

2021-00013

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE 02/19/2021

ALLEGATION / INQUIRY / COMMENDATION - REPORT FORM

I. INFORMATION SOURCE:

M NAME: John Wolford RACE: SEX: M DATE OF BIRTH:
ADDRESS: _____ CITY: _____ ZIP:
HOME PHONE: [REDACTED] BUSINESS PHONE:

II. DEPUTY/CIVILIAN EMPLOYEE INFORMATION:

NAME: Mike Wells RANK: Sergeant I.D. #:
DIVISION: UPFH UNIT #: D-3
NAME: _____ RANK: _____ I.D. #: _____
DIVISION: _____ UNIT #: _____

III. LOCATION OF INCIDENT:

Highway 20 and Arbor Hill Road, Canton Ga 30115

DATE: 02032021 TIME: 0524 CASE NUMBER: Citation # 260886

IV. DESCRIPTION OF INCIDENT: ALLEGATION INQUIRY COMMENDATION

On 02192021 at about 1549hrs, I received an email forwarded to me from Andrea DeCoursey reference to a phone message left by John Wolford [REDACTED] wanting to talk to Sheriff Reynolds. Message: Says nothing to bad, wants to talk about an interaction with unknown deputy Hwy 20 and 372. He couldn't recall deputies name. Requested call back from Sheriff. (SEE ATTACHED SHEET FOR DETAILED COMPLAINT FROM PHONE CONVERSATION)

V. WITNESS INFORMATION:

NAME: ADDRESS: CITY:
HOME PHONE: BUSINESS PHONE: () _____
NAME: ADDRESS: CITY: _____
HOME PHONE: () _____ BUSINESS PHONE: () _____

VI. PERSON TAKING REPORT:

NAME: J. TURNER

RANK: SERGEANT

DIVISION: UPFH

SHIFT: Shift 4

BADGE NUMBER: 236

VII. SUPERVISORS COMMENTS/RECOMMENDATIONS:
FORWARDED TO LT SIMMONS

VIII. ALLEGATION / INQUIRY / COMMENDATION INFORMATION:

HOW A/I/C RECEIVED: TELEPHONE WRITTEN FORM PERSONAL CONTACT

A/I/C REFERRED TO: LT. SIMMONS

A/I/C RESOLVED ON INITIAL CONTACT ALLEGATION / INQUIRY WITHDRAWN

IX. DOCUMENTATION ATTACHED: INCIDENT REPORT WRITTEN STATEMENT OTHER

X. DIVISION COMMANDERS REVIEW:

[Signature]
(SIGNATURE)

02 02 21
(DATE)

- NO FURTHER ACTION REQUIRED
- REFER TO _____ FOR FURTHER INVESTIGATION
- RECOMMEND FORMAL COMMENDATION

ADDITIONAL COMMENTS:

XI. INVESTIGATOR'S FINDING

(Choose the appropriate finding of fact for allegations only, as defined by GO 94-22)

- Sustained:** The evidence is sufficient to prove the allegations.
- Not sustained:** The evidence is insufficient to either prove or disprove the allegations.
- X **Exonerated:** [Signature] The evidence shows that the incident occurred and was lawful or proper.
- W **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.

* SEE ATTACHED *

XI. SERVICE OF EMPLOYEE

I hereby certify and affirm 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.

Sgt [Signature]
Employee Signature

022321
Date

[Signature]
Witness Signature

2/23/21
Date

XXII. 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.

Sgt [Signature]
Employee Signature

022321
Date

[Signature]
Witness Signature

2/23/21
Date

DISTRIBUTION: DIVISION COMMANDER
INTERNAL AFFAIRS

Cherokee Sheriff's Office

02/19/2021

AIC - Complaint Mike Wells

On 02192021 at about 1600hrs, I contacted Mr. John Wolford by telephone in reference to a phone message he left for the Sheriff. I identified myself and asked Mr. Wolford how I could help him.

