deputies as Jayme Gohde and her supervisor, Sgt. Randy Harrison.



— James Hodges shows Columbia County police his "navigational aid" on Oct. 31.

Columbia County Sheriff's Office

The deputies face suspension without pay and Harrison was demoted after an investigation was launched when Hodges requested body camera video of his arrest, Hunter said.

"As sheriff, I take full responsibility for this event and want to extend my sincere apologies to Mr. Hodges for the actions of my deputies," Hunter said. "I do not feel these deputies' actions were guided by ill intent, but rather by frustration and failure to rely on technology. Nevertheless, this conduct is unacceptable."

Hunter said the investigation showed the deputies violated policies. Harrison faces a

suspension of seven days without pay. He will not be eligible for any “favorable action” for two years, Hunter said. Gohde faces suspension without pay for two days, Hunter said.

A representative of the sheriff's office clarified Wednesday that Harrison won't be eligible for raises or promotions for two years. The representative said the deputies were unavailable to speak.

They will be required to take remedial training about civil rights, Hunter said.

Hodges could not immediately be reached for comment Wednesday. He told [NBC affiliate WTLV of Jacksonville](#), “Makes my chest swell up, not in a proud way, but in a very appreciative way.”

The arrest report said Gohde stopped Hodges after she saw him enter a crosswalk when a traffic control device indicated not to walk. The morning was foggy and overcast, and drivers were using their headlights, the report said. The report said Hodges appeared to be carrying a “silver (chrome) pistol with a white grip in his back right pocket.”

NBC News does not know what preceded the events in the video the sheriff's office provided or whether it was edited. The sheriff's representative declined Wednesday to provide additional comment about the video.

According to the 4-minute body camera video, Gohde walks up to Hodges and asks what is in his pocket.

Hodges appears to say it is a navigating aid. He tells Gohde: “What’s the problem? Are you a tyrant?” the video shows.

Gohde responds that she is, actually, and asks Hodges for his name and date of birth, which he refuses to provide, according to the video.

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Gohde then appears to say, “Do you want me to put you in handcuffs right now?”

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Hodges asks what she suspects, and she tells him that it looks like he is carrying a gun in his back pocket. Hodges, according to the video, takes out the folded-up cane and shows it to Gohde.

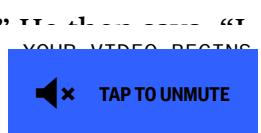
They insult each other, and Hodges asks whether he is being detained.

Gohde again asks for his name and date of birth; Hodges declines to give it to her and asks for her supervisor.

Harrison is on the scene, the video shows, and Hodges walks up to him. Harrison explains that the cane could look like a weapon and that he should identify himself when asked, the video shows.

Hodges responds, according to the video, that he doesn't need to identify himself unless there has been a “reasonable articulated suspicion that I have committed a crime, am committing a crime or about to do a crime.”

Hodges is placed in handcuffs, and Harrison, according to the video, asks him, “Sir, are you legally blind?”

Audio in the video is turned off, but Hodges appears to mouth, “Yes, I am.” YOUR VIDEO RECORDING 

The video then shows Gohde asking Hodges whether that was hard, and he wants her name and badge number.

Harrison reacts to that comment, according to the video: “You know what, put him in jail for resisting.”

As Hodges is placed into a squad car, he yells, “I want your name and your badge number, too, sir.”

In the apology video, Hunter told the public his deputies will continue to work hard for their trust.

“I want to reassure you that as your sheriff, we do make mistakes,” he said. “But we take corrective action to fix them. This is how we get better.”

Antonio Planas

Antonio Planas is a breaking news reporter for NBC News Digital.

Helen Kwong contributed.



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