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Department Internal Affairs Case Number:

21IA033

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Scanned on: September 10, 2021



MEMORANDUM

To: Stephen L. Merrifield, Chief of Police *sum 7/6/21*
Via: Wendell Turner, Deputy Chief of Police *W*
Jeff Tucker, Bureau Commander *JT/7-6-21*
Thru: John Lummus, Lieutenant, Administrative Bureau *JD 7-6-21*
From: Tiffanie Cromer, Sergeant Office of Professional Standards
Date: June 4, 2021
Ref: 21CC033

Background:

Chief Merrifield notified me an internal affairs investigation was being opened upon receiving a complaint memorandum from the Cherokee County Sheriff's Office. The memorandum detailed the unbecoming conduct and unsatisfactory performance of Officer Erin Leonard on May 21, 2021, after medical personnel within the jail refused admittance to an arrestee that Ofc. Leonard transported to the jail.

I received a recommendation memorandum from Deputy Chief Turner advising an investigation into the above-stated matter would need to be conducted to investigate the complaint filed by the Cherokee County Sheriff's Office. The memorandum contained the investigation would cover possible violations of the Code of Conduct, General Order 2.01, Unsatisfactory Performance (2.01.22) and Code of Conduct, General Order 2.01, Unbecoming Conduct (2.01.31).

Investigative Summary:

On May 21, 2021, I was provided with a memorandum from Deputy Chief Turner, requesting an internal affairs investigation be conducted on Ofc. Leonard for possible policy violations of the Code of Conduct, General Order 2.01, Unsatisfactory

Performance (2.01.22) and Code of Conduct, General Order 2.01, Unbecoming Conduct (2.01.31). In the memorandum Deputy Chief Turner explains on May 21, 2021, Chief Merrifield received a memorandum from Cherokee County Sheriff's Office jail staff that detailed an incident involving Ofc. Leonard that morning. They reported Ofc. Leonard was about to be "banned from the jail," due to her conduct regarding the treatment of jail staff and her action of dropping an arrestee off at the front of the jail, upon being refused admittance into the jail for medical reasons. Along with the memorandum from Deputy Chief Turner, the memorandum from Cherokee County Sheriff's Office Sergeant Imbriano was attached (See case file). Within the memorandum, it provides details of the incident. It details that on May 21, 2021, at 0118 hours, Ofc. Leonard and her trainee (Ofc. Overbay) brought in an elderly female, Lois Howard after they had arrested her for Criminal Trespass. A nurse was requested, and the detainee was refused by medical staff. It goes on to explain how Ofc. Leonard acted and how she dropped Ms. Howard off at the front of the jail, creating unnecessary liability. EMS was called out to the area for Ms. Howard and Deputies went to try and assist. It also details Sgt. Imbriano contacted Sgt. Ayers later that morning to advise him of the incident (Memorandum is attached to the file).

Upon receiving the memorandum, I chose to review video footage from Ofc. Leonard's "in-car" camera and "body-worn" camera, along with her trainee, Ofc. Overbay's video footage. I first searched Ofc. Leonard's video footage. I observed a tag labeled arrest on 5/21/2021 at 12:50 which I determined to be the "in-car" camera, however, at that time I was unable to review the footage and it only shows the car pulling up to the gate. However, later that afternoon, I was able to review the whole footage. I began watching the video footage. I observed Ofc. Leonard and Ofc. Overbay get out with Lois Howard and Jerry Jones in the parking lot of Belk's on Riverstone Parkway. The previous day, Ofc. Leonard and Ofc. Overbay went out with both individuals at the neighboring store (Publix), where they believed Lois Howard was criminally trespassed from that property but were unable to locate the trespass document and chose to assist them with leaving the premises by calling a taxi. Ofc. Leonard and Ofc. Overbay was able to locate the trespass document later that day, and due to the trespass being issued in November of 2020, Ofc. Leonard chose to place Lois Howard under arrest for trespassing on Publix property the day before. Due to the difficulty of not being able to hear the communication between everyone, I switched to viewing Ofc. Leonard's "body-worn" camera. I observed Ofc. Leonard speaking with Jerry Jones, as she was providing him with a citation for Loitering. She explained to him that he could not be hanging around closed businesses. Ofc. Leonard gets back into her vehicle and turns off her "body-worn" camera.

I then began reviewing Ofc. Overbay's "body-worn" camera. During the encounter, Lois Howard made several comments about her ex beating her up, her ribs being broken, she was bleeding, and she was in pain. When Ofc. Overbay was placing Ms. Howard into the backseat of Ofc. Leonard's vehicle, Ms. Howard fell into the floorboard, where she began screaming and crying, they had broken her ribs. During this time, Ofc. Leonard is inside the vehicle, in the passenger seat, while Ofc. Overbay and Ofc. Salas was helping Ms. Howard into the vehicle.

While enroute to the jail, Ms. Howard is mumbling in the back of the vehicle. However, when they arrive at the jail, you can hear Ms. Howard distinctly state she was in pain and her ribs were broken. At this time, Ofc. Overbay turns off his "body-worn" Camera upon turning onto Chattin Drive (the road the jail is located at). When the vehicle is parked and jail staff begins to get Ms. Howard out of the vehicle, the "in-car" camera is turned off as well.

At 121 hours, after Ms. Howard has been refused by medical staff at the CCSO jail, Ofc. Overbay turns his "body-worn" camera back on. I observed Ofc. Overbay assisting Ms. Howard into the vehicle. Ofc. Overbay then goes back into the in-take room inside the jail. I observed Ofc. Leonard on the phone. Ofc. Leonard states "Yeah well the jail is refusing Lois Howard for another bullshit reason, so we are dropping her ass off at the front of the jail that way when she calls 911 again it's the county's issue, not mine." Ofc. Leonard then motions to Ofc. Overbay to turn off his "body-worn" camera. Ofc. Overbay then does turn off his "body-worn" camera.

Ofc. Overbay then has another recording at 129 hours, where it appears Ms. Howard is exiting the rear of their patrol vehicle. Ms. Howard is asking Ofc. Overbay to take her home. Ofc. Overbay advises Ms. Howard he is not going to drive her to Jasper and asks her to get out of the vehicle. Ms. Howard then advises her sister can just come and get her. They then talk about her property and Ms. Howard then starts talking about a little boy that died. Ofc. Overbay then asked Ms. Howard, where her bruises were so he could take a picture of them. Ms. Howard lifts her shirt to show Ofc. Overbay, but it appears there are no bruises. Ms. Howard states, "right there is swollen and points to her ribs." Ofc. Overbay asks to utilize Ofc. Leonard's phone to take a picture. Ofc. Overbay took a picture of Ms. Howard's right rib cage. Ofc. Overbay then turns Ms. Howard's property over to her. There is some communication about money, where she states she has four one-hundred-dollar bills, but I was able to dispel this as I watched the previous footage of Ofc. Overbay only taking out and placing back into her purse a twenty-dollar bill. As Ofc. Overbay then goes to get back into the vehicle, as Ms. Howard follows him. Ms. Howard states, "I don't know where to go." Ofc. Overbay tells her to call someone or go inside those doors as he points to the jail lobby. He then tells her they can help her get a

ride. Ofc. Overbay then gets into his vehicle and drives away. At this time, this is the only "in-car" and "body-worn" camera footage I have been able to locate.

On May 21, 2021, at 1113 hours, I contacted Ofc. Leonard to advise her she was being placed under an internal affairs investigation. I explained she was not being asked to come in at that time, but she was not allowed to speak with anyone else, other than myself about the investigation. I then briefly explained what the investigation covered, and she was not being placed on administrative leave at that time, so she needed to report to all scheduled shifts. I then explained that I would need her to come in for an interview, but it would not be today and that it would possibly be on Monday. I then further explained I would be sending an email that reiterated this information and I would need her to respond for confirmation of receiving the email. She advised she understood, and we ended the phone call.

On May 24, 2021, at 907 hours, I emailed Major McMahan at the Cherokee County Sheriff's Office inquiring if I could obtain the video footage from the booking area, from the night of the incident. At 933, Major McMahan emailed me back advising me Captain Ruiz would have the footage for me and I could pick it up at the jail.

At 0957 AM, an interview was completed with Officer Erin Leonard. The interview was conducted in Sergeant Cromer's office, where it was video, and audio recorded. Present in the room during the interview was Officer Erin Leonard and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I began by providing Ofc. Leonard the Garrity Warning. I read the document to Ofc. Leonard and allowed her the opportunity to read the document herself. I asked Ofc. Leonard if she had any questions regarding the Garrity Warning, to which she did not have any questions. I thoroughly explained this was an administrative investigation. Ofc. Leonard signed the Garrity Warning, which I signed as well. I then explained the reason for this investigation to Ofc. Leonard. I explained on May 21, 2021, she and Ofc. Overbay was dispatched to Publix (Riverstone Parkway), where Lois Howard and Jerry Jones were located. I then explain they transported Ms. Howard to the jail and once they arrived, a situation occurred upon their arrival. I explained to Ofc. Leonard the investigation was about what occurred at the jail and where she dropped Ms. Howard off. I asked her to explain to me what occurred upon being dispatched to the call and the end of the incident.

Ofc Leonard stated, "ok, so we got sent to the Publix for Jerry and Lois, I guess Publix employees were concerned that they shoplift, so they called us out there for them. I was informed that there was a criminal trespass order for Lois only, not Jerry, from the Publix property, who we had been called out to her twice, in addition,

the night before, where we could not find that criminal trespass order, but another Officer had a picture of it on the phone. So, we went out there and we immediately, Ofc. Overbay put Lois under arrest for criminal trespass. I was issuing Jerry, they were both going to get, they were both going to get citations for the city ordinance of loitering, cause now they are raising suspicion that the stores' property is going to get stolen by them hanging around there when they are all closed. So, I issued Jerry a citation. Ofc. Overbay put Lois in handcuffs, searched Lois, put her in the back of my car. I went over to help or give Jerry his citation, He was signing the citation, and that I heard Lois scream, so I turned around, but Ofc. Salas was there as well so he went over to help Ofc. Overbay. So, Jerry signed his citation, and I went back to the car, and then all of a sudden Jerry was asking for an ambulance, to go to the hospital. So, I went back to Jerry, and I very firmly and probably not as nice as I should have been, told him that he can't just choose, cause he asked me originally to go to jail with Lois. So, I told him you can't just choose to go to jail and that you can't just choose to go to jail every time you can't find somewhere to stay, cause I had just done the same thing the night before after a taxi was called out to them and then they refused to get into the taxi and they had also done that previously with dayshift officers. So, I told him that about the misuse of 911 and very firmly explained it to him that he can't just choose to go to the hospital, if he has no issues, that he can't just choose to go to jail just because Lois is going to jail and so he said he was ok with that or whatever. I think he ended up going to the hospital. I am not sure, cause Salas stayed with him while we transported Lois. So, we transported Lois to the jail, um the whole time, I can't remember what exactly she was saying in the back of the car, but it was about her not doing anything wrong. So, we get to the jail, Ofc. Overbay takes her into the jail, while I write her, her citation for loitering. So, he's in the jail and she wasn't crying or anything and then I walk in the jail, and the nurse is refusing her, already." I then asked Ofc. Leonard if the nurse refused her. Ofc. Leonard stated, "Yeah, so that couldn't have been no more than like, maybe two or three minutes of her being in the jail that he already said that she, you know, that she had to go to the hospital, so." I then asked Ofc. Leonard, "Why did they refuse her?" Ofc. Leonard stated, "Because she said that she had a broken rib." I then replied, "Ok." Ofc. Leonard stated, "And she had just been to the hospital the night before and according to Jerry they walked into the hospital, and they walked out and never got seen. So, I asked the nurse, I said, I asked him why he refused her, and he said because she has a broken rib."

