

2016-00069
11-2016 @ 2:00 pm

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 10/06/16

ALLEGATION / INQUIRY / COMMENDATION - REPORT FORM

I. Information Source:

Name: Michael Gunter Race: W Sex: M Age: Date of Birth:
Address: 831 Crowe Springs Stur City: Adairsville Zip: 30103

Home Phone: Business Phone:

II. Deputy/Civilian Employee Information:

Name: Michael Wells Rank: Sgt. I.D.#:
Division: Traffic Unit Number:
Name: Rank: I.D.#:
Division: Unit Number:

III. Location of Incident:

E. 75 Northbound exit 288 to 296
Date: 10/04/16 Time: 20:30 Case Number:

IV. Description of Incident: Allegation Inquiry Commendation

Mr. Gunter contacted a supervisor to file a complaint against Sgt. Wells. He explained his grandson Gavin Long was driving in Bartow County on 75 northbound from exit 288 to exit 296. He said his grandson is a new driver and has aspergers. When Sgt. Wells was following him he was getting nervous so he kept changing lanes to move over. Each time he pulled over Sgt. Wells followed him. He said this continued for 8 miles. He was then stopped and pulled over at the Pilot gas station at exit 296 where GSP was called. Mr. Long was charged with DUI and three failure to maintain lane charges. Mr. Gunter complains that Sgt. Wells extended a situation longer than it should have and entrapped his grandson.

V. Witness Information:

Name: Gavin Long Address: City:

Home Phone: _____ Business Phone: _____

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

VI. Person Taking Report:

Name: Lt. B. Anderson Rank Lt.
Division: ADC Shift: 3 Badge Number: 344

VII. Supervisor's Comments / Recommendations:

VIII. Allegation / Inquiry / Commendation Information:

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

A / I / C Referred to: Lt. McCleod

A / I / C Resolved on Initial Contact Allegation / Inquiry Withdrawn

IX. Documentation Attached: Incident Report Written Statement Other

X. Division Commanders Review: CAPTAIN [Signature] _____
(Signature) (Date)

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

Additional Comments:

GREAT JOB SGT. WELLS. FOR EVERY INTOXICATED DRIVER REMOVED FROM THE ROADS, THERES NO TELLING HOW MANY LIVES WERE SAVED!

- 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

Date

Witness Signature

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


Date

Witness Signature

Date

Distribution: Division Commander
 Internal Affairs

CHEROKEE COUNTY SHERIFF'S OFFICE
MEMORANDUM

TO: Captain. J. New
FROM: Lieutenant C. McLeod 
DATE: 5 November 2016
SUBJECT: AIC/Sgt. M. Wells

I spoke with Mr. Gunter about the incident involving his grandson Gavin Long. I explained I had watched the in car video of the stop and the minutes before the stop was conducted.

Mr. Gunter had a concern about Sgt. Wells following Gavin for several miles, changing lanes behind Gavin. I explained the video shows Sgt. Wells following at an acceptable following distance of 2.5-3 seconds which is normal for standard driving conditions. I also explained I saw Gavin fail to maintain lane several times, turning on his turn signal after he had already driven into another lane. Sgt. Wells was seen traveling in one lane while Gavin was in another. Mr. Gunter understood the story of events he received from Gavin was inconsistent with the video evidence.

Mr. Gunter's original complaint cited Sgt. Wells following Gavin for several miles to "entrap" him. I explained Sgt. Wells was in another jurisdiction and was waiting for a response from said jurisdiction prior to making a stop. Once Sgt. Wells received confirmation a Trooper was nearby, Sgt. Wells selected a location and made the stop. Mr. Gunter understood the reasoning.

Mr. Gunter then questioned the validity of the DUI arrest. I told Mr. Gunter GSP took the charges on Gavin. While I could provide some verification as to the validity of the stop and the charges of failure to maintain lane, I could not make comment as to the DUI investigation.

Mr. Gunter accepted my explanation regarding Sgt. Wells' actions as being within State Law and Policy. Mr. Gunter acknowledged his concern is really with GSP and the DUI investigation and not Sgt. Wells.