

Griffith, April

From: Elizabeth York <eyork@pacga.org>
Sent: Friday, December 11, 2015 2:32 PM
To: Rosemary Greene
Cc: Griffith, April; sbradley@emersonpolice.com
Subject: Emerson Officer

Rosemary,

In August of 2014 there was an internal investigation done by Emerson Police Department regarding whether Officer Damon Boswell was inappropriately dismissing or reducing traffic citations in exchange for benefits. Following that investigation Boswell's employment was terminated. The incidents were reported to the GBI and P.O.S.T. for further investigation. I was provided and have reviewed a GBI report by Special Agent April Wells regarding her investigation of Officer Boswell.

There are two individuals who spoke with EPD and the GBI regarding Officer Boswell's actions after issuing a traffic citation. One individual gave Boswell free samples from his work place. However there does not appear to have been any benefit provided for the samples. He paid the fine on his traffic citation without it being dismissed or reduced. The other individual worked on one of Boswell's motor vehicles. That individual has given multiple statements regarding whether Boswell paid for those services or the work was done in exchange for a traffic citation being dismissed. The number of prior inconsistent statements made by that individual would be extremely detrimental to his believability should he be called as a witness.

I requested that the GBI and EPD look through Boswell's prior citations to try to identify any other individuals who might have had similar interactions with Boswell. Chief Bradley informed me that EPD did not find any similar incidents in the 6 months before these allegations came to light.

Boswell's actions were unprofessional and unethical. However, after a review of the totality of the circumstances at this time there is insufficient evidence to ensure a reasonable likelihood of a felony conviction. I have informed Special Agent Wells and Chief Bradley that I would be happy to review the case again should additional evidence be discovered or additional witnesses come forward.

Sincerely,

Elizabeth M. York
Assistant District Attorney
Cherokee Judicial Circuit

Bartow County Division
135 West Cherokee Avenue, Suite 368
Cartersville, GA 30120
Phone: (770) 387-5080
Fax: (770) 387-5085

Gordon County Division
P.O. Box 1478
Calhoun, GA 30703

Phone: (706) 629-5651

Fax: (706) 625-4537

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure under the Georgia Open Records Act. If you are not the named addressee, you are not authorized to read, print, copy, or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure under the Georgia Open Records Act. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.