

202-00005

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 2/16/2022

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Lindsay Booth Race: Wht Sex: F Age: Date of Birth: 1990
Address: 282 Renae Lane City: Marietta Zip: 30060

Home Phone: Cell: Business Phone:

II. Deputy/Civilian Employee Information:

Name: John Blackerby Rank: Corporal I.D.#: 6936
Division: Special Ops Unit Number: 153

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

III. Location of Incident:

State Highway 92 near Hames Road

Date: 02/08/2022 Time: Case Number:

IV. Description of Incident: [X] Allegation [] Inquiry [] Commendation

Mrs. Booth claims Cpl. Blackerby made her feel very harassed and unsure of what to do. Mrs. Booth advises Cpl. Blackerby did not give her the room and/or space to do what was asked of her when she was trying to correct the issue with her vehicle's suspended registration. She feels Cpl. Blackerby placing his hand and arm on her vehicle was disrespectful to her personally owned property. Mrs. Booth stated this incident does not sit well with her about how she was treated, or how she was talked to and how Cpl. Blackerby approached her while she was in her vehicle and just stayed there.

V. Witness Information:

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

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

VI. Person Taking Report:

Name: David Barone Rank Lieutenant
Division: OPS Shift: Days Badge Number: 276

VII. Supervisor's Comments/Recommendations:

Refer to the Office of Professional Standards / Internal Affairs

VIII. Allegation/Inquiry/Commendation Information:

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

A/I/C Referred to: Lieutenant David Barone

A/I/C Resolved on Initial Contact Allegation/Inquiry Withdrawn

IX. Documentation Attached: Incident Report Written Statement Other

X. Division Commanders Review: [Signature] #153 2/17/22
(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. PE
- 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.

[Signature] 575
Employee Signature
[Signature]
Witness Signature

02/16/2022
Date
02-16-22
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.

epi J. [Signature] # 518
Employee Signature

[Signature]
Witness Signature

02/17/2022
Date

02-17-22
Date

Distribution: Division Commander
 Internal Affairs

On January 16, 2022, I took a complaint over the telephone from Mrs. Lindsay Booth. Mrs. Booth was pulled over by Deputy C. England on Tuesday, February 8, 2022. Mrs. Booth does not have a complaint against Deputy England, but rather, Deputy England's back-up officer, Corporal J. Blackerby. Mrs. Booth advised the incident does not sit well with her about how she was treated and talked to. She also expressed how she does not like the way Cpl. Blackerby approached her and stood next to her passenger side door while she was seated in her vehicle. She told me she felt very harassed and was uncomfortable with the questions Cpl. Blackerby asked. She also did not appreciate the way Cpl. Blackerby leaned against her vehicle when he placed his arm on her passenger side door. Mrs. Booth felt that was disrespectful to her personally owned property.

On January 16, 2022, I interviewed Deputy Christine England. I supplied her with a copy of the AIC as well as a copy of the Employees Duties and Rights during an Internal Investigation. I read her the Cherokee Sheriff's Office Internal Affairs memorandum and the Internal Investigation Warning (Garrity Warning). Deputy England said she understood and signed both documents. Deputy England initiated a traffic stop on a black 2016 Chevrolet Tahoe bearing Georgia tag 5283 at the intersection of Highway 92 and Londonderry Drive. Deputy England initiated the traffic stop based off of articulable suspicion due to the driver failing to use a turn signal while changing lanes, as well as the vehicle's registration returning suspended. Deputy England explained the reason for the traffic stop to Mrs. Booth and later discovered the vehicle's registration was suspended due to a lapse in automobile insurance coverage. Deputy England advised the insurance was covered on November 17, 2021, but lapsed on November 18, 2021. Mr. or Mrs. Booth then reobtained automobile insurance on November 19, 2021. It was apparent to Deputy England that the insurance company did not notify the Department of Revenue once

the Booth's had their automobile insurance reinstated, thus the reason for the suspended registration. Deputy England told me she did not want to impound Mrs. Booth's vehicle and allowed Mrs. Booth to make arrangements to have the suspended registration handled while they were on this traffic stop.