Ofc. Leonard begins apologizing. I advised Ofc. Leonard that it was ok (her crying). Ofc. Leonard then stated, "I know I shouldn't have been as mad as I was. So, I told him, I said she's not going to go to the hospital, she went to the hospital last night, there is nothing wrong with her, she's fine, this is what she does. So, it was

either the Corporal or the Sergeant that was there was like look they're refusing her, they have to refuse her." Ofc. Leonard begins to be upset and starts crying. I explain to Ofc. Leonard that everything was ok (to calm her down). Ofc. Leonard then stated, "So, the Deputy said they basically have to refuse her if the nurse refuses her. So, he refused her based on the consensus that she said she had a broken rib and needed to be evaluated. So, I told the Deputy, I said this is bullshit and I said that a few times, that it was bullshit and I explained to him, I'm like this is what she does. She doesn't want to be here; she says she has a broken rib. There's nothing wrong with her, she's fine. She never said anything about a broken rib or anything until the nurse was looking at her and all of a sudden she had a broken rib, so the nurse wouldn't take her, which I think I was just fed up with the nurse refusing them for ridiculous reasons, cause a week or two before, we brought someone who was so drugged up on Adivant that she couldn't stand up, and they took her, so just because she says I have a broken rib you don't take her and there was nothing wrong with her prior to that. So, then I, Lois started crying after she was being taken out of handcuffs, so I told her, I said, stop you crocodile tears, you're not staying here. You're getting what you want, like you're not staying in jail. So, they took her out of handcuffs. I told her to get her purse. Ofc. Overbay took her back out to the car. I guess she had made a comment about Jerry. She said Jerry, she said she did nothing wrong and that Jerry's a bad man and she never does anything wrong. She's a good Christian woman and she didn't know who I was, she was fine. So, Ofc. Overbay took her back out to the car, and I looked at the, I was talking to the, I don't know if he's a Sergeant or a Corporal, but his name starts with an I. I told him, I was like, this is bullshit, something needs to change. Like, they are getting refused all the time and for ridiculous reasons, this is bullshit. I made a comment, and I know I shouldn't have about the nurse not being a real nurse and this is why he is in a jail. This is why he's in a jail and whoever I was talking to said that nothing is going to change unless the bosses talk to the bosses. So, I said that's fine cause every time ya'll refuse someone for a bullshit reason it goes straight up the chain, cause I know before because someone else got refused for something and Yurkovsky said that from now on, every time they get refused, it is just going to get sent up because it just getting ridiculous. We can't bring anyone in the jail. There is no uniformity in who they refuse and so it's like, we can't really go out and do our job because they're just not going to take them when we get there. So, I was just frustrated and then ugh, I made a comment that the nurse wouldn't even look me in the eyes..." She goes on to explain that the nurses cannot look Officers in the eyes.

I then asked Ofc Leonard why the nurse could not look her in the eyes. Ofc. Leonard stated, "The Deputy, whoever I was talking to said that they're not supposed to and so Ofc. Overbay has brought Lois Howard back out and then

another Deputy came out and I was talking to him, I was like this is bullshit, she does this every time." I then advised Ofc. Leonard that I was going to grab her some tissues due to her crying and it was hard to understand her. I left the room and grabbed a box of tissues and then re-entered the room to provide her with them. I gave Ofc. Leonard a moment to calm down and collect herself.

Ofc. Leonard then stated, "So, I was talking to another Deputy, and I was like this is bullshit, like this happens all the time. Like they are refusing them for no reason at all, she's perfectly fine. So, then, I guess she made a comment to Overbay about, um, wanting a ride to Jasper and he said that we couldn't drive her to Jasper, and I believe that was based off the fact that she was just provided a ride all the way to Jasper within the past couple of weeks and they chose to come back. So, she said that's fine, my sister will come pick me up or my sister will pick me up and bring me to Jasper. So, we left her at the front of the jail and that was under my, I explained to the Deputy that, I said that I am going to drop her off at the front of the jail cause she's not going to go to the hospital. She never said she wanted to go to the hospital; she said she wanted to go back to Jasper. We will drop her off at the front of the jail and when she calls back, the county is going to have to come out and figure that out. I know that I should not have done that and that is on me. So, then we left her, we dropped her off at the front of the jail, where like the sidewalk area is, where the front office is, and I guess she called back when we got back here and said that we broke her ribs and wanted to go to the hospital."

I then asked Ofc. Leonard if Ms. Howard was still at the jail when she called. Ofc. Leonard stated, "Apparently, she walked across the street to the animal shelter and that's where she called and I only know that because Ayers had called me and said that he wanted to know if our cameras were downloaded and I said that they were still downloading and apparently she was saying that we broke her ribs, which she had just told us that Jerry she just said Jerry when we were in the jail."

I then confirmed with Ofc Leonard that she said Lois's sister was going to come and pick her up. Ofc. Leonard stated, "Yeah, she told Ofc. Overbay that her sister was going to come and pick her up and bring her back to Jasper." I then asked Ofc. Leonard if she knew if Ms. Howard made contact with her sister. Ofc. Leonard stated, "I have no idea." I then asked her if Ms. Howard had a way of contacting her sister. Ofc. Leonard stated, "She had her phone with her." I then stated, "So, when you were speaking to them, there was a conversation that you were having, and it was after Overbay had placed Lois back in the vehicle. He comes back into the jail, and you are standing right there at the door, and you stated, 'This is bullshit, I'm just going to drop her off at the front of the jail,' who were you on the phone with?" Ofc.

Leonard stated, "Ayers." I then confirmed with Ofc. Leonard she was on the phone with Ayers, and she stated, "yeah, cause he had called and I told him that they were refusing her and he was like well and I was like this is bullshit. There is nothing wrong with her. I am just going to bring her to the front of the jail." I then asked Ofc. Leonard what Ayers said back to her. Ofc. Leonard stated, "I honestly can't remember what he said after that."

I then asked Ofc. Leonard if any of the jail staff instructed her not to drop Lois off at the front of the jail. Ofc. Leonard stated, "Yeah. He advised against it because then he would have to tell his Lieutenant why we dropped her off at the front of the jail or something along those lines. I cannot remember his exact wording. And that's when I told him that we would drop her off there, that way when she calls back the county will have to respond out there." I then asked Ofc. Leonard if she knew if there was anyone in the front lobby of the jail, if she went in there or if they took her in there. Ofc. Leonard stated, "We just left her there on the sidewalk to call her sister." I then asked Ofc. Leonard if there was anyone around and she advised there were people around that were possibly being released from jail.

I then asked Ofc. Leonard if she requested EMS to come to the jail. Ofc. Leonard stated, "No." I then asked Ofc. Leonard if the nurse staff requested to have EMS come to the jail. I asked this question due to the nature of Ms. Howard's medical injury and I wanted to inquire if they had called EMS to transport her due to the serious nature of a broken rib on an elderly female. Ofc. Leonard stated, "No, the nurse just told us that she couldn't stay at the jail, that she had to go to the hospital to get evaluated before she could be accepted at the jail. Then we tried to take pictures of her bruises and she said that I don't even have any of that I don't know where they are. She had no bruises or broken ribs, or anything. His paper said that he refused her based off of her saying that I have a broken rib and that she had a bruise on her eye, but it was her mascara had been smeared, like all over the bottom of her eye. Because I saw that when we first when she first looked at her. It wasn't a bruise it was her makeup. It was all jacked up."

I then asked Ofc. Leonard why she did not call an ambulance to the jail. Ofc. Leonard stated, "I don't have a reason." I then stated, "To keep you from having to transport, I mean, I know that they are right there." Ofc. Leonard then stated, "Yeah, well she never told us that she wanted to go to the hospital. She said that the sister was going to come pick her up from Jasper. The only reason that, the only time she ever talked about a broken rib was to the jail nurse. She never told us that she had a broken rib. When we tried to take pictures of her, she said that she didn't know what it was. That's when she said that her sister was going to pick her up to bring her back to the Jasper, that was when we were at the front of the jail."

I stated to Ofc. Leonard, "So, with Jerry, yall called an ambulance and Ofc. Salas stayed there. Ofc. Leonard stated, "Yeah, cause he said he needed to go to the hospital cause he was having heart pain." I then stated to Ofc. Leonard, "Do you see the similarity here, we've got an ambulance and an Officer staying with this person who is having heart pain, but we just left a jail where nursing staff refused Lois Howard and we are dropping her off in a parking lot. Do you see the issue that we have here?" Ofc. Leonard stated, "Yes." I then explained to Officer Leonard we worked on the road together and I know it is common practice if someone is having a medical issue for Officers to take and drop them off at the hospital. Ofc. Leonard stated, "We were told to ask them if they wanted to go home or go to the hospital. But we can't force them to go to the hospital if the nurse refused them and even if the nurse says they have to go to the hospital. We were told to see if they wanted to go home or the hospital. So, she never said she wanted to go to the hospital when she said her sister." I then asked Ofc. Leonard who told her to do that. Ofc. Leonard stated, "Supervisors." I then asked her, which supervisor. Ofc. Leonard stated, "Lieutenant Campbell. I think that stemmed from an incident where the jail refused someone and they just brought them up to the hospital and they raised hell at the hospital because they did not want to go to the hospital and it came down to, if they are not in our custody, then." I then stated, "We have to take them to a safe place." Ofc. Leonard stated, "Yeah, I understand that we can't leave them there, but we can't force them to go to the hospital."

I then stated, "That's what it comes down to, a safe place. My concern is that Lois Howard is not of sound mind. We all know that. Ofc. Leonard stated, "Not at all." I then advised Ofc. Leonard that if Ms. Howard is complaining of something medical, we have to make sure she is ok and dropping her off in the parking lot is not the way we do that. Ofc. Leonard stated, "I understand."

I then began questioning Ofc. Leonard about the body camera issue (them being turned off multiple times). I explained before they even leave to transport, they turned their body cameras off. I then asked Ofc. Leonard why she deactivated her "body camera" before leaving the parking lot. Ofc. Leonard stated, "When we left what parking lot?" I then stated the Publix parking lot. Ofc. Leonard stated, "I've always just shut it off when I get in the car, with any transport cause the 'in-car' one is recording both front and back." I then explained to Ofc. Leonard at that time, I wasn't able to review any "in-car" footage. Ofc. Leonard advised that the camera should have been on the whole time due to her having to activate it when they pulled into, the parking lot of Publix because Ofc. Overbay forgot to activate it. She also explained as far as she knew the camera was on the whole time and it should not have been shut off until they got to the ADC. I then asked Ofc. Leonard if she ever

activated her "body camera" upon going into the jail. Ofc. Leonard stated, "Only if they are disorderly or there is something further that we need to document." I explained moving forward all cameras must stay on and they should not be shut off until the end.

I then asked Ofc. Leonard if she ever saw bruises on Ms. Howard. Ofc. Leonard stated, "No, we, I ugh, Overbay even took a picture and attached it to the report of the alleged bruised ribs. I then asked Ofc. Leonard where Overbay's report was. Ofc. Leonard stated, "I don't believe he did one." I then asked Ofc. Leonard why he did not do one as she is his FTO. Ofc Leonard stated, "I never instructed him to do one." I then asked Ofc. Leonard why. Ofc. Leonard stated, "I don't have a good reason, I figured he." I then stated to Ofc. Leonard, "Cause he did everything when it came down to Lois Howard. Why isn't it documented? If he's the one that handcuffs her, if he's the one who puts her in the Tahoe or pats her down, and now, she is saying it is Officers who hurt her. I think that report is very important and something that we need and should have been done regardless of us sitting here or not." Ofc. Leonard stated, "I agree." I then explained to her she needs to ensure he does all reports, even if it is simple in nature.

I then asked Ofc. Leonard the Sergeant that she was talking to, the one whose name starts with an I, and if she had any issues with him before. Ofc. Leonard stated, "Never, I mean we've had issues with the nurses refusing people and I've always explained to him. I'm like this is ridiculous and he almost knew it was ridiculous cause he kind of laughed about it, but I have never had any issues with him." I then asked Ofc. Leonard if she had ever had any issues with that nurse. Ofc. Leonard stated, "I don't know if it's that one specifically, but I have had issues with them refusing people for really no reason at all."