He told me the following:

On February 3rd, 5:30 am his wife was pulled over on Highway 20 for speeding. She was taking him to the hospital in Forsyth for surgery. They were behind a slow truck on Cumming Hwy and when it changed to two lanes he told her to hurry and get around the truck. The deputy must have been sitting at Parker Heating and Air (it was Poland Htg/AC) running radar. He stopped us and when trying to explain we were going to hospital he said some remark about not seeing an ambulance. He was not sure how deputies are trained now, but he wouldn't let them explain why they were speeding. Deputy was very short/rude. He was not denying they were speeding, but would like to explain what happened. He didn't remember the deputy's name. The ticket # 260886 was 70mph in a 45mph zone at 0524 hrs on Highway 20.

I asked him what he wanted/how he wanted this handled.

He told me the following:

I want Frank to get this. It's hard to get hold of him unless you catch him away from that place or call him at home. I want Frank to be aware of how this deputy acted, it may be the way they are trained now. I don't know. I would like the ticket reduced so its not a supper speeder and I have to hire an attorney. I want the complaint or what ever it is to go up to Frank.

I told him I would write up the complaint with what he told me. It may take a few days to find the ticket, pull the video and send up my chain of command. Someone should call you when it's all reviewed. He said that was fine.

Our phone conversation was then ended.

I was able to find the ticket which was written by Sgt. Mike Wells. I located the video on WatchGuard and reviewed it. It appeared to be the location and stop Mr. Wolford was describing. I did not see any accusations Mr. Wolford was making about Sgt. Wells being rude. I sent AIC up to Lt. Simmons for review.

Sgt. J. Turner #236

CHEROKEE COUNTY SHERIFF'S OFFICE
MEMORANDUM

TO: Captain John New

FROM: Lt. David Simmons

DATE: Feb. 22, 2021

SUBJECT: AIC Findings

1. On February 19, 2021 I was forwarded an email from Ms. DeCoursey asking for a phone call to a John Wolford [REDACTED] regarding an interaction with an unknown Deputy on Hwy. 20 at Hwy. 372. I was otherwise occupied and asked Sgt. Jeff Turner to make contact. Mr. Wolford wished to speak directly to Sheriff Reynolds about the matter, but outlined his complaint to Sgt. Turner. His interaction with Mr. Wolford is documented and attached to the AIC that Sgt. Turner prepared.
2. It was determined that Sgt. Wells was the Deputy who stopped the Wolfords on the morning of February 3rd. I was able to locate the patrol video and I reviewed the video for the allegations Mr. Wolford made to Sgt. Turner. The following are my findings.
3. **First**, Mr. Wolford says they were stopped for speeding on Hwy. 20, which is correct. He further said that they were behind a slow-moving truck and when the road split into two lanes, he told his wife to hurry up and get around the truck. The area where the lane splits is about $\frac{3}{4}$ of a mile from where they were stopped. That leaves plenty of time to get around the slow-moving truck and to get back to the speed limit long before Sgt. Wells would have spotted them coming.
4. **Second**, Mr. Wolford states that Sgt. Wells was sitting at "Parker" heating and Air (actually it is Poland) which is NOT accurate. Sgt. Wells was travelling east on Hwy. 20 in his patrol vehicle. The Wolfords came up from behind Sgt. Wells. Wells saw the vehicle coming at a high rate of speed and activated his rear RADAR antenna and activated the same direction function. He clocked the Wolfords at 70MPH in the 45MPH zone.
5. **Third**, Mr. Wolford said once stopped they tried to explain that they were traveling to the hospital and Sgt. Wells made some remark about not seeing an ambulance. The video does not bear this out. Mrs. Wolford, who was driving, exited the vehicle and there was a very brief interaction between her and Wells, but no mention of going to the hospital. Wells was speaking quickly, but offered no remarks about an ambulance. Mr. Wolford explained to Sgt. Turner that they were

headed to Northside Hospital Forsyth for a scheduled surgery and NOT for any current medical emergency.

6. **Fourth**, Mr. Wolford said that Sgt. Wells was “short and rude”. Sgt. Wells did speak rapidly, but was not rude. He has pulled over hundreds of vehicles and has a well-rehearsed manner of speaking. He is direct and to the point as are many who have been conducting traffic enforcement for many years.
7. When asked by Sgt. Turner how Mr. Wolford wanted to handle this, he made it clear that he was seeking to reduce the ticket so it would not be a super speeder fine. He readily admitted to speeding and did not deny the speed they were cited for.
8. Based on the facts and the patrol video I find this complaint to be UNFOUNDED.