I asked Deputy England if she requested back-up and she advised she did. She explained 2 Woodstock PD officers arrived on scene, but once Deputy England explained what was taking place, they went back in service. A short time later, Corporal Blackerby arrived on scene and assisted in the traffic investigation. Due to the circumstances of the vehicle's registration being suspended because of the insurance company's mistake, Cpl. Blackerby told Mrs. Booth they were going to allow her to drive up to the Racetrac gas station so she could finish paying the fines while being in a parking lot as opposed to the side of Highway 92. I asked Deputy England if she witnessed Cpl. Blackerby interact with Mrs. Booth and she said he did. She told me he was explaining to Mrs. Booth what she needed to do to take care of the suspended registration. I asked her if she saw Cpl. Blackerby place his arm on the vehicle and she said he did place his arm on the passenger side window. She explained that is something they sometimes do to appear less rigid. Deputy England said she does not think Cpl. Blackerby placed his arm on the vehicle out of disrespect, but more due to his relaxed state.

Ultimately, Deputy England used discretion and did not issue Mrs. Booth a citation for failing to use a turn signal while changing lanes. She also allowed Mrs. Booth the time to pay for the fine during the traffic stop because Deputy England did not want to impound Mrs. Booth's vehicle. Deputy England advised Mrs. Booth was very calm and considerate during their encounter and she tried to reciprocate those actions back toward Mrs. Booth.

On January 16, 2022, I interviewed Corporal J. Blackerby. I supplied him with a copy of the AIC as well as a copy of the Employees Duties and Rights during an Internal Investigation. I read him the Cherokee Sheriff's Office Internal Affairs memorandum and the Internal Investigation Warning (Garrity Warning). Corporal Blackerby said he understood and signed both documents. Once he was finished reading the accusation, I asked him what his thoughts were. Corporal Blackerby advised his interaction with Mrs. Booth was very cordial and casual. He said he explained to her what most likely caused her vehicle's registration to become suspended (lapse of insurance) and told Mrs. Booth how she could go about having the issue corrected.

I told Cpl. Blackerby that one of the issues Mrs. Booth has was him placing his arm on her vehicle. Corporal Blackerby told me he did place his arm on the passenger side door when he started to ask her questions about the vehicle, as well as if her husband was employed in law enforcement. Corporal Blackerby explained the blacked-out Tahoe very much looked like a law enforcement vehicle and he asked questions to confirm whether or not her husband was a law enforcement officer or a private investigator. He explained the Tahoe had blacked-out tinted windows, a push bumper and a laptop stand on the passenger side seat. Corporal Blackerby also advised the vehicle's tag had a seal of the State of Georgia sticker on it and it was obvious the sticker was placed on the tag after it was received from the Department of Revenue. He advised Mrs. Booth told him her husband owns several businesses to include a tree service company. Corporal Blackerby said he told her, "Okay, cool" and left it at that. I asked him why he placed his arm on the vehicle's passenger side door. Corporal Blackerby advised he was comfortable with Mrs. Booth and didn't feel there were any security issues with her. I asked Cpl. Blackerby if he placed his arm on the passenger door for the purpose of harassing or intimidating Mrs.

Booth. Corporal Blackerby stated, "No sir." He then explained how he made the decision to allow Mrs. Booth to drive up the U-haul or Racetrac parking lot because he knew she was on the phone trying to resolve the suspended registration issue and he wanted her to conduct that business in a more safe and secure spot than on the side of Highway 92.

Cherokee Sheriff's Office policy 01-03-02 (F) (6) states:

F. EMPLOYEE RULES OF CONDUCT: 6. COURTESY: Employees shall be courteous and professional in their association with members of the public and other agency members.

Employees shall be tactful in the performance of their duties, shall control their tempers, and exercise the utmost patience and discretion. In the performance of their duties, employees shall not use profane, vulgar, defamatory, or insolent language, drawings, depictions, or gestures toward another individual.