I then asked Ofc. Leonard what made her so mad and upset during this incident. Ofc. Leonard stated, "Cause it's just like a constant, like there nothing wrong her." Ofc. Leonard began crying again and I tried to calm her. Ofc. Leonard stated, "I think it was just the final straw cause its just a constant thing with the nurses at the jail refusing people for, there, there is like not uniformity in what they refuse people for. It's like they will take someone with a blood-alcohol level of .26 but then they will refuse someone that's a .17. Like there's no uniformity between them whatsoever and it's frustrating on the road cause like you want us to go out here and do our job and make these arrest and do these great things but then we can't even do our job because they are refusing them..." She then goes on to explain another instance where another detainee was refused by medical personnel. I then asked her if this was the same personnel (as in the same staff) that she deals with each time. Ofc. Leonard stated, "Yeah, I think it's the same jail, nurse company. It's

always the nurses that refuse them. The actual Deputies don't ever refuse them." I then reiterate to her it is not the Deputies refusing them, that it's the nurses. Ofc. Leonard stated, "Yeah, and that's where the frustration comes from." I then state, "So, the Deputies have to go off of what the nurses say." Ofc. Leonard then stated, "Yeah, Deputies can't keep them if the nurses say we have to refuse them. Like and if there was something legitimately wrong with her, I could get it but just because I say I have a broken rib, that's how I am going to get out of jail. I think it was just the final straw cause it's just ongoing, all the time.

I then explained to Ofc. Leonard just because we get upset that the nurses refuse them, doesn't mean that she can act in the manner in which she did. Ofc. Leonard expressed she understood. I also explained we depend on that jail and she cannot allow these types of situations to affect her and cause her to act in the manner that she did. I then asked Ofc. Leonard about Ofc. Overbay and his involvement in the incident. I asked if he was involved in the communication that she was involved in. Ofc. Leonard stated, "I don't, not that I recall, I don't know, he was only in there by himself for a couple of minutes, before I walked in, but I don't believe he had anything to say. I know that when I was in there and I was, he wasn't saying anything."

I then asked Ofc. Leonard if Ayers had spoken with anyone in the jail as in her handing the phone off to someone for him to speak to. Ofc. Leonard stated, "No, not on my phone. I don't know if he got a call after we had left that morning." I then asked Ofc. Leonard who all she had dealt with that evening. I reiterated she had dealt with the nurse, the sergeant whose name starts with an I. Ofc. Leonard then stated, "Imbriano, and then those were the only main two and then Deputy Searcy walked out just as I was about to leave, but he didn't really say anything." I then asked her if there was anyone else in the room, other than the individuals that she had just stated. Ofc. Leonard advised that there were two females involved that were Deputies.

I then asked Ofc. Leonard if Ayers was the one who told her they (EMS) had gone back out with Lois Howard after all of this had occurred. Ofc. Leonard stated, "Well, me and Overbay were about to pull out of here to leave and Ayers called me wanting to know about our body camera's or whatever and I guess dispatch called him to tell him that Lois called back to say that she needed to go to the hospital because we broke her ribs." I then asked Ofc. Leonard if the county responded out there to Ms. Howard. Ofc. Leonard stated, "I am not sure if she did. I am sure an ambulance went and picked her up."

I then asked Ofc. Leonard if she remembered what she specifically stated to the jail staff and the nurse. Ofc. Leonard stated, "I think I just kept saying this is bullshit, this is bullshit, there is nothing wrong with her. She is fine. This is what she does. She doesn't want to stay here so she going to tell you she has to go somewhere else. I think that was the gist of it." I then asked Ofc. Leonard if this was the first time, she had ever dropped someone off at the jail in this manner. Ofc. Leonard stated, "No, I dropped off another guy that they refused for high blood pressure, but his ride was already at the Ollies where I had stopped the car. He had already contacted someone before I had left." I asked her what she meant by left. Ofc. Leonard stated, "Before I left the jail." I asked her if she had dropped him off at the front of the jail or where did she drop this other individual off, which she provided she dropped him off at the same place, which was in front of the jail. She advised that she did not wait for his ride and that he was refused due to the jail not having the medication he needed for high blood pressure and that he needed to come back with his prescription.

I then asked Ofc. Leonard where the idea of dropping the individuals off at the front of the jail came from. Ofc. Leonard stated, "Um, I did it with that first guy just because he lived all the way up in Jasper and he had a ride that was already there, so I just did that." I then asked Ofc. Leonard, "So, you just chose to do that again?" Ofc. Leonard stated, "Yeah." I then asked Ofc. Leonard what time it was that morning (meaning what time had she dropped Lois Howard off). Ofc. Leonard asked, "Lois?" I then advised, "yes." Ofc. Leonard stated, "Um, probably 1:30 or so. Maybe a little after 1:30 because we left right after that call. We went home."

I then asked Ofc. Leonard if she and Ofc. Overbay went out with Ms. Howard the night before, which she provided they did go out with her the night before because she wanted a ride from Publix to Jasper. The night before this incident, May 20, 2021), Ofc. Leonard and Ofc. Overbay explained to Ms. Howard and Mr. Jones a taxi was on the way, and they advised they were on board. Ofc. Leonard then advised they left and went to another call. She then explained while she was on the other call, Dispatch advised them the Taxi driver was calling, as Ms. Howard and Mr. Jones were refusing to get into the Taxi to leave. She advised Sgt. Ayers told Dispatch to have the taxi just leave. Ofc. Crowe was dispatched out to Publix again that night, because they both were wanting to go to the hospital and were taken to the hospital. I also inquired as to who had the picture of the trespass order, to which Ofc. Leonard advised she believed it was Ofc. Porter had the picture of the trespass order. Ofc. Rogers was able to provide them with the report where Ms. Howard was trespassed which also provided, she was the only one trespassed from Publix, as Mr. Jones was not one scene when Ms. Howard received the trespass.

I then thanked Ofc. Leonard for the interview and answering all of my questions. I also explained as an FTO and an Officer who just assessed for a supervisor's position she needed to behave more professionally. Ofc. Leonard provided she understood, and she got frustrated and overwhelmed. I then advised her those were all the questions I have for her at that time and if I have further questions, I would have her come back in. I explained she was to continue working and was not being placed on administrative leave. I also ordered her not to speak with anyone else about this investigation. I then asked her if she had any questions for me or if she wished to provide anything further. Ofc. Leonard stated, "No, I just know I was in the wrong."

The interview was then concluded at 1030 hours.

At 1230 hours, I picked up the video footage at the Cherokee ADC and brought it back to review the footage, however; I was unable to complete a review of the footage at that time.

At 1423 hours, an interview was completed with Officer Logan Overbay. The interview was conducted in Sergeant Cromer's office, where it was video, and audio recorded. Present in the room during the interview was Officer Logan Overbay and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I began by providing Ofc. Overbay the Garrity Warning. I read the document to Ofc. Overbay and allowed him the ability to read the document himself. I asked Ofc. Overbay if he had any questions regarding the Garrity Warning, to which he did not have any questions. I thoroughly explained this was an administrative investigation. Ofc. Overbay signed the Garrity Warning, which I signed as well. I also explained to Ofc. Overbay, I needed him to be truthful and to answer all of my questions. I then explained the reason for this investigation to Ofc. Overbay. I explained I knew he was in the Field Training Process (FTO), and it was unfortunate so early on in his career and the Cherokee County Sheriff's Office had filed a complaint on Ofc. Leonard. I then went on to explain on May 21, 2021, he and Ofc. Leonard went out with Lois Howard and Jerry Jones. I then explained he and Ofc. Leonard transported Ms. Howard back to the CSO ADC, where Ms. Howard was subsequently the nurse refused her for having an alleged broken rib. I then explained after Ms. Howard was refused Ofc. Leonard became upset about the situation and how she reacted. I explained the investigation was over unbecoming conduct and unsatisfactory performance. I explained to Ofc. Overbay, I have reviewed the video footage, and I was unable to locate video footage of Ofc. Leonard's as she cut off her "body camera" prior to the transport. Ofc. Overbay advised he should have video footage and his camera was activated. I also explained

there was video footage of the jail. I then commended him for his professionalism during the incident and how well he handled Ms. Howard during the incident. I then asked Ofc. Overbay to start from the beginning of the incident to the end.

Ofc. Overbay advised things were a little blurry as time has passed, but they were leaving a call when they were dispatched to Hallmark where those two individuals were (Ms. Howard and Mr. Jones), due to Hallmark personnel calling, requesting their response, due to both individuals being known for steal things and were concerned about them being in the area. He advised they were sitting on the bench outside and the personnel did not want them around. Ofc. Overbay explained they were not criminally trespassed from Hallmark, but they were criminally trespassed from Publix. He advised on the way to the call, they stopped and spoke with Ofc. Rogers who told them where to find the information about them being trespassed from Publix. He then stated they had seen them the night before at Publix, as they were sitting on a bench in front of Publix. He advised with the new information; they could arrest Ms. Howard for trespassing the night prior. He then advised Jerry had not been criminally trespassed, which is why they did not arrest him, but Lois had been trespassed.

Ofc. Overbay went on to state, "So we arrested Lois. I did, while she was in the car; Ofc. Leonard was in the car. I then asked Ofc. Overbay why Ofc. Leonard was in the car. Ofc. Overbay stated, "Um, I think she was just handling admin stuff inside the vehicle and Ofc. Salas was there. So, we were handling the situation, she was doing something administratively in the vehicle." There was then a knock at my door, as Ofc. Sweat needed to grab a key from me, which I provide, and he left. Then Ofc. Overbay continued stating, "So, I made the arrest, walked her back to the car, as I was putting her in the car, she got one foot into the back of the patrol vehicle and she just like dropped, you know, she dropped her body weight and then said that she had been hurt. Um, I'm not a doctor, I don't know. I don't know. Um, obviously before that I searched her. So, I searched her. Took her scarf off of her, her hat. I obtained her purse that was in her cart, and I got her phone and a twenty-dollar bill, and I put it all inside of her purse. Put that in the back of the car and then I think I transp... I did that at some point, I don't know when. I think I put her in the car and got all of her stuff. Then we transported her to the jail. At the jail, she was refused. Um, she said that she had been, her ribs had been broken, either by me. At one point I know she said it was me and I know at one point she said it was her husband or Jerry had hit her in the ribs early at some time. So, I had, throughout the night I had heard both of those accusations. Um, I hope I didn't break her ribs. I was very careful with her. I didn't shove her in the car. I was very careful with her."

Ofc. Overbay then stated, "So, once she was brought in, she was refused by the nurse and." I then asked Ofc. Overbay did he know what the nurse said and was he there when the nurse refused her. Ofc. Overbay stated, "I was at the computers, kind of starting all the paperwork, while she, I guess was just coming back in. I don't know where she had come from or what she was doing but I was kind of focused on the admin stuff of like getting all the paperwork done and like getting out of there. We were coming up on the end of shift, so I was just like speeding things up. Um, but I did see the part where he was like she is being refused and Leonard become, um more questionable, she was like, like why is she being refused, and she was pretty upset. Dude, this has been going on for so long. They had been refusing like, I'd say you know, two or three out of ten people get refused by us and I think that was kind of like a final straw for her." I then asked Ofc. Overbay what else did Ofc. Leonard say. Ofc. Overbay stated, "She was just, I don't remember the verbiage exactly. I just know that she was really upset. She was just kind of questioning as like how, how can you tell if his, her ribs have been broken, aren't you a nurse. You should be able to tell if she is fit or unfit to be here. Just by someone saying that they are hurt doesn't mean that they can just get out of jail, you know, just by saying certain things. So, it was not that exact verbiage, but it was along the lines of that." I then asked Ofc. Overbay if Ofc. Leonard cussed. Ofc. Overbay stated, "I don't know. I would honestly tell you if I knew. Um, the verbiage again, I was just trying to my job and do the admin paperwork and get out of there. I was right next to her for part of it, like right next to her but I don't remember exactly what she said."

