

2007-00063

042507  
3/13

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 041107

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Linda Owens Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Address: 599 Ross Williams City: Canton Zip: 30114  
Trl

Home Phone: [REDACTED] Business Phone: \_\_\_\_\_

II. Deputy/Civilian Employee Information:

Name: Wells, M. Rank: Corporal I.D.#: B5  
Division: UPD Unit Number: \_\_\_\_\_  
Name: \_\_\_\_\_ Rank: \_\_\_\_\_ I.D.#: \_\_\_\_\_  
Division: \_\_\_\_\_ Unit Number: \_\_\_\_\_

III. Location of Incident:

Ross Williams Trail

Date: 04/10/07 Time: 1600-1700 Case Number: 107-33302

IV. Description of Incident:  Allegation  Inquiry  Commendation

Ms. Owens claims that Deputy Webb came to this incident and was not helpful. She states that her nieghbor a man named Trebley continuously curses them when they drive by and she made a tape of this. This tape is now in the possession of Deputy Webb and she would like it returned so that she can take it to the Magistrates Office. She feels that no one at the Sheriff's Office will help her because her nieghbor is a volunteer firefighter.

V. Witness Information:

Name: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_  
Name: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_  
Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

**VI. Person Taking Report:**

Name: Hill, James B. Rank Captain  
Division: UPD Shift:        Badge Number: 184

**VII. Supervisor's Comments/Recommendations:**

I spoke to Linda Owens on 04/11/07 at approximately 1430 hours. She told me that she was unhappy with Cpl. Wells handling of the situation. Wells told her that Trebley's cursing in itself was not a violation of the law. I told her that I agreed with his assessment and that other factors must be present to constitute a violation. In regards to the video tape, the tape has been placed into evidence due to her husbands actions on the tape (see attached report). I explained to her the video tape was evidence and would be held until the case is adjudicated and she stated that she understood. I tried to explain to her that her problems with Trebley are a civil matter and advised her to seek counsel. I find Wells to be exonerated of any wrongdoing in reference to this complaint

Lt. J.C. Easterwood

**VIII. Allegation/Inquiry/Commendation Information:**

How A/I/C Received:  Telephone  Written Form  Personal Contact

A/I/C Referred to: Lt. J.C. Easterwood

A/I/C Resolved on Initial Contact  Allegation/Inquiry Withdrawn

**IX. Documentation Attached:**  Incident Report  Written Statement  Other

**X. Division Commanders Review:**  04/20/07  
(Signature) (Date)

- No further Action Required.  
 Refer to \_\_\_\_\_ for further investigation.  
 Recommend Formal Commendation.

Additional Comments:

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- Sustained: The evidence is sufficient to prove the allegations.  
 Not Sustained: The evidence is insufficient to either prove or disprove the allegations.  
 Exonerated: The evidence shows that the incident occurred and was lawful or proper.  
 Unfounded: The evidence shows that the allegation is false or not factual.  
 Policy Failure: The evidence is sufficient to show that the incident occurred, but was a result of flawed policy or procedures.
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## XI. Service of Employee

I hereby certify that the allegations have been discussed and described to me. I have received a copy of the Employee Rights Form and acknowledge that I understand these rights.

CPK [Signature] 344  
Employee Signature


[Signature] 344  
Witness Signature

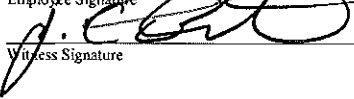
04/10/07  
Date

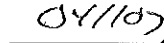
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Date

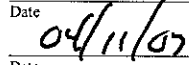
## XII. Notification of Findings

I understand that the investigating officer has the duty to inform me of the outcome of this investigation (sustained, not sustained, exonerated, unfounded, or policy failure) and I hereby certify and affirm that he / she has done so. I further understand that the investigating officer is merely a finder of fact and will not determine if adverse disciplinary action will be taken.

  
Employee Signature

  
Witness Signature

  
Date

  
Date

Distribution:            Division Commander  
                                 Internal Affairs