Deputy England initiated a traffic stop on a black 2016 Chevrolet Tahoe being operated by Lindsay Booth. Deputy England had articulable suspicion to conduct the traffic stop due to Mrs. Booth failing to use a turn signal while changing lanes. Mrs. Booth admitted to this investigator that she did not use her turn signal to indicate her desire to change lanes while driving on Highway 92. Mrs. Booth's vehicle's registration was found to be suspended due to a lapse in automobile insurance. Deputy England did not want to impound Mrs. Booth's vehicle as she is aware of how expensive that can be. Deputy England explained to Mrs. Booth how she could go about taking care of suspended registration during the traffic stop, thus allowing Mrs. Booth to continue driving that day.

Mrs. Booth told this investigator she did not like the way she was treated and talked to by Corporal Blackerby. She did not like the way Cpl. Blackerby approached her and stood next to

her passenger side door while she was seated in her vehicle. She told me she felt very harassed and was uncomfortable with the questions Cpl. Blackerby asked. She also did not appreciate the way Cpl. Blackerby leaned against her vehicle when he placed his arm on her passenger side door. Mrs. Booth said she felt that was disrespectful to her personally owned property. Upon review of Deputy England's in-car video system, Deputy England and Corporal Blackerby were nothing but professional and courteous. Deputy England supplied Mrs. Booth with the information needed to get the suspended registration taken care of during the traffic stop so Mrs. Booth could continue on with her day. Deputy England used good officer discretion by not impounding the vehicle when she had legal authority to do so. When Cpl. Blackerby arrives on scene, he begins to speak to Mrs. Booth through the opened passenger side window and explains the most likely reason why her vehicle's registration was suspended. Corporal Blackerby then asked questions about the vehicle and how it looks like a law enforcement vehicle. At one point, Cpl. Blackerby places his forearms and at times, his elbow onto Mrs. Booth's passenger side door. This was not done with the purpose of harassment or intimidation toward Mrs. Booth, nor was it done with the purpose of showing disrespect toward Mrs. Booth's property. Deputy England and Corporal Blackerby both showed compassion, empathy and acted professional throughout the entirety of the traffic stop. Therefore, Corporal Blackerby did not violate the Cherokee Sheriff's Office Code of Conduct policy, specifically Courtesy and this accusation is **EXONERATED.**



Cherokee Sheriff's Office Case Report

Case Number
SO22-001767
Report Type

Administrative Information		
Case Report Number	Verified Offense	Disposition
SO22-001767-001	TS - Traffic Stop	Inactive
Summary		
TRAFFIC STOP FOR SUSPENDED REGISTRATION		
Incident Information		
Entered On	Reported On	Reporting Officer
2/16/2022 10:49:26 AM	2/8/2022 1:53:12 PM	England, Christine
Occurred On	Or Between	
2/8/2022 1:53:12 PM		
Call Source	Related Cases	Supplemental
Location Information		
Location Name	Address	
	92/LONDONDERRY	
Narrative		
Name	Date	Subject
England, Christine	2/16/2022	Traffic Stop

On 2/8/22 at approximately 1350 hours, I was driving eastbound on Hwy 92 near Professional Pkwy, on my way to meet with Corporal Blackerby to serve a TPO.

As I was driving, I noticed a black Chevy Tahoe that had the tag number "5283" with the Georgia seal on the side of the license plate. The Tahoe had a brush guard on the front bumper and black-rimmed wheels. The license plate was a Georgia standard alternate plate with a white background and a peach photo in the middle. The Tahoe appeared to be a police vehicle at first glance, much like how the Georgia Department of Public Safety Motor Carrier Compliance Division outfits their black Tahoe's. I originally thought it was a police vehicle but the vehicle didn't have any markings or agency lettering on the side.

Out of curiosity, I moved from behind the Tahoe to the left side of the Tahoe to look at the driver when we approached the red light at Hwy 92 and Main St. I saw a white female with blonde hair driving the vehicle and from what I could tell, she wasn't wearing a uniform. As traffic began to move, I merged back into traffic behind the Tahoe and continued on my way to meet with Cpl. Blackerby.