I then began explaining to Ofc. Overbay when he went to put Lois Howard back in the car and came back in, there was a man standing there. Ofc. Overbay began speaking before I finished. He stated, "Yes so, from my point of view, he was on the left, and she was on the right, and I believe those two know each other. They're kind of not like friends, but they know each other, and they are on good terms. She was just expressing how upset she was about it and he was like I get it but, it's not on me, you know. It's not up to him and I totally get that you know."

I then asked Ofc. Overbay if he knew who she was on the phone with at that exact time when he walked back into the jail. Ofc. Overbay stated, "Probably Sergeant Ayers. Just letting him know that he got, that she got refused." I then asked Ofc. Overbay where the idea to drop Ms. Howard off at the front of the jail came from. Ofc. Overbay stated, "I, personally, had came up with that. Um, I think, yeah I think I had just mentioned it at one point, and I had done it before." I then asked Ofc. Overbay who he had done it with before. Ofc. Overbay stated, "Um, I don't remember his name, but he was someone we had arrested for possession of meth out here, in front of the PD. We brought him up there and they refused him because of his high

blood pressure, for the second time." I then asked him if he was with Leonard and Ofc. Overbay stated, "Yes, second refusal and I, we told them we were like look, we are going to put him right in front of the um, the um, jail. We are just going to put him right in front of there and they were like ok. So, we drove him around and dropped him off and he walked along his way. I then asked Ofc. Overbay if he heard the jail staff instructed her not to put or take Ms. Lois Howard to the front of the jail. Ofc Overbay stated, "Less of a demand, but more of like a plea. Please don't do that."

I then explained to Ofc. Overbay regardless of it being his decision, Ofc. Leonard was his FTO. I went on to further explain they chose to leave an Officer and EMS with one subject who is having heart pain. Then we have a medical professional here who has refused a female into the jail due to possible broken ribs and we put her in a dark parking lot. I explained she wasn't taken inside, they didn't call an ambulance, they do not stay with her until someone gets there. This is the issue. I then asked Ofc. Overbay if he understood what I was explaining. Ofc. Overbay stated, "Mhmmmm." I then went on to explain how the situations were similar, but they chose to just drop Ms. Howard off, who is an elderly female, in a dark parking. I made the point I would not have just dropped my own grandmother off in that jail parking lot, knowing who was coming in and out of the jail. I explained I did not think it was necessarily safe for her to be just dropped off there, regardless of her being homeless or abusing the system. I explained we still had to do our job and we must do it the right way every time. I explained he was in FTO and he was now observing how we did things, but this was not how we would conduct business. I explained this was not Cobb and we are a safer city, but it was still unacceptable. Ofc. Overbay then stated, "To add, that's what we would do at Cobb. If somebody got refused, like we didn't bring them, we didn't transport them anywhere else. We just dropped them off at the front of the jail. It was rarely that we got refused though. I had never seen it like it is here, like, where it's every other person."

I then explained to Ofc. Overbay the other issue is Ofc. Leonard's behavior, it was not acceptable behavior and then I asked Ofc. Overbay if he thought it was acceptable behavior for her to act in the manner she did, as an FTO. Ofc. Overbay stated, "No. I think that she had been dealing with it enough. Way more than I had. This was my second time dealing with her. That would, may have been her hundredth time. I don't know. Maybe that was just her final straw and that was it." I explained to him I understood, but her behavior was still unacceptable, and she could have stepped away to calm down. Ofc. Overbay then stated, "If I could add, she is the best, out of all the FTO's I had at Cobb and here, I have learned more from her than anybody else. She is great. She is an awesome Officer. She's great. She is not lazy. She is working hard. It's just great to work with her. I originally wanted to be

on the other shift but she made me want to go on that shift and just keep on learning but unfortunately, I am going back to the other shift so.

I then asked Ofc. Overbay if he had any questions for me. He advised he did not. I then explained he was to speak to no one about this and he could only speak with me about the investigation. I also explained that I may need to ask him more questions later on.

This concluded the interview at 1443 hours.

At 1706 hours, an interview was completed with Sergeant Gregory Ayers. The interview was conducted in Sergeant Cromer's office, where it was video, and audio recorded. Present in the room during the interview was Sergeant Gregory Ayers and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I began by providing Sgt. Ayers the Garrity Warning. I read the document to Sgt. Ayers and allowed him the ability to read the document himself. I asked Sgt. Ayers if he had any questions regarding the Garrity Warning, to which he did not have any questions. I thoroughly explained this was an administrative investigation. Sgt. Ayers signed the Garrity Warning, which I signed as well. I also explained to Sgt. Ayers I needed him to be truthful and to answer all of my questions.

I then explained to Sgt. Ayers this investigation was in reference to an incident involving Ofc. Leonard and Ofc. Overbay, when they arrest Ms. Lois Howard, at Publix, for criminal trespass. I explained it occurred on the morning of May 21, 2021. I explained when Ofc. Leonard and Ofc. Overbay transported Ms. Howard to the jail, they refused to admit Ms. Howard, due to a possible broken rib and it was the nurse staff that refused her. I also explained we where advised Ofc. Leonard chose to act in an unprofessional manner during this incident, while she was at the jail.

I then explained to Sgt. Ayers that on the video there is a conversation Ofc. Leonard is having with someone where she stated "They're refusing Lois Howard for another bullshit reason. So, we're dropping her ass off at the front of the jail so that when she calls 911 again, it's the county's issue, not mine." I asked Sgt. Ayers if he was on the phone with her at that time. Ofc. Ayers stated, "I don't believe I was, no." I then asked Sgt. Ayers if, at any point, while she was at the jail if he had a conversation with her. Sgt. Ayers stated, "No, because she was gone after that happened, they got off. When reports were caught up and then she went home and then I received a call from the Sergeant in the jail letting me know, giving me a heads up, that he and she had words. He advised her and he couldn't give me the exact wording, but she said something about, 'I'm just going to drop her off at the front of

the jail' and he said something to the effect of, 'I don't think that would be a good idea' or 'I suggest you not to do that' or something like that. Pretty much I gathered asking her don't do that, it wouldn't be a good idea. So, then he turns around and tells me that, uh, he's got to let his supervisors know. He's got to send an email cause they are going to want to know why an ambulance pulled up to the front of the jail at whatever time in the morning, picking Lois Howard up." I then stated, "At any point, while she was there at that jail, did you ever have." Sgt. Ayers then cut me off and stated, "I don't, I mean I can get my phone, but I don't remember talking to her, and I don't remember her saying to me "I'm going to drop her ass off upfront." I then again asked him if he ever talked on the phone with Ofc. Leonard while she was at the jail. Sgt. Ayers stated, "No." I then asked him if he knew who she could have been talking to. Sgt. Ayers stated, "I don't know. I have no idea, I mean I can pull my phone, but it's been since, I don't remember her saying anything, cause I specifically told Captain Tucker, cause he asked me and I mean, I can check my phone, just to double-check but I don't remember having a conversation." I then asked Sgt. Ayers where his phone was and whether it was his personal phone or his work phone. Sgt. Ayers stated, "Down there on my desk. It was my work phone." I then asked him if he minded grabbing it and letting me look at it. Sgt. Ayers stated, "No." He then got out of his chair and went downstairs to grab his phone.

Sgt. Ayers then re-entered my office. He stated, "I grabbed my note pad, that a yellow sticky note pad is that conversation that I had with the Sergeant in the jail." He then asked if I wanted him to open it up for me (unlock it), and I stated, "Yes." I began looking at Sgt. Ayers call log. I observed several phones call from Dispatch, unknown numbers, and two phone calls to Ofc. Leonard. The first call I observed was on May 21, 2021, at 122 hours, which was an outgoing call. Sgt. Ayers stated, "Just about anytime I talk to her, it's on that phone. And I, for the life of me cannot remember her calling me while she was at the jail." I then explain to Sgt. Ayers that I observed two calls on his phone that occurred on May 21st. One was at 0122 hours with a call duration of one minute and the second was at 0201 hours for the duration of thirteen minutes. Sgt. Ayers stated, "0201 would have been when she was getting off. They get off at 2. I can't even remember what time they took Lois Howard down either." I then explained to Sgt. Ayers it was at 1240 when they took Ms. Howard to the jail and then I observe a phone call her from at 0122 hours for 1 minute. Sgt. Ayers stated, "Forty minutes later." I then stated, "Yes, which would be about right." Sgt. Ayers stated, "I swear, I don't remember her saying she was going to drop Lois's ass off at the front."

I then asked Sgt. Ayers what he was doing at the time of this incident. Sgt. Ayers stated, "I could have been here. I could have been out; I have no idea. That was

Thursday night, early Friday morning. I have no idea." I then got up and went to my computer to review the video footage of Ofc. Overbay's "body camera" where Ofc. Leonard is having the phone call conversation I had previously asked Sgt. Ayers about. I began to play it for Sgt. Ayers to see if it would help him remember the phone call. After I played it, I asked Sgt. Ayers if he remembered the phone call. Sgt. Ayers stated, "I don't. I promise you I don't. I mean it could have been, I don't know. There was a lot of stuff going on. Me getting reports and stuff, it might have been me. I don't know. I mean I am not denying that she was talking to me, if that was the time that's on my phone but truthfully, I don't know. I mean it is possible, but if I am not mistaken, she dropped one off on dayshift the other day. I don't, I don't know, but I don't remember having that conversation with her or her calling me or what the conversation was about." I then had Sgt. Ayers open his phone back up for me. I began looking at his call log again. I then asked Sgt. Ayers if he was aware that she had dropped other individuals off at the front of the jail before. Sgt. Ayers stated, "I want to say she dropped one off one day whenever she was on day shift, the other day. Possibly, I don't know, she was saying something about they had took somebody and they had refused them, and she dropped them off upfront." I then asked Sgt. Ayers if he had a conversation with her about dropping them off, in reference to her not doing it. Sgt. Ayers stated, "Nah, she was just, that was just in conversation, and I didn't even, I mean I figured that would have been a Souto issue. I mean, maybe I guess, now thinking back on it now probably, but I didn't say anything, I mean, no."

I then asked Sgt. Ayers if he thought what she did was acceptable. Sgt. Ayers stated, "No." I then explained to Sgt. Ayers if that was him talking to Ofc. Leonard on the phone was this something he would have let her do. Sgt. Ayers stated, "No, cause I mean it's like me and, I called the Lieutenant after I talked to Sgt. Imbriano, that was the one that called me. So, when I got done talking to him and writing that stuff down, then I called Lt. Campbell, and then at 7 o'clock that morning, Friday morning, I called Captain Tucker and told him what had happened. It was discussed between me and the Lieutenant that we would sit down and go over it today (May 24th) and figure out what we were going to do about it." I then stated to Sgt. Ayers, "Ayers, I do not know how you cannot remember that phone call. I do not know." Sgt. Ayers then stated, "I mean we might have had that phone call, but I mean as far as everything that I said, or if I would have, you know, I don't know, I can't remember. But I am sure evidently, I didn't tell her not to do it or she would have done something else. So, if you know, a lot of times she just calls me and she just yapping about, disgruntled about this and about that and I just sit there. I mean she just gripes about everything here lately. So, but I mean, if that times on my phone and it's on her body camera then it probably was, but as far as I can't remember telling her not

to do that or exactly what I said to her, I have no idea. So, I don't." I then asked Sgt. Ayers again if he remembered what he was doing that morning. Sgt. Ayers began explaining more than likely she was here at the office trying to get stuff caught up from where they were so busy and he had stuff going on outside of work. He explained more than likely he was sitting at his desk. I then asked him if he could have been approving reports, which he advised if he was at his desk then that is what he would have been doing. I asked him if anyone else was here with him, which he provided he did not recall anyone being there and no one was in the Sergeant's office.

