

2010-0000/

123009
789

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: October 2, 2009

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Cooper, J.W. Race: W Sex: M Age: 62 Date of Birth: [REDACTED] 1947
Address: 392 Rawls Dr City: Dublin Zip: 31021

Home Phone: [REDACTED] Business Phone: _____

II. Deputy/Civilian Employee Information:

Name: Barry Nicholas Hilliard Rank: Corporal I.D.#: 6899
Division: ADC Unit Number: 485

Name: _____ Rank: _____ I.D.#: _____
Division: _____ Unit Number: _____

III. Location of Incident:

I-575 North bound

Date: 092209 Time: 22:30 Case Number: Citation 139410

IV. Description of Incident: Allegation Inquiry Commendation

Mr. Cooper came into the lobby at the ADC and said Cpl. Wells was rude to him and he should not have been written a ticket. I asked him to tell me the whole story. Mr. Cooper stated that he could not see a police car beside him until the car got in front of him. Mr. Cooper then flashed his bright lights at the police car and was then pulled over and given a ticket for aggressive driving. Mr. Cooper was not satisfied with me because I would not get rid of the ticket and he said that internal affairs should look into this. I explained our procedure to Mr. Cooper regarding complaints. Mr. Cooper wanted to know when an investigation would be done and if it would be complete before his court date because he can't pay the fine.

V. Witness Information:

Name: _____ Address: _____ City: _____
Home Phone: _____ Business Phone: _____

Name:
Home Phone: _____

Address:
Business Phone: _____

City: _____

VI. Person Taking Report:

Name: **Barry Nicholas Hilliard**
Division: ADC Shift: 1

Rank
Badge Number:

Corporal
485

ASD-003

VII. Supervisor's Comments/Recommendations:

see attached

VIII. Allegation/Inquiry/Commendation Information:

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

A/I/C Referred to:

A/I/C Resolved on Initial Contact Allegation/Inquiry Withdrawn

IX. Documentation Attached: Incident Report Written Statement Other

X. Division Commanders Review: 
(Signature) (Date)

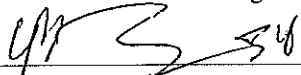
- No further Action Required.
- Refer to _____ for further investigation.
- Recommend Formal Commendation.

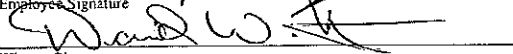
Additional Comments:

- 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.

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.


Employee Signature

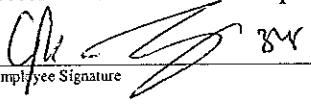

Witness Signature

100600
Date

10/06/2009
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

11/30/09
Date

Date

Distribution: Division Commander
Internal Affairs

Incident Report CHEROKEE COUNTY SHERIFF'S OFFICE

498 CHATTIN DRIVE

09-99469

Supplement No
ORIG

Reported Date
09/22/2009
Nature of Call
TRAFFIC
Officer
WELLS, MIKE

(678) 493-4200

Administrative Information

Agency	Report No	Supplement No	Reported Date	Reported Time
CHEROKEE COUNTY SHERIFF'S OFFICE	09-99469	ORIG	09/22/2009	22:39
CAD Call No	Status	Nature of Call		
090156351	TRAFFIC CITATION	TRAFFIC		
Location	City	From Date	From Time	
575 NB/TLP	CANTON	09/22/2009	22:39	
Officer	Assignment	Entered by		
000431/WELLS, MIKE	TRAFFIC ENFORCEMENT UNIT	000431		
Assignment	RMS Transfer	Approving Officer	Approval Date	
TRAFFIC ENFORCEMENT UNIT	Successful	000431	10/02/2009	
Approval Time				
15:17:32				

Person Summary

Invl	Invl No	Type	Name	MNI	Race	Sex	Date of Birth
CIT	1	I	COOPER, J W JR	404217	W	M	/1947

Vehicle Summary

Invl	Type	License No	State	Lic Year	Year	Make	Model	Style	Color
PRI	K	WX5Z60	GA	2010	2004	CHEV	TAH	UV	SIL

Incident Report

CHEROKEE COUNTY SHERIFF'S OFFICE

09-99469

Supplement No
ORIG

CITED 1: COOPER, J W JR

Involvement	Invl No	Type	Name	MNI	Race	Sex
CITED	1	Individual	COOPER, J W JR	404217	WHITE	MALE

Date of Birth	Age	Juvenile?	Height	Weight	Hair Color
1947	62	No	5'10"	185#	BROWN

Type	Address	City	State
HOME	392 RAWLS DRIVE LOT 20	DUBLIN	GEORGIA

ZIP Code
31021

Type	ID No	OLS
STATE OPERATOR LICENSE	027078873	GEORGIA

Involvement	Arrest Type	Arrest Date	Arrest Time	Status	Dispo
CIT	0	09/22/2009	22:40:00	OTHER	RELEASED ON COPY

Charge	Level	Charge Literal	Warrant No	Warrant ORI
40-6-397	M	AGGRESSIVE DRIVING	139410	GA0280000

Vehicle: WX5Z60

Involvement	Type	License No	State	Lic Year
PRIVATELY OWNED	UTILITY PASSENGER VEHICLE	WX5Z60	GEORGIA	2010

Lic Type	Year	Make	Model
PASSENGER CAR	2004	CHEVROLET	TAH

Style	Color
SPORTS UTILITY VEHICLE - UTILITY PASSENGER	SILVER/ALUMINUM

Link	Involvement	Invl No	Name	Race	Sex	Date of Birth
OPR	CIT	1	COOPER, J W JR	W	M	1947

Narrative

On 092209, I was traveling North on I-575 and was in the right lane behind a van. I signaled to change lanes to the left lane, and changed lanes (there was no one in the left lane at the time) to pass the van. At this point I was traveling around 65 miles per hour. All of a sudden a large SUV came up behind me. It was clear the vehicle was speeding, but before I could change my RADAR to same direction to get his speed the vehicle was tailgating me flashing his headlights at me. I thought the vehicle was going to run me off the road, so I quickly changed lanes back into the right lane and let the vehicle pass.

After the vehicle passed, I pulled in behind the vehicle, and activated my emergency lights to stop the vehicle. Once the vehicle stopped, I spoke with the driver (Mr. Cooper). I asked him why he was tailgating me and flashing his high beams at me. He said I never signaled and got in front of him. I explained to him what he did was aggressive driving, and he was suppose to go to jail for it. I obtained his license and issued him a citation. I elected not to arrest him due to the current overcrowding at the Adult Detention Center.

Nothing Further
HEAT

Cherokee County Sheriff's Office
MEMORANDUM

To: Major Lacey

From: Lt Rentz *SR*

Date: 12 November, 2009

Ref: Wells AIC

I have spoken with Mr. Cooper, Cpl Wells and reviewed the video. I find that the citation issued was within Cpl Wells' authority to issue. Mr. Cooper's main reason for the complaint was an effort to have the citation withdrawn. I advised Mr. Cooper that I would not do that and his only recourse was with the court system here in Cherokee County.

I do find fault with Cpl Wells with the inappropriate use of profanity towards Mr. Cooper. I understand Cpl Wells' heightened adrenaline but restraint was needed. Cpl Wells has received a verbal counseling on this issue.

Cpl Wells has proven himself as a leader in the Traffic Unit and always acted professional; I believe this is an isolated incident.