Once I was behind the Tahoe again, I noticed that the license plate had a registration sticker in the bottom right corner of the plate and I know that government vehicles are exempt from registration, so I decided to run the tag to see if it was a government vehicle or not. GCIC returns stated that the vehicle was registered to John Booth out of Marietta, GA with valid insurance but suspended registration. While I was running the tag, the Tahoe moved into the rightmost lane of Hwy 92, which merges into the left



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lane directly after Hwy 92 at Main St. When the driver of the Tahoe realized her lane disappeared, she made a lane change directly in front of my vehicle and did not use her turn signal.

At this time, I decided to conduct a traffic stop for the turn signal violation and suspended registration. I activated my emergency lights around Hwy 92 at Londonderry Dr and conducted a traffic stop on the Tahoe, stopping east of Londonderry Dr on Hwy 92, on the right side of the roadway.

I exited my patrol vehicle and approached the Tahoe at the passenger's side window. I introduced myself, explained the reason I was stopping her, and requested her driver's license. I identified her as Lindsay Robinson from her driver's license. Lindsay was shocked to hear the registration was suspended and told me this was her husband's vehicle. I explained that I assumed she didn't know about the suspension and would try to find the reason why the registration was suspended by going to the Georgia Department of Revenue's website and checking the insurance status. I explained this website would give a reason for the suspension. I asked Lindsay to stay in her vehicle while I ran her driver's license and checked the state website. She advised she had a doctor's appointment at 2 pm, to which I apologized but told her to call them to let them know she would be late.

When returned to my vehicle, I noticed my video camera wasn't on, so I manually turned it on at this point. I began running her driver's license through GCIC and rechecked the license plate return. Dispatch then asked me to call them over the radio and when I did, he stated that he received a weird return stating "NICS denied transaction file". I asked if he could send a Woodstock Police officer to back me up, just to have a second opinion on the vehicle. I attempted to check the Tahoe through the Georgia Department of Revenue website, but it continually wouldn't work. I went back to the Tahoe and informed Lindsay that the website wasn't working but I was going to continue trying, and I also returned her driver's license to her.

I then walked back to my patrol vehicle and decided to call Deputy Mills on the Cherokee SO Traffic Unit for a second opinion. He stated he wasn't at work so I called Deputy Hester, who is also on the Traffic Unit. He stated it was the officer's discretion as to whether I towed the vehicle but advised me to ask the driver about any "blue lights" that might be in the vehicle, due to the similarity of the Tahoe to a police vehicle. After talking with Deputy Hester, I waited in my vehicle for Woodstock PD to show up and continued trying to access the Georgia website.

Once he arrived on the scene, I updated Officer Hornes on the current information of the stop and asked him to just hang off to the side in case I needed anything.



Cherokee Sheriff's Office

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Report Type

I walked back up to the passenger's side window and spoke with Lindsay. I informed her that the website still wasn't working but would continue to try, and I asked if she had any blue lights or light bars in her vehicle. She stated that her husband bought the vehicle a year ago and outfitted it with the accessories after the purchase. I did not see any lights or light bars visible from where I was standing. I asked if she had ever been stopped by another officer due to the vehicle's similarity to a police vehicle and she said that she has never been stopped for this before. She informed me that the electrical box beside her head that was attached to the "B" pillar of the vehicle was the electronics for her "Biomat". She also told me that the laptop stand, located on the passenger's side of the center console, is used by her husband for work while she drives. I could tell Lindsay was nervous about the situation so I assured her that she wasn't in trouble and re-explained the reason I stopped her. I asked her to go ahead and call someone who might be able to pick her up if we couldn't get the situation handled, while I spoke with Officer Hornes again.

Officer Hornes and I both looked more closely at what appeared to be lights on the back of the Tahoe but at a closer look, we confirmed they weren't lights but were not sure what they were. I told Officer Hornes I was going to call my supervisor to get his opinion on the situation, but as I sat in my car for a moment, I decided not to bother my supervisor but to call Deputy Robles instead. Deputy Robles is a deputy who works with the Hickory Flat Precinct with the Sheriff's Office and a deputy I trust to make sound, rational decisions.