I then asked him to open up his phone again, to which he did. I then began reviewing the call history again, and his text messages to and from Ofc. Leonard. I did not observe any messages pertaining to this incident on his phone. I then got up from the table and went to my desk to review the footage that I had obtained from the jail. I wanted to observe what time Ofc. Leonard accepted the phone call that I reviewed on Ofc. Overbay's "body camera." I observed Ofc. Leonard answers her phone at 0124 hours and the duration of the phone call lasts for 1 minute. The calls are two minutes off from one another, but that could have been due to the time being off on the jail cameras. I then asked Sgt. Ayers if there was any reason that he would have called her due to it being an outgoing call which meant that he called her. Sgt. Ayers stated, "Possibly, but I didn't, but I mean I don't know, I can't you know. Like I said, I can't for the life of me remember the conversation or anything, so. I mean I may have saw something on one of their reports and called for that, but I can't remember exactly what. I mean I wished I could remember but I can't." I then came back and sat down at the table to with Sgt. Ayers. I then asked him to open the phone up for me again.

I then asked Sgt Ayers if he remembers what the phone call at 0201 hours was about. Sgt. Ayers stated, "Them going home." I then asked him what was said. Sgt. Ayres stated, "I have no idea, more than likely. Did she call me?" I then explained to him no, it was an outgoing call to her. Sgt. Ayers stated, "Then maybe that was what, she forgot some stuff on the report or something. Like I said I talk to all of them through the night. I can't remember." I then observed a phone call to dispatch on his phone at 0157. I then asked Sgt. Ayers if he remembers what that phone call was about. Sgt. Ayers stated, "Might have been for time from that wreck I worked. But then again, I talk to them several times, normally, through the night so I can't really. But I know I called them one time, kind of late to get times for an accident." I then advised Sgt. Ayers that directly after he talks to dispatch, he calls Ofc. Leonard. I then stated, "Did they call you about an ambulance having to go out to the." Sgt. Ayers then asked, "They call, dispatch? Mhmm, I believe so. But they were sending it

to the animal shelter, is what dispatch told me. But then again, I talked to them that night about, they had some perishables that someone David had brought in and maybe that's, what that was about." I then questioned Sgt. Ayers about a number I observed on his call log (678-428 number) and it was a call that occurred between the phone calls between him and dispatch. Sgt. Ayers advised me he believed it was a call where he was trying to help someone get out of jail, in Glenn County. He then looked at his notepad and did confirm it was a female that he had a conversation with. I then asked Sgt. Ayers if he knew about the entire situation prior to the ADC calling him about it. Sgt. Ayers stated, "No. The ADC asked me to call and said that Lois Howard. That they were having to send an ambulance to get Lois Howard at the animal shelter." I then asked Sgt. Ayers if it was the phone call at 0338. Sgt. Ayers stated, "Probably, probably." Sgt. Ayers then asked for the number I had previously asked him about and he references his notes with that number and confirmed it was to a Susan subject and that he was trying to help her get someone out of jail. Sgt. Ayers stated, "I know I talked to Leonard because she was the one on this case (meaning case where he had to speak with Susan)...But I know at one point dispatch called about some perishable foods, and I told them to call Leonard because they were supposed to be at the jail." I then asked him if that was when he tried to call her because there were several calls. Sgt. Ayers stated, "yeah probably." I then took screenshots of the phone calls and texted them to my phone, which I made him aware of.

I then asked him if he was aware of Lt. Campbell telling her that she cannot drop people off at the jail and that she has to either take them to the hospital or she has to take them home. Sgt. Ayers stated, "I know in our conversation with Lt Campbell because I always call him, especially when something like that happens or we have a use of force, anything notable that I am going to have to send a notification on, I let him know. I believe he told me, when we were talking in our conversation about, she knows better than that because we are responsible for her (Lois Howard). So, I think that was the gist of mine and Lt's conversation after I got off the phone with this Sergeant (Sgt. Imbriano), in the jail and he told me what happened. But as far as a direct, him telling, no I don't remember but we talked about how we are responsible for her or anybody. We can't just drop them off at the front of the jail. We either need to take them home or family members house or the hospital.... As far as a direct him telling her, no I don't remember anything like that."

I then asked Sgt. Ayers if he had spoken with her about this incident. Sgt. Ayers advised he had not because the Sgt. Imbriano had called him well after Ofc. Leonard left and they were off and had not spoken to her. He advised he had only spoken to Lt Campbell and Captain Tucker, and they would handle it when they

came back to work. I then advised Sgt. Ayers I had no further questions about this incident. I also advised Sgt. Ayers he could not speak to anyone about this investigation, and he could be subject to discipline if he did.

This interview was concluded the interview at 1740 hours.

On May 25, 2021, at 0845 hours, I attempted to contact Lieutenant Barone with the Cherokee County Sheriff's Office, to set up interviews with detention personnel who were also involved in the incident. Lt. Barone emailed me at 0910 hours confirming that I could come in at shift change (1730-1800) to interview the Deputies.

1745 hours, I met with Deputy Stella Vasquez at the Cherokee County Sheriff's Office muster room to conduct an interview. The interview was audio recorded. Present in the room during the interview was Deputy Stella Vasquez and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I started the interview by thanking Dep. Vasquez for meeting with me. I explained to her my role within my department and why I was needing to meet with her. I asked Dep. Vasquez if she was familiar with who Ofc. Leonard was, to which she provided she did. I further explained it was my understanding on May 21 at approximately 0117, she transported Ms. Lois Howard to the jail. Dep. Vasquez stated she remembered the female as she was elderly but did not remember her by name. I then confirmed Ms. Howard was refused by medical staff, to which she confirmed. I then asked her what the nurse's name was, to which she advised he was a male nurse, and his first name was Russell.

I then asked Dep. Vasquez to take me through the entire incident. Dep. Vasquez advised they received a call-in booking about a female detainee being brought in so she and Dep. Pendley met the patrol vehicle outside of the jail, to assist with bringing the female in. She stated that they completed all COVID 19 precautions checks and brought her into the jail. Dep Vasquez stated, "She was, of course, carrying on, her ribs hurt, her hands hurt, everything hurt. She was very elderly and she appeared to be very frail to me so I got her out of the car, escorted her inside, and called for a nurse because of her ankles. When I looked down her ankles were just huge. So, I just, before we accepted her, I just want to make sure she was, medically, we could keep her. So, I called for the nurse. Nurse Russell came down and spoke with her for a minute. He looked at her and he said, just her physical appearance, she needs to get checked out. She's got bruises, she's got swollen legs and she just didn't look good, so from that point on, Ofc. Leonard, she

had a trainee with her. Ofc. Leonard basically started losing her mind and excuse me, I am not a cursing person at all but I am going to be verbatim what she said.... She said to Sgt. Imbriano, 'what's wrong with these fucking nurses, they don't know their job.' She was just going on and on about how she's tired of bringing people in and they get turned away and 'they're just fucking stupid. They need to do a better job.' She was just going on and on about that; just yelling. She proceeded to yell and curse. She was even getting on to the lady who was sitting there (Ms. Howard)....she made a reference, she said 'well she's just homeless and she's always in places where she shouldn't be, she's just homeless.' I don't know it was just very demeaning. I understand that it was an inmate, but it was very demeaning. So, the nurse refused her. She was just cursing and yelling, and you know, being very disrespectful to my Sergeant. So, she said, "All I am going to do, I'm not taking her to the hospital, all I am going to do is drive around front and I am going to fucking drop her off. That's where she's going to be (Ms. Howard).' I am saying this, her voice was very elevated, yelling at him and he said 'no, I don't think you should do that. Don't do that.' So, she said, 'That's what I am going to do, that's what I am going to fucking do. I am going to drive her around and I am going to drop her off. We're not taking her anywhere. Cause she needs to be here. The nurse shouldn't have done that.' She was just very belligerent. Just yelling and repeating the same thing over and over. Well, it turns out, when she finally left, when she finally left, she, in fact, did after being told not to do what she did, she, in fact, did drop her off, the lady, off upfront. Eventually, an ambulance showed up. That's all I know..."

Deputy Vasquez then goes on to explain how when she and Dep. Pendley was trying to get Ms. Howard into the jail, Ms. Howard was struggling to walk. She also advised she was not sure if Ms. Howard was putting on a show. She stated, "So then when she was refused, Leonard was yelling at her, 'Get up out of the fucking chair. You can walk. You're just putting on. I don't know why you're doing this. You're just putting on. You shouldn't be doing this. You know how to walk, and you know how to do things, so just get up and walk out to the car.'" I then asked her about Ofc. Overbay and how he acted in the situation. Dep. Vasquez stated, "He never said a word. I do not recall him saying a word, but I don't know he would have gotten a chance. He did come over... and he took the handcuffs off cause she still had handcuffs on at that point and she told him to come to take the handcuffs off and he came over and he did what he was told to do. But I don't recall him saying anything unprofessionally. I think and just from my opinion, I think he was just from his appearance. Maybe was taken back by the, by what she was doing. Her behavior as well...."

I then asked Dep. Vasquez if she ever saw Ofc. Leonard get on her cell phone. Dep. Vasquez did advise she was on her cell phone. I then asked her if she recalled any of that conversation. Dep. Vasquez advised she was just yelling so much and she was still yelling on the phone. I asked her if she was there when Ofc. Leonard got off the phone and she advised Ofc. Leonard was still yelling about the nurse refusing the lady and kept repeating the same thing. I also asked if she answered more than one phone call, but she advised she did not recall if she did, as she walked away and Ofc. Leonard and the Sergeant went outside. I also asked if she knew whether there was sound to the video footage there in the jail. She advised she knew there was no sound to the footage as she used to be over the video footage previously. I asked her if there was anything else she would like to provide that we had not covered. She advised she was just taken back at how Ofc. Leonard acted towards her Sergeant and the nursing staff. I then thanked her for her time and apologized on behalf of our department.

The interview was then concluded at 1753 hours.

1759 hours, I met with Deputy Ashlee Pendley at the Cherokee County Sheriff's Office muster room to conduct an interview. The interview was audio recorded. Present in the room during the interview was Deputy Ashlee Pendley and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I started the investigation by thanking Dep. Pendley for meeting with me. I explained to her my role within my department and why I was needing to meet with her. I explained on May 21, Ofc. Leonard and her trainee brought in Ms. Lois Howard and Ms. Howard was refused by medical staff. I explained it was my understanding she was present for certain parts of the encounter and if she could take me through the encounter. She advised she heard that a female was being brought in, so she and Dep Vasquez went out to accept the female. Dep. Pendley stated, "Before we opened the door (to the patrol vehicle), the FTO, I am not sure of his name he said, 'when we put her in the car, she kind of pushed herself into the floorboard and she is acting all hurt.' I was like ok, so we pulled her out of the car and took her into the intake area and she complained to Dep. Vasquez that she had broken a rib when the Officers were putting her into the car. So, we called for a nurse immediately and the nurse came out and he refused admittance because obviously, he can't really just tell her that her ribs not broken and when Ofc. Leonard walked into the intake area she heard that the female was being refused. She, I don't want to say that she started yelling but she raised her voice, and she was like, 'she just went to the hospital this morning and she was checked out and she is fine and there is absolutely nothing wrong with her. She is lying. I'll put a hundred dollars on the fact that she is fine' and then the nurse was like, 'ok, there is nothing that I can do about that.' So, he signed

the refusal paperwork, and then he walked out. He left the intake area and Leonard looked at her FTO and was just like, 'unhandcuff her' and then so he just like took the handcuffs off the female. I don't know why they did that but they took the handcuffs off the female and I kind of stood by and like held her arm because she hadn't been patted down and she was in our facility... and then she continued to yell, not yell but raise her voice at our Sergeant, Imbriano about how this is ridiculous, our medical staff is incompetent...and then she said she was just going to take her and just drop her off at the front door and leave her there. Um, she didn't want to take her to the hospital. She didn't think anything was wrong with her so at that point they all walked out, and I went back into the booking area."