Deputy Robles stated he doesn't like to tow cars for suspended registration if he could help it, and I agreed with his judgment. I exited my vehicle and thanked Officer Hornes for his assistance and he went back into service.

I spoke with Lindsay again and told her she could park her vehicle in the turn lane of the property entrance directly in front of her since it was just an empty lot. This would avoid having to tow the vehicle and it would be out of the way of traffic. I also checked how far away the person picking her up was and urged her to call the tag office to pay the fine over the phone. I again went back to my vehicle and attempted to find the reason for the tag's suspension on the Department of Revenue's website.

While I was speaking with Lindsay, I missed a call from Corporal Blackerby, my corporal over the Warrant Unit. When I arrived back at my vehicle, I returned his call and I asked him to come out to my traffic stop.

I was able to check the website again while waiting for Corporal Blackerby. I checked the registration status at <https://eservices.drives.ga.gov/>. At 1418 hours, the returns stated the following:

- Registration is suspended



Cherokee Sheriff's Office

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- Insurance is active
 - Most recent insurance record effective date: 17-Nov-2021
 - Most recent insurance record submission date: 19-Nov-2021
- Penalties found
 - \$25 - Insurance lapse fine
 - \$60 - Insurance reinstatement fine

I took a picture of the returns from the website and walked back up to the vehicle on the passenger's side. This photo has also been uploaded as an attachment to this report. I showed the returns to Lindsay and informed her that the suspension of the tag was due to a short insurance lapse from November 17, 2021, to November 19, 2021. I told her that if she could find a way to pay the fines now, her registration would immediately go back to active status and advised her to call the tag office of Cobb County. Remembering that Lindsay stated earlier that she had an appointment at 2 PM, I apologized for her missing the appointment and she stated "I would much rather deal with this than you tow my car".

Shortly after, Corporal Blackerby showed up and I updated him on what was going on. We first walked up to the tag of the Tahoe and confirmed that the gold Georgia seal was a sticker that was placed on the license plate. Corporal Blackerby walked up to the passenger's window and spoke with Lindsay as I stepped back to allow them to speak. He asked her what her progress was with the tag office and she said they wouldn't allow her to pay over the phone but could pay online and provided a website. Corporal Blackerby and I were both satisfied with her efforts so Corporal Blackerby told Lindsay that she was free to leave in her vehicle but urged her to pull into the RaceTrac right up the road from us and continue to try to pay the fine.

Corporal Blackerby and I began walking to our vehicles and he told me he was also going to go to RaceTrac to use the facilities and get lunch. Since we had to go serve a TPO together after he was done, I told him I would also go to RaceTrac. We told dispatch we were in service and began driving to RaceTrac.

A white truck was between Lindsay's vehicle and mine on the way to RaceTrac. When we arrived, Lindsay pulled her vehicle near the air pump on the left side of the parking lot, parallel to Hwy 92. Corporal Blackerby and I parked in two spots on the right side of the parking lot, directly in front of the store. We went inside for approximately 10-15 minutes and went back outside to our vehicles, where we then stood for approximately another 10 minutes, allowing Corporal Blackerby to finish eating.



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Report Type

I then noticed Lindsay drive from the opposite side of the parking lot, towards us, and parked in a parking spot to the left of my vehicle. She exited her vehicle and said she wanted to show us her receipt from the tag office for the paid fines. Lindsay did this on her own, we didn't require nor request her to do this. So, we thanked her and told her to have a good day, and I apologized again for the fact that she had to miss her appointment.

Cherokee Sheriff's Office

Memorandum

To: Deputy C. England

From: Lt. D. Barone

Date: February 16, 2022

Subject: Internal Affairs Investigation

1. This is to inform you that an Internal Affairs Investigation has been started in regards to a situation which was reported on February 15, 2022.
2. A copy of the allegation is being supplied to you for your information. I have also supplied you with a copy of the "Employee's duties and rights during Internal Investigations."
3. You are hereby ordered not to discuss this case with any person other than the Internal Affairs Office, Chief Deputy, Sheriff, or legal counsel. Any efforts on the contrary will be considered obstruction of this investigation and a violation of a direct order.



(Signature)

2/16/22

(Date)



(Witness)

02-16-22

(Date)



Cherokee Sheriff's Office Office of Professional Standards

498 Chattin Drive
Canton, Georgia 30115

678-493-4200

Fax (678) 493-4186

"A NATIONALLY ACCREDITED AND STATE CERTIFIED LAW ENFORCEMENT AGENCY"




INTERNAL INVESTIGATION WARNING

I wish to advise you that you are being questioned as part of an official investigation of the **CHEROKEE COUNTY SHERIFF'S OFFICE**. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to all rights and privileges guaranteed by the Laws and The Constitution of this State and The Constitution of the United States, including the right not to be compelled to incriminate yourself.

I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to departmental charges, which could result in your dismissal from the Sheriff's Office. If you do answer questions neither your statements nor any information or evidence that is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental charges.

In addition to the above rights, you have the right to have counsel present during this questioning.

*  _____
(Signature) (Christine England)

2/16/22
(Date)

 _____
(Signature)

02-16-22
(Date)

Cherokee Sheriff's Office

Memorandum

To: Cpl. J. Blackerby

From: Lt. D. Barone

Date: February 16, 2022

Subject: Internal Affairs Investigation

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2. A copy of the allegation is being supplied to you for your information. I have also supplied you with a copy of the "Employee's duties and rights during Internal Investigations."
3. You are hereby ordered not to discuss this case with any person other than the Internal Affairs Office, Chief Deputy, Sheriff, or legal counsel. Any efforts on the contrary will be considered obstruction of this investigation and a violation of a direct order.

x  # 518


(Signature)



(Date)



(Witness)



(Date)