I asked Dep. Pendley if Ofc. Leonard was cussing during the incident, to which she confirmed she was cussing. I then asked Dep. Pendley if she ever witnessed her answer a phone call. Dep. Pendley advised she did see her on the phone, and she thinks she was on the phone with a supervisor. I asked what gave her the impression she was speaking with a supervisor on the phone, to which she stated, "I can't remember if she said a rank or if she may be answered with a Ma'am or Sir. She said something that clicked in my head that it was a supervisor. I just can't recall exactly what she had said." I then asked Dep. Pendley what happened next, to which she advised she walked out and into the booking area. I asked Dep. Pendley what she thought of Ms. Howard's appearance, which she advised that she looked unkept and she was pretty clean to be homeless. She stated, "She looks frightened and scared."

I asked if saw any bruises on Ms. Howard. Dep. Pendley advised me Ms. Howard kept saying she had bruises, but she did not see any. She advised Ms. Howard showed her wrist and said there were bruises, but Dep. Pendley advised she only saw indentions from the handcuffs which is normal, but no bruises. I then asked her how the FTO (Ofc. Overbay) seemed or did he say anything. Dep. Pendley stated, "Nope, he ugh, he just approached us. She just fell into the floor. He did not say anything that I can recall. Whenever Leonard told him to take the handcuffs off. He just walked over and took the handcuffs off, and he didn't say anything. He was just doing what he was told to do."

I then advised Dep. Pendley those were all the questions that I had for her at that time. I thanked her for her time.

This interview was concluded at 1806 hours.

1808 hours, I met with Sergeant Michael Imbriano at the Cherokee County Sheriff's Office muster room to conduct an interview. The interview was audio

recorded. Present in the room during the interview was Sergeant Michael Imbriano and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I started the investigation by thanking Sgt. Imbriano for meeting with me. I explained to him my role within my department and why I was needing to meet with him. I explained on May 21, Ofc. Leonard and her trainee brought in Ms. Lois Howard and Ms. Howard was refused by medical staff. I asked him if he could take me through the encounter, he had that night. Sgt. Imbriano advised he initially heard Dep. Vasquez call for a nurse in intake and there was a standing order from his Captain that if a nurse is needed in intake, a Sergeant or above had to be present due to some issues that had occurred in the past. Essentially, to smooth things over if needed. He advised he went out with the nurse to observe the female. He advised he could tell she was elderly, and she was complaining about her ribs. He stated, "The nurse went over. He said he saw some bruising on her face and on her legs. She said (Ms. Howard) that she may have broken some ribs or something and he said ok, I want her to be checked out at the hospital..." I then asked him if he knew the nurse's name, to which he advised he could not remember but it was in the memo (initial memorandum sent to us). I advised him I would check the memorandum for it. Sgt. Imbriano advised Ofc. Overbay was in intake at that time and Ofc. Leonard was outside. He stated he met her at the intake door and told Ofc. Leonard she was being refused. Sgt. Imbriano stated, "Leonard conveyed to me that Lois Howard was a frequent flyer, that they dealt with frequently out on the street, that they were always responding calls to her. She felt that Howard was probably shirking, or that she may have been faking a medical problem that she says she does that frequently. That she was always going to the hospital and abusing the ambulance services just to get rides and she was homeless." He advised she got upset and generally there is going to be some type of push back.

Sgt. Imbriano stated, "She said something to the effect of 'Well I am just going to take her around to the front of the jail. I am going to do that from now on when I don't agree with medical refusing someone.' I said don't do that and the bad part about that is, I really like Leonard. She's got kind of a personal, and I really enjoy it when she comes in." He advised they get along well. He advised when there is a refusal, he provided everyone a copy of the refusal form, in which the nurse states the reason for the refusal on that document. He advised he went to make copies and to notify his Lieutenant that Ofc. Leonard may drop the female off at the front of the jail. He then went back out to give Ofc. Leonard her copy and she was apparently talking with Ms. Howard. He stated he went back out to try and talk her out of doing something rash. He advised Dep. Searcy was out there at that time and Dep. Vasquez and Pendley were trying to help put her into the patrol car. He then stated, "Searcy

was out there trying to talk to her... I was like here is your copy and I asked her not to drop them off at the front and she was like 'I'm going to drop her off at the front.' I said please, I remember saying please, I said don't drop her off at the front it is not good for anybody. Said I don't want anybody to get in trouble over this. Calmer heads prevail and she said, 'Well I'm going to do it.' I said Well I can't control your actions but...and I didn't think she would do it." Sgt. Imbriano advised later, Deputies went to do a perimeter check and they located an ambulance out with Ms. Howard. I then asked Sgt. Imbriano if Ofc. Leonard cussed during the incident. He advised that she wasn't cursing at him, and she may have said something to Howard, but she didn't cuss at him. I asked him if she was ever on the phone. He advised he believed she stepped out to call a supervisor. He also advised he contacted Sgt. Ayers around 3 in the morning. Sgt. Imbriano stated, "just to give him and heads up...he was aware that she had been refused but I don't think he was aware of the extent of what all went on but filled him in as best as I could." I then tried to confirm with Sgt. Imbriano when he spoke to Sgt. Ayers, he believed Sgt. Ayers was already aware of the refusal. Sgt. Imbriano stated, "He was aware that she had been refused. Because I started like hey, I don't know if you are aware, and he had mentioned the name (Ms. Howard's name) of Ms. Howard." I then asked Sgt. Imbriano if he specifically stated he was aware of the refusal. Sgt. Imbriano stated, "He may have just said that, maybe he had just known that she had arrested Howard. I don't know, but he knew who I was talking about."

I then explained to Sgt. Imbriano in the video there is a moment when Ofc. Leonard and someone were standing by the intake door, and she was on the phone. I asked him if he was standing there. He advised he may have been, but he was not sure. I explained I was trying to figure out who she was on the phone with, and he advised they are usually on the phone with a supervisor. I asked if he ever contacted Ofc. Overbay and what he gathered from him. He advised he was a normal trainee, and they are just doing what they are supposed to, and he did not recall anything that stood out. I then asked him if there was anyone else in that situation, he thought I needed to speak to, and if the nurse was here. He advised he did not, and the nurse arrives around 7 but was not sure if it would be the same nurse. I asked him if there was anything I needed to know that I may have not asked. He advised that he did not mind "give back" on the refusal and that he expects officers to get mad, but he was not happy about the liability of her dropping off Ms., Howard as it was in the middle of the night. He advised why he submitted the memorandum, and he actually thought the world of Ofc. Leonard.

This interview was concluded at 1819 hours.

1824 hours, I met with Deputy Bryce Searcy at the Cherokee County Sheriff's Office muster room to conduct an interview. The interview was audio recorded. Present in the room during the interview was Deputy Bryce Searcy and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I started the investigation by thanking Dep. Searcy for meeting with me. I explained to him my role within my department and why I was needing to meet with him. I explained on May 21 at approximately 017 hours, Ofc. Leonard and her trainee brought in Ms. Lois Howard and Ms. Howard was refused by medical staff. I asked him if he could take me through the encounter, he had that night. Dep. Searcy advised me he was in the booking area and when Leonard comes in, she is a buddy, and he is always happy to go and talk to her. He advised he knew the female was being refused and he heard Ofc. Leonard getting upset. He advised his Sergeant was getting the refusal paperwork ready. He stated, "She was saying, 'you know I am tired of coming up here and them getting refused for a bullshit reason,' things like that and then she made this comment about every time someone gets refused for a bullshit reason, 'I'm gonna drop them off at the front of your jail, that way when they call 911 it's your problem.' Sgt Imbriano was like 'I am advising you not to do that.' And she said, 'No, that's exactly what I am going to do, every time yall refuse for a bullshit reason, I am going to drop them off in the front of the jail' and again he advised her, 'I strongly advise you not to do this.' And he was actually up against a door signing the refusal paperwork and she was actually leaning up against the wall still trying to maintain eye contact."

He advised he was prior military and he had to leave, and he was not ok with Ofc. Leonard talking to his superior in that manner. He advised later on, he saw on the cameras a female was walking around and believed it was Ms. Howard. He advised he went and completed a perimeter check and he saw Ms. Howard walking into the animal shelter parking lot and thought it was ok. He advised when he came back around, he saw a fire truck and then an ambulance show up. He then decided to go up there and just tell them what was going on and help them. He told them Ofc. Leonard brought her in, and she had been refused. He said Ms. Howard was in the ambulance crying saying she wanted to go to the hospital. He advised he thought she seemed mentally unstable. I asked him if anyone from our department or their department showed up to that scene. He advised no one showed up and he provided them with all the information he knew about her.

I asked him if he ever saw Ofc. Leonard on her cell phone to which he stated he did not. I also asked him if he ever spoke or saw Ofc. Overbay do anything. He advised he did not as he was handling administrative paperwork. I also asked him if he walked outside with Ofc. Leonard to which he said no he did not. I then asked him

if there was anything he wanted to provide that I had not covered or asked. He advised no, but he had never saw Ofc. Leonard act in that manner. I also asked him if he ever heard her say anything about calling a supervisor, to which he advised he did not.

This interview was concluded at 1832 hours.

On May 28, 2021, at 1344 hours, I contacted dispatch to obtain the CAD notes on the EMS call after Ms. Howard was dropped off at the front of the jail. I was provided with those notes. At 0152 hours, EMS was dispatched to 100 Chattin Drive, due to a person sick. The caller was Lois Howard. She was complaining and advised two Officers who were not Officers, left her there and she was having pain in her ribs. They dispatched the call and then advised Sgt. Ayers over the radio she was calling, and they needed him to call her. It also states in the notes that Sgt. Ayers advised them "Per 326 female was complaining of rib pain when she was at the Publix." This was all the information the CAD notes could provide. However, it does provide Sgt. Ayers knew Ms. Howard was not incarcerated and was currently requesting an ambulance to go to the hospital.

At 1415 hours, I began reviewing the footage that CCSD provided me with of the intake area. After interviewing the detention personnel, I learned the footage did not have audio. This footage does not aid me in my investigation, other than being able to view who was involved and the time the phone call was accepted by Ofc. Leonard while she was standing in the intake room.

At 1622 hours, a second interview was completed with Sergeant Gregory Ayers. The interview was conducted in Sergeant Cromer's office, where it was video, and audio recorded. Present in the room during the interview was Sergeant Gregory Ayers and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I explained this interview was over the same investigation and I was bringing him back in to clarify some things. I advised Sgt. Ayers the Garrity Warning previously provided to him still stood. I explained Ofc. Leonard arrives at the Cherokee County Sheriff's Office and attempts to turn the female over to detention personnel but is refused due to broken ribs. I asked him if he was familiar with this, Sgt. Ayers advised, "I am now, at this point, from all of this, yes and from the other night, talking to the Sergeant in the jail and her report." I then advised Sgt. Ayers there is radio traffic at 0158 hours, that pertains to when EMS was called out to the area of the jail. Ms. Howard had made comments about Officers who broke her ribs, were just out with her, and they weren't Officers. Sgt. Ayers stated, "I remember getting a call from dispatch, saying that EMS was dispatched over to the animal shelter, where Lois Howard had called for an ambulance and that her ribs were

broke. But the best that I can recall, she was saying that Jerry broke her ribs, not the officer broke her ribs. That is my understanding." I then asked Sgt. Ayers, "Ok, so at that point, maybe you understood that she wasn't in jail and that she had to of been dropped off?" Sgt. Ayers stated, "Yes, Ma'am." I then stated, "I mean that's what you could confer from that right?" Sgt. Ayers stated, "Yes. Ma'am."