**Cherokee Sheriff's Office
Office of Professional Standards**

498 Chattin Drive
Canton, Georgia 30115

678-493-4200

Fax (678) 493-4186

*"A NATIONALLY ACCREDITED AND STATE CERTIFIED LAW ENFORCEMENT
AGENCY"*



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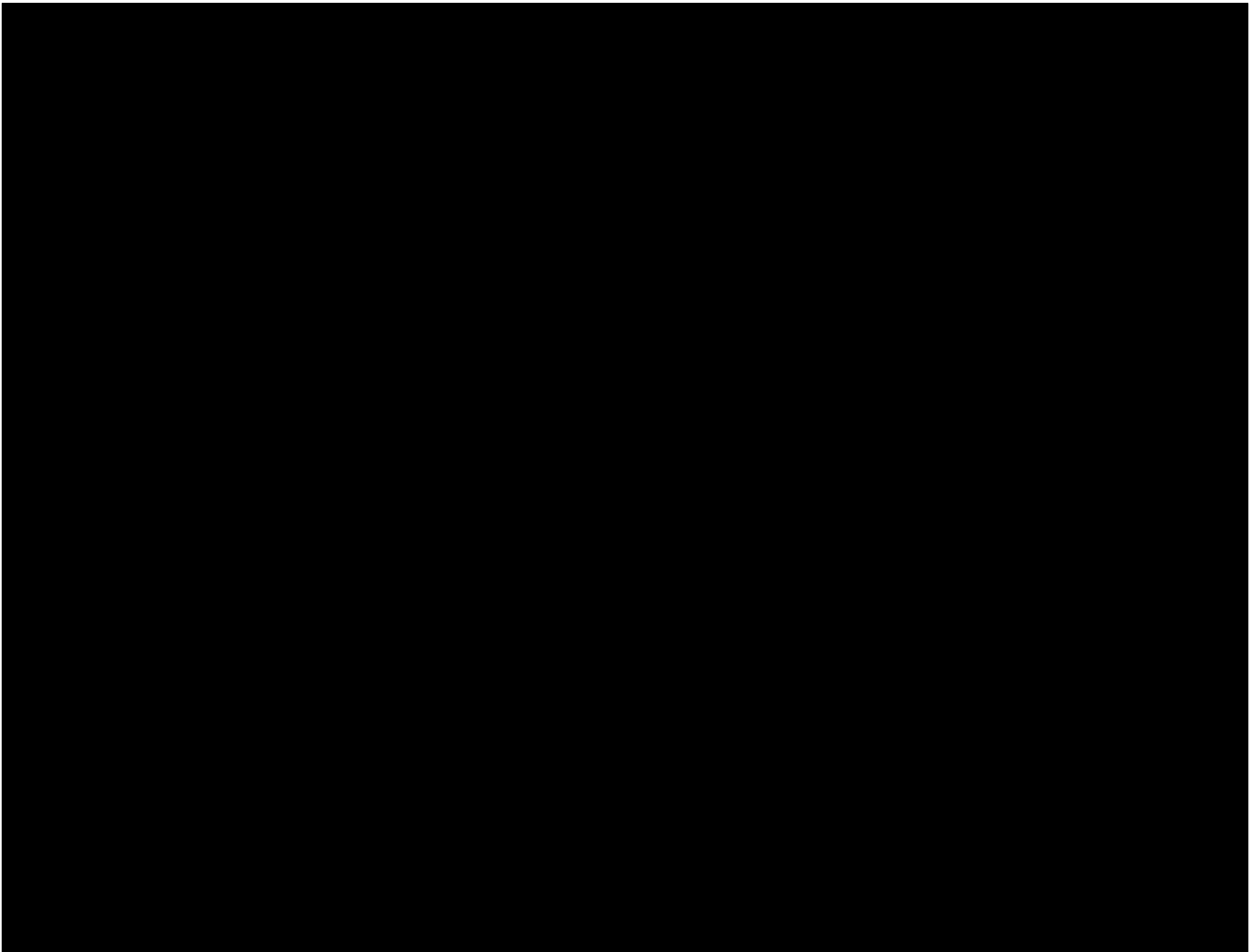
In addition to the above rights, you have the right to have counsel present during this questioning.

* Sgt. John Blackerby # 518 (John Blackerby)
(Signature)

02/16/22
(Date)

Le Sanderson
(Signature)

02-16-22
(Date)



GA Dept. of Revenue
Website

C# 22-001767

CHEROKEE COUNTY SHERIFF'S OFFICE
MEMORANDUM

To: Lt Barone

From: Lieutenant Huggins

Date: 2-16-2022

Subject: Video System in Unit 846

The Video system in 846 has demonstrated an intermittent issue where occasionally the camera does not automatically record when the emergency lights of the vehicle are activated. This issue had been addressed and thought to have been corrected. As the video did not automatically activate in the current example, I have reached out to the Fleet Maintenance Coordinator so that the issue can be repaired.

David M. Barone

From: Lilian L Rojas
Sent: Tuesday, February 15, 2022 3:28 PM
To: David M. Barone
Subject: Request to File Complaint

Importance: High

Good Afternoon Lt. Barone,

Earlier this date, at approximately 1:36PM, I was advised by Deputy Shepherd that the Lt. Colonel requested I speak to a couple in the lobby of records.

The couple in the lobby identified themselves as Lindsay and John Booth. Lindsay stated she would like to file a complaint against Deputy England.

Please see the below contact information provided by both Lindsay and John Booth, where they can be reached.

Lindsay Booth (Robinson on DL) DOB [REDACTED]-90

[REDACTED] - cell phone

282 Renae Lane, Marietta GA 30060

email address: [REDACTED]

John Booth - DOB [REDACTED]-91

[REDACTED] cell phone

Same address as above.

Respectfully,
D/S Rojas

Lindsay Booth



Tues. 02/08 Hwy 92 / Hwy 5 153 PM
Hwy 92 @ 7th
Near Raceville & U-Haul
- Professional Parkway

felt very

Harrassed & unsure of what to do.

She was very uncomfortable with the male deputy
~~disrespectful~~ and the questions he was asking

he was leaning on her car & resting his hand on her window and felt that was disrespectful

> did not give her ^{room} space to do so her property.

~~disrespectful~~

Mrs. Booth advised this incident does not sit well with me about how I was treated or I was talked to and how he approached me in my vehicle and stayed there.

92 was very loud!

Mrs Booth very calm & composed her demeanor showed England that Mrs. Booth was shocked calm & composed

Blackaby
Emp # 16952
1878 153
Emp. 6936

Tuesday

Dept. of Revenue




Cherokee Sheriff's Office

498 Chattin Drive
Canton, Georgia 30115
(678) 493-4200
Fax (678) 493-4195



Frank Reynolds, Sheriff

"A NATIONALLY ACCREDITED AND STATE CERTIFIED LAW ENFORCEMENT AGENCY"

TO: Lt. Colonel W. J. Smith 
FROM: Captain Kim Thompson
DATE: February 18, 2022
SUBJECT: Final Report of Internal Affairs Investigation

1. On January 16, 2022, David Barone began an investigation on alleged misconduct against Cpl. Blackerby.
2. Lt. Barone completed multiple interviews of officers within the department including Cpl. Blackerby.
3. The findings of the investigation are as follows:

Cherokee Sheriff's Office Policy #01-03-02- (F) (2) states:

F. EMPLOYEE RULES OF CONDUCT: 2. UNBECOMING CONDUCT: Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the agency. Conduct unbecoming shall include that which tends to discredit or cause the public to lose confidence in the agency or Cherokee County government; which is prejudicial to good order; OR that otherwise tends to impair the operation, efficiency, and/or morale of the agency.

Deputy England initiated a traffic stop on a black 2016 Chevrolet Tahoe being operated by Lindsay Booth. Deputy England had articulable suspicion to conduct the traffic stop due to Mrs. Booth failing to use a turn signal while changing lanes. Mrs. Booth admitted to this investigator that she did not use her turn signal to indicate her desire to change lanes while driving on Highway 92. Mrs. Booth's vehicle's registration was found to be suspended due to a lapse in automobile insurance. Deputy England did not want to impound Mrs. Booth's vehicle as she is aware of how expensive that can be. Deputy England explained to Mrs. Booth

how she could go about taking care of suspended registration during the traffic stop, thus allowing Mrs. Booth to continue driving that day.

Mrs. Booth told this investigator she did not like the way she was treated and talked to by Corporal Blackerby. She did not like the way Cpl. Blackerby approached her and stood next to her passenger side door while she was seated in her vehicle. She told me she felt very harassed and was uncomfortable with the questions Cpl. Blackerby asked. She also did not appreciate the way Cpl. Blackerby leaned against her vehicle when he placed his arm on her passenger side door. Mrs. Booth said she felt that was disrespectful to her personally owned property. Upon review of Deputy England's in-car video system, Deputy England and Corporal Blackerby were nothing but professional and courteous. Deputy England supplied Mrs. Booth with the information needed to get the suspended registration taken care of during the traffic stop so Mrs. Booth could continue on with her day. Deputy England used good officer discretion by not impounding the vehicle when she had legal authority to do so. When Cpl. Blackerby arrives on scene, he begins to speak to Mrs. Booth through the opened passenger side window and explains the most likely reason why her vehicle's registration was suspended. Corporal Blackerby then asked questions about the vehicle and how it looks like a law enforcement vehicle. At one point, Cpl. Blackerby places his forearms and at times, his elbow onto Mrs. Booth's passenger side door. This was not done with the purpose of harassment or intimidation toward Mrs. Booth, nor was it done with the purpose of showing disrespect toward Mrs. Booth's property. Deputy England and Corporal Blackerby both showed compassion, empathy and acted professional throughout the entirety of the traffic stop. Therefore, Corporal Blackerby did not violate the Cherokee Sheriff's Office Code of Conduct policy, specifically Courtesy and this accusation is **EXONERATED.**