I then explained to Sgt. Ayers about the thirteen-minute phone call I observed on his phone during the last interview that was conducted with him. I then explained the conversation occurred at 0201 hours, which aligns with the radio transmission between him and dispatch which occurred at 0158 hours. I stated to Sgt. Ayers, "So, I imagine directly after that occurred you contacted Ofc. Leonard, correct?" Sgt. Ayers stated, "Ugh, yeah, I mean it's on my phone. Yes." I then asked Sgt. Ayers if he remembered contacting her. Sgt. Ayers stated, "I remember talking to her, just like I do other people, several times through the shift. I don't really pay attention." I then asked Sgt. Ayers if he remembered calling her directly after this because it was my understanding, he wanted the both of them to come back and download their "body camera' footage. Sgt. Ayers stated, "I mean, I am guessing. They know that they are always supposed to upload body camera footage.... It just there knows they are always supposed to download their body cams or leave them here. Not take them home without stuff download.... I mean I knew about the ambulance getting called to the animal shelter for Lois Howard, because I talked to dispatch, but I don't know exactly what time that was. (Sgt. Ayers begins looking on his phone). I don't even know what day that would be." I then explained it was the 21st. Sgt. Ayers stated, "At 0157 AM on May 21st, an outgoing call to dispatch so evidently that's when they called me." I then stated, "Over the radio for you to call them." Sgt. Ayers stated, "Yep." I then asked Sgt. Ayers how long that conversation was, to which he advised it was one minute. I then advised directly after, he would have to have contacted Leonard due to the times of the calls and their durations.

I explained to Sgt. Ayers I was attempting to jog his memory, to which he advised he was trying his best to remember. Sgt. Ayers then advises there was an outgoing call to Leonard at 0201. I then asked him if he had been able to remember anything about that conversation, to which he advised he did not, and it could have been about reports they had. He also advised he had tried hard to remember what that conversation was about. Sgt. Ayers then stated, "She could have told me. I am not saying that she didn't. I just don't remember if she told me that or not and that's on me. Just like with Dispatch telling me about Lois Howard. That was, that's totally on me. I take full responsibility for that. But as far as talking to her about that I don't remember any of that conversation. I mean I wished that I did. I don't have anything to hide. I ain't never had anything to hide."

I then asked Sgt. Ayers if he recalled anything else about the first one-minute conversation and he advised he did not know, and it must have been about Ofc. Leonard grabbing the perishable food for the homeless shelter. Sgt. Ayers stated, "Then again, if she told me that and I didn't act on it, then that's totally on me and I take full responsibility for that." I then asked Sgt. Ayers what he thought about Lois Howard being over at the animal shelter. Sgt. Ayers stated, "To be honest, I guess, I mean I just kind of blew it off because we are constantly dealing with her. She's always talking about having some kind of ailment..." He alluded to how it isn't right, and he would not want someone treating his family in that manner. He then advised he had a lot going on, not just at work but at home and it was just negligent on his part. He then explained that Chief Mitchell instilled in him he should treat everyone the same way he would want his family to be treated and that was negligent on his part. He also explained that Ms. Howard does always cry wolf and complains, which those complaints always prove to be untrue, but that it's on him.

I then asked Sgt. Ayers if it was common practice for them to turn their 'body cameras' off in the manner I have observed. He advised it is not and he and Lt. Campbell have preached to always leave them on until the incident is over. I also asked him if he had been completing the "body camera reviews," for his shift, which he advised he had not, as that was Cpl. Bass's responsibility when he was employed with our agency. I then advised Sgt. Ayers this was all the questions I had for him at that time.

This interview was concluded at 1633 hours.

On June 16, 2021, at 1341 hours, a second interview was completed with Ofc. Erin Leonard. The interview was conducted in Sergeant Cromer's office, where it was video, and audio recorded. Present in the room during the interview was Ofc. Leonard and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I explained this interview was over the same investigation and I was bringing her back in due to follow up questions. I advised Ofc. Leonard I would be placing her back under the Garrity Warning and due to a lapse in time, I would be providing her with a new document. I asked Ofc. Leonard if she understood what the Garrity Warning was, and it meant the interview was in reference to an administrative matter and if she provided incriminating testimony, it could not be used against her criminally, in a court of law. Ofc. Leonard provided she understood and did not have any questions. Ofc. Leonard signed the document, to which I did as well.

I explained to Ofc. Leonard, I wanted to go back to where she was on the phone with someone before she was about to leave the jail. I asked her to reiterate who she was on the phone with, to which she provided she was on the phone with

Ayers. I asked Ofc. Leonard if she knew the reason for the phone call Sgt. Ayers placed her, while she was at the jail. Ofc. Leonard advised she did not recall what he said or the reason for the phone call. She advised she did not think he even said anything, due to the statement she made, which was they were refusing her, and she was dropping her off at the front of the jail. I then asked her what was said at the end of the call, which she advised she did not recall him saying anything. I asked her if Sgt. Ayers told her not to do it or not to drop her off. I explained how I was trying to figure out why Sgt. Ayers called her and what the conversation was about. She advised she was not aware as to why he called her, and she did not really give him a chance to say anything before she started talking. Ofc. Leonard advised no one ever said to not drop her off at the front of the jail. I explained to Ofc. Leonard the statement she made could not have taken up an entire minute, and I needed her to explain what else was said during the phone call. Ofc. Leonard advised was she could not remember and did not know what was said, other than what she said to Sgt. Ayers.

I went on to explain to Ofc. Leonard the investigation was still ongoing due to blanks and missing information. I explained the missing information was what I needed to fully understand what occurred, and the information I needed was what the phone calls entailed. Ofc. Leonard advised she did not remember and could only remember what she said to him. She also advised she knows he did not say, not to do it, because she would not have and disobeyed him and done it. She also advised she knew for a fact he did not tell her not to drop her off at the front of the jail.

I then advised Ofc. Leonard there was a thirteen-minute phone call conversation they had at 0201 hours. Ofc. Leonard stated, "That was.. Overbay and I have gotten back here, and he was getting his stuff out of the car and Ayers called to talk about the complaint and I guess Lois, Dispatch called him to tell him Lois Howard called back Dispatch and said we broke her ribs and she needed an ambulance." I asked Ofc. Leonard what else was said during the conversation. Ofc. Leonard stated, "So, he asked if we left her at the animal shelter and we said no, we left her at the front of the jail and then he said he guesses she must have walked over to the animal shelter and then she called Dispatch from the animal shelter, saying that we broke her ribs and Overbay had told Ayers that, I guess when Overbay went to get her in the car she dropped and started screaming, cause I put Ayers on speaker phone, because Overbay was standing at my drivers side window." I then asked Ofc. Leonard to explain what else was said. Ofc. Leonard stated, "That second phone call was just about how, I guess, because Dispatch called him and then he told us...he actually met us back here and told us to download all of our stuff." I then asked Ofc. Leonard to take me from the start of that conversation to the end of

it. Ofc. Leonard stated, "So, we were over here by the side because Overbay was getting his stuff out of the car and Ayers asked where we were and I told him we were here because Overbay was getting his stuff out because it was time to leave and he asked... well I guess Dispatch called him and I guess Lois Howard called Dispatch from the animal shelter saying that we broke her ribs and that she needed an ambulance and he wanted to know if we left her at the animal shelter and I said no, we left her at the front of the jail and we explained to him that I never, even help handcuff her or even put hands on her at all. So, Overbay explained to him that she dropped when he was trying to get her in the car and started screaming and that she never even mentioned broken ribs or anything until the nurse at the jail was talking to her and we told him that we took pictures of her and that we didn't find any bruises; anything like that. Then he told us to make sure that our body cameras were downloaded before we left. So, we came back her and put our stuff down."

I then asked Ofc. Leonard if he said anything about her dropping her off at the jail. Ofc Leonard stated, "No that I recall. He just wanted to know if we left her at the animal shelter, which I said no, we left her at the front of the jail. Cause his thing, I guess, was cause she called Dispatch again from the animal shelter, so she left the front of the jail and walked to the animal shelter to call back and say that we broke her ribs. Where before it was Jerry Jones that broke her ribs, so I guess we just explained everything again to Ayers, and he said to just make sure our stuff was downloaded." I then asked Ofc. Leonard if Sgt. Ayers said anything that was on the line of correcting her behavior of dropping her off at the front of the jail. Ofc. Leonard stated, "Not that I remember, no." I then asked how the conversation ended and Ofc. Leonard reiterated that he just wanted to make sure they downloaded their body camera footage. Ofc Leonard also stated that she could not remember if they were still at the PD when he came back there to meet with them. I then asked her how she could not remember if she met with him. She then advised that she did meet with him back at the PD, as she was here when he pulled in. I asked her what the conversation was, when he pulled into the parking lot. Ofc. Leonard advised that it was just about her making sure their stuff was downloaded.

I then asked Ofc. Leonard if she shared with him what happened at the jail. Ofc. Leonard stated, "We just gave him back again the step... the play by play. That she told them that it was Jerry Jones that did this. We left her at the front of the jail...that there was not way that we could even broken her ribs because we never used force or anything." I then stated to Ofc. Leonard, "So he knew you had dropped her off at the front of the jail." Ofc. Leonard stated, "Yes, I told him that even before we even left the jail and dropped her off at the front of the jail." I then asked Ofc. Leonard if she ever shared with Sgt. Ayers that she got upset at the jail. Ofc. Leonard

stated, "I am pretty sure I did, yeah. I don't remember if that was when he pulled up next to us or not." I then asked Ofc. Leonard if she recalled what she said to him. Ofc. Leonard stated, "No, I don't recall if I told him that day, or if I told him after the fact or what the case was but...when he got back here, we told him pretty much everything that had occurred. I guess to try to justify, like her calling saying we broke her ribs was not even a possibility." I asked Ofc Leonard if she and Ayers talked after that day, about the situation. Ofc. Leonard advised they did not talk about it, and she never talked about it with anyone until I called her in for the interview and she never knew there was a complaint filed. Ofc. Leonard also advised the only time she ever heard not to drop people off at the front of the jail was in shift briefing that morning (June 16, 2021).

I then explained to Ofc. Leonard those were the only questions that I had for her at that time. I also reiterated to her that she could not speak to anyone else about this investigation. I then advised Ofc. Leonard that I had one more question for her. I asked Ofc. Leonard if she got the impression from Sgt. Ayers that he did not want her dropping people off at the front of the jail. Ofc. Leonard advised that she did get that impression as Sgt. Ayers seemed upset that Ms. Howard had walked across the street and that was then that she got the impression that she probably should not have done that. I also asked how she got the impression. Ofc. Leonard explained Sgt. Ayers seemed aggravated that she had called back and that they were still dealing with it after they had left her at the jail, instead of just calling an ambulance out there in the first place. I then explained that I felt Sgt. Ayers was more of a direct person and did not feel that he would have been vague about the situation. Ofc. Leonard explained she thought he was just more focused on the aspect of Ms. Howard accusing them of breaking her ribs. I then advised her again that those were all the questions I had for her.

I concluded the interview at 1352 hours.

At 1640 hours, a third interview was completed with Sergeant Gregory Ayers. The interview was conducted in Sergeant Cromer's office, where it was video, and audio recorded. Present in the room during the interview was Sergeant Gregory Ayers, Lieutenant John Lummus and Sergeant Tiffanie Cromer. This is a synopsis of the interview.

I explained this interview was over the same investigation and I was bringing him back in due to follow up questions. I advised Sgt. Ayers I would be placing him back under the Garrity Warning and due to a lapse in time, I would be providing him with a new document. I asked Sgt. Ayers if he understood what the Garrity Warning was, and it meant the interview was in reference to an administrative matter and if

he provided incriminating testimony, it could not be used against him criminally, in a court of law. Sgt. Ayers provided he understood and did not have any questions. Sgt. Ayers signed the document, to which I did as well.

I started by explaining to Sgt. Ayers I was bringing him back in for more follow up questions and the interview would be in reference to the internal affairs investigation over a situation involving Ofc. Leonard. I explained Ofc. Leonard transported Ms. Howard to the jail, where Ms. Howard was refused and Ofc. Leonard chose to drop Ms. Howard off at the front of the jail. I then began my questioning. I asked Sgt. Ayers when the first time was, he knew Ofc. Leonard dropped Ms. Howard off at the front of the jail. Sgt. Ayers provided it was when the jail called him about an ambulance being called to the jail, but then stated that was incorrect and it was when Dispatch called and advised him, they were dispatching an ambulance to the animal shelter, for Lois Howard. I asked Sgt. Ayers what he did after he received the phone call, which he provided he went back to work. I asked him if he contacted Leonard to inquire about what had occurred, and he advised he had not. He explained it had been so long ago, and he could not remember the exact timeline of things and he only remember he had talked to Leonard about some perishable items she needed to pick up while she was at the jail. He advised he did not remember and if she had "smarted off," he had not paid attention and was doing other stuff.

I then began opening the email from Cherokee County Sheriff's Office Record Division, that provided me with a phone call between Sgt. Ayers and the dispatcher who had advised Sgt. Ayers about Lois Howard being at the animal shelter and how she was alleging Officers broke her ribs. I played the phone call for Sgt. Ayers. During the phone call, Sgt. Ayers advised Dispatch he thought Ms. Howard had complained about her ribs on the scene (at Publix). I asked Sgt. Ayers how he knew that, to which he advised he did not know. I asked him if he had gone to the scene or spoke with anyone who was on that scene, which he responded he did not and he did not even read over that report. He goes on to explain he does not thoroughly read Ofc. Leonard's reports (as it was stated in the report that he approved). He also explained he does not thoroughly read her or Ofc. Johnson's reports as they usually write good reports, and he just skims the report instead of reading them word for word. He advised Ms. Howard is always complaining of something and it is always false, and he played it off as her crying wolf. He advised he did not remember because they deal with Ms. Howard and Mr. Jones so often, which has made it difficult for him to remember all the facts of this specific case.

I explained to Sgt. Ayers I had an issue, as I have not been able to locate a phone call conversation with him and Dispatch that pertained to perishable items that were needed to be picked up at Dispatch. I then asked him due to me not being

able to locate that conversation, how could the conversation he had with Ofc. Leonard be over the perishable items and what was the one-minute phone call over. Sgt. Ayers advised he could not remember. I also asked him if he knew whether the items were picked up or not. He advised he did not know if they had been picked up, he was doing other things at that time and could not remember. I explained to Sgt. Ayers if he had told her in that conversation to pick up the items, she would have, but she did not.

Lt. Lummus then asked Sgt. Ayers what else was he doing at that time. Sgt. Ayers advised he was looking over reports and had other personal things going on in his life. Sgt. Ayers explained he knew it was all on him, as it was part of his job to leave whatever was going on outside of work, outside of work, but there was other personal stuff going on and his mind was all over the place. He explained he was liable for everything Officers did on his watch and he was responsible for them, to lead them and guide them, but he just cannot remember.

I then asked him if he remembered the thirteen-minute phone call conversation, to which he advised he did not. I explained their conversation was not only on the phone, as I knew for a fact, he had met with Ofc. Leonard and Ofc. Overbay in person at the police department before they went home, as he had also spoke with Ofc. Overbay. I asked Sgt. Ayers if he remembered any of that, to which he advised he remembered talking to them and telling them they were supposed to always keep their body cameras on and to not cut them off at any time before they left the jail. I then asked him why he would be having that conversation with them if he did not know what had occurred or if their body cameras had been cut off before leaving the jail. He then cut me off and advised he did not watch their body camera footage. I then asked him to stop and listen to the question that I was asking. I asked him again, how he knew they had cut off their camera's as he just said he told them not to. I asked him if it came up in their conversation and I was only trying to help him to recall the conversation. Sgt. Ayers advised he has tried his best to remember, and that more than likely so but if they have a better recollection as to what took place then that was a good possibility that it may have happened. He went on to explain its not in their best interest to turn their camera's off at any point, until the contact is over, but he has nothing to hide and if they say it happened, then more than likely it happened.

I then explained to Sgt. Ayers we had established he knew Ofc. Leonard had dropped Ms. Howard off at the jail, prior to him speaking with Sgt. Imbriano at 3 in the morning. He advised through Dispatch, yes that he was aware. I then asked him if he found that action acceptable, which he advised that he did not. I then asked him what action he took and if he did not, why not. Sgt. Ayers advised he did not take any

action and he blew it off, due to it being Lois Howard and him having a lot of personal things going on that he should have put on the back burner, but he did not, and he takes responsibility for his failure. He also explains again how Ms. Howard constantly complains of injuries that are false. I then explained the injuries are not the issue and it was that Ofc. Leonard had left a elderly female at the front of the jail.

Throughout the rest of the interview, Sgt. Ayers advises he is still unable to remember what he and Ofc. Leonard spoke about during both phone conversations. He explains that if Ofc. Leonard and Ofc. Overbay were able to provide what was said, then he has no reason to doubt that their accounts of the conversation are correct. Sgt. Ayers also explains that he is aware of his failure in correcting Ofc. Leonard's actions and for not being more present in the day-to-day duties of his position. Sgt. Ayers reiterates that he takes full responsibility.

This interview was concluded at 1704 hours.

Conclusion:

Code 2.01.31

UNBECOMING CONDUCT

An employee, in the performance of his/her duty, or while off duty in uniform, or while in any manner identifiable as a CPD employee, will maintain control of his temper. An employee will not use harsh, violent, profane, or insolent language to any citizen or other sworn employees, whether superior or subordinate. An employee will not use any language that tends to belittle, show contempt for, or defame, any person or group on the basis of race, color, religion, sex, national origin, age, disability, or other protected group status as provided by law, or otherwise violate the City of Canton's Equal Employment Opportunity policy.

An employee, on duty or off duty, will not conduct him/herself in a manner that tends to reflect discredit upon himself or the CPD.

Findings:

Upon reviewing Ofc. Leonard's interview and all other parties involved, along with the 'body camera' footage of Ofc. Overbay's, it is evident Ofc. Leonard failed to "maintain control of his or her temper." Ofc. Leonard also failed to "not use harsh, violent or insolent language to a citizen or sworn employees." She also failed to "not use any language that tends to belittle, show contempt for, or defame any person." Ofc. Leonard utilized harsh and insolent language upon being made aware of the

refusal of the arrestee. She also utilized language that was belittling in nature to the arrestee that was intended to defame the individual. I am able to show factual evidence that Ofc. Leonard violated General Order 2.01.31, Unbecoming Conduct.

Therefore, my finding of this policy violation is "Sustained."

Code 2.01.22

UNSATISFACTORY PERFORMANCE

An employee shall maintain competency to perform his duties and assume the responsibilities of his/her position. Employees shall perform their duties in a manner which will tend to establish the highest standards of efficiency in carrying out the functions and objectives of the CPD.

Unsatisfactory performance may be demonstrated by a lack of knowledge of the laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards; the failure to take appropriate action in any manner deserving law enforcement action; absence without leave or non-excused absence from duty; other acts of nonfeasance, malfeasance or misfeasance; or other instance of unsatisfactory performance as determined by the CPD and including those outlined in the City of Canton Personnel Manual.

Findings:

Upon reviewing Ofc. Leonard's interview and all other parties involved, Ofc. Overbay's 'body camera' footage, and the detention center parking lot footage, it is evident Ofc. Leonard committed an unsatisfactory performance while performing her duties as an Officer and a Field Training Officer. Ofc. Leonard "failed to conform to work standards" and failed to "perform duties in a manner which will tend to establish the highest standards of efficiency in carrying out the functions and objectives of the CPD," by dropping an elderly female off in a parking lot at an unreasonable time of the morning, when she should have sought medical treatment for Ms. Howard or turned her over to another responsible individual. This action caused unnecessary liability for herself, the Canton Police Department, and the Cherokee County Sheriff's Department, along with placing Ms. Howard in an unsafe situation. Ofc. Leonard also failed to conform to work standards that are set forth in the General Order 3.36, section B, as it states "Sworn Employees will activate the BWC to record all contacts with citizens in the performance of official duties to observe, photograph, videotape or record the activities of persons that occur in the presence of said sworn employee. This requirement includes all officers on a call for service or involved in a citizen contact related to the official performance of law

enforcement duties." Ofc. Leonard failed to keep the "in-car" camera and her "body-worn" camera activated during the entire encounter. I am able to show factual evidence that Ofc. Leonard violated General Order 2.01.22, Unsatisfactory Performance.

Therefore, my finding of this policy violation is "Sustained."

While conducting this investigation, a possible policy violation regarding Sgt. Ayers became evident.

Code 2.01.38

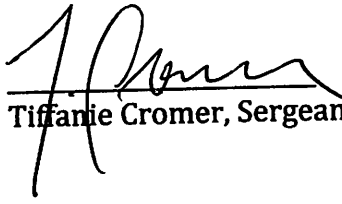
RESPONSIBILITY OF A SUPERVISOR

A supervisor will adhere to all rules, regulations, general orders, and special orders. He/she will present a good example as a supervisor to subordinates. He/she will provide leadership and supervision and maintain the discipline necessary to obtain efficient, effective operation of his/her unit.

Findings:

Upon reviewing Sgt. Ayers interview, 'body camera' footage, and supporting documentation, it is evident Sgt. Ayers failed to perform his duties when he failed to provide "supervision and maintain the discipline necessary to obtain efficient, effective operation of his/her unit." Sgt. Ayers was given every opportunity to act on Ofc. Leonard's actions when she left an elderly female in the jail parking lot at an unreasonable time of the morning and in an unsafe place. I am able to show factual evidence Sgt. Ayers violated General Order 2.01.38, Responsibility of a Supervisor.

Therefore, my finding of this policy violation is "Sustained."



Tiffanie Cromer, Sergeant, Office of Professional Standards



Tiffanie Cromer <tiffanie.cromer@cantonga.gov>

Internal Affairs Investigations

2 messages

Tiffanie Cromer <tiffanie.cromer@cantonga.gov>

Fri, May 21, 2021 at 11:27 AM

To: Erin Leonard <erin.leonard@cantonga.gov>

Bcc: Stephen Merrifield <stephen.merrifield@cantonga.gov>, Wendell Turner <wendell.turner@cantonga.gov>

Good Morning,

As advised in our conversation via telephone this morning, you are being pleased under an internal affairs investigation today, due to an incident that stemmed from an arrest on the early morning of May 21, 2021, involving the attempted transfer of an arrestee to the Cherokee County jail staff.

You are advised not to speak with anyone regarding this matter, other than myself and, are subject to discipline for failing to follow a direct order.

At this time, you are not being placed on administrative and should report to work as scheduled.

I will contact you at a later time to provide further instruction in reference to this matter.

--

Sergeant Tiffanie M. Cromer, *Office of Professional Standards*

Canton Police Department

Phone: 770.720.4883

Cell: 404-430-6323

tiffanie.cromer@cantonga.gov

151 Elizabeth Street | Canton, GA 30114 | cantonga.gov

Have a problem, question, comment, complaint or compliment?

We want to hear about it! For prompt assistance, call 770.720.4883 or e-mail us at pdinfo@cantonga.gov.

Erin Leonard <erin.leonard@cantonga.gov>

Fri, May 21, 2021 at 4:35 PM

To: Tiffanie Cromer <tiffanie.cromer@cantonga.gov>

I'm clear on this email and phone conversation.

On May 21, 2021, at 11:28 AM, Tiffanie Cromer <tiffanie.cromer@cantonga.gov> wrote:

Good Morning,

As advised in our conversation via telephone this morning, you are being pleased under an internal affairs investigation today, due to an incident that stemmed from an arrest on the early morning of May 21, 2021, involving the attempted transfer of an arrestee to the Cherokee County jail staff.

You are advised not to speak with anyone regarding this matter, other than myself and, are subject to discipline for failing to follow a direct order.

At this time, you are not being placed on administrative and should report to work as scheduled.

I will contact you at a later time to provide further instruction in reference to this matter.

--

Sergeant Tiffanie M. Cromer, *Office of Professional Standards*

Canton Police Department

Phone: 770.720.4883

Cell: 404-430-6323

tiffanie.cromer@cantonga.gov

151 Elizabeth Street | Canton, GA 30114 | cantonga.gov

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