

ALLEGATION / INQUIRY / COMMENDATION - REPORT FORM

I. INFORMATION SOURCE:

NAME: Lebria Kamar Fields RACE: WHITE SEX: F DATE OF BIRTH: 13ADDRESS: 3079 Hidden Forest CT # 1620B CITY: Marietta ZIP: 30066HOME PHONE: BUSINESS PHONE: ()

II. DEPUTY/CIVILIAN EMPLOYEE INFORMATION:

NAME: D/S C. Jones RANK: Deputy I.D.#: 765DIVISION: UPO Oak Grove UNIT #: Nightwatch Shift 4NAME: RANK: I.D.#: DIVISION: UNIT #:

III. LOCATION OF INCIDENT:

Highway 92 just East of Bells Ferry RD

DATE: 11-26-2013 TIME: 1700 hrs CASE NUMBER: 13-12886IV. DESCRIPTION OF INCIDENT: ☒ ALLEGATION ☐ INQUIRY ☐ COMMENDATION

Ms. Fields stated the Traffic Stop was "Invalid & Inappropriate". She stated there was no valid reason for the stop and alleged D/S Jones lied. Ms. Fields said she was stopped for having a brake light out, but her car has an indicator light on the dash board that notified her if the brake light is out. See attached.

V. WITNESS INFORMATION:

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

VI. PERSON TAKING REPORT:

NAME: SGT C. WESTBROOK RANK: SERGEANTDIVISION: UPO Oak Grove SHIFT: 4 BADGE NUMBER: 213

VII. SUPERVISORS COMMENTS/RECOMMENDATIONS:

THE ALLEGATION THAT D/S JONES HAD NO VALID REASON FOR THE STOP IS UNFOUNDED.

THE ALLEGATION THAT D/S JONES LIED IS UNFOUNDED.

Sgt. [Signature] 213

VIII. ALLEGATION / INQUIRY / COMMENDATION INFORMATION:

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

A/I/C REFERRED TO: **SGT WESTBROOK**

☐ A/I/C RESOLVED ON INITIAL CONTACT ☐ ALLEGATION / INQUIRY WITHDRAWN

IX. DOCUMENTATION ATTACHED: ☐ INCIDENT REPORT ☐ WRITTEN STATEMENT ☒ OTHER

X. DIVISION COMMANDERS REVIEW:

[Signature]
(SIGNATURE)

12-10-13
(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.

_____ **Exonerated:** The evidence shows that the incident occurred and was lawful or proper.

XXX 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 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.

Employee Signature

Date

Witness Signature

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.

Employee Signature

Date

Witness Signature

Date

DISTRIBUTION: DIVISION COMMANDER
INTERNAL AFFAIRS

SHIELDS OF SHAME

Allegation against D/S Cody Jones

On 11-26-2013 I was told by a deputy in the Oak Grove Precinct that a complaint was dispatched to a deputy in the Bridgemill Precinct regarding one of the Oak Grove Precinct deputies. I checked the CAD and found a request to give a complainant a call was given to D/S Arena regarding a Traffic Stop made by D/S Jones. I contacted the Bridgemill Precinct Supervisor and asked him if he had any knowledge of it. He said he did not. He told me D/S Arena had not made the call (The proper policy is that all complaints will be handled by a supervisor in the rank of Corporal or above). I contacted a Dispatch Supervisor and let them know of the mistake. I attempted to call the complainant, Ms. Fields. There was no answer. I spoke with D/S Jones about the stop briefly and I asked him to copy the video of the stop for review. I notified the On Duty Commander (Captain Satterfield) about the call. CAPT Satterfield directed me to investigate the complaint.

I was able to make contact Ms. Fields later in that evening. Ms. Fields told me the following:

The matter was "no major deal" but she wanted to express that the Traffic Stop was "invalid" and "inappropriate". She alleged there was no valid reason for the stop and the deputy "lied". She said he asked her if she knew her birthday and told her it looked like she had been in a wreck. She said she doesn't mind being stopped as long as the officer doesn't lie about it.

I told Ms. Fields that we handled such complaints very seriously and that it may take some time, but we would investigate it and get back to her.

D/S Jones told me the following:

He noticed the car at the intersection of Bells Ferry RD and Robin RD without lights on. He maneuvered his patrol car to try and get a view of the tag. He saw there was a light out on the passenger side of the vehicle. He followed the vehicle to an appropriate place to make the stop. He approached the driver and asked for her license. She did not have it in the passenger compartment. He took her name and date of birth and checked her status with GCIC. He allowed the driver to get out of the car to look at the evidence of the violation. When the driver asked him to get into the vehicle to press the brake light, he declined. He did not feel comfortable getting into the vehicle where the driver had personal belongings and a child. He allowed the driver to leave without issuance of a citation.

I reviewed the Video from D/S Jones Patrol Car (537). The video activated at 16:56:41 hrs and stopped at 17:05:09 hrs as the stopped vehicle pulls away. The video shows the following:

D/S Jones Patrol Car is heading South on Bells Ferry RD. You can see a 1998 Honda Accord enter the screen to the left. The video shows that it is raining and there are no lights activated on the Honda. The vehicle lights come on, but you can see there is a significant difference in the left and right side tail lights. There is a light out on the right side (passenger side). The vehicle stops at the intersection of Bells Ferry and Highway 92. There are two left hand turning lanes. D/S Jones is in the left lane, the Honda is in the right. The vehicles start there turn to the left, heading East on Highway 92. D/S Jones activated his Emergency Warning Lights at approximately 16:58 hrs and the vehicle pulls into the business of Title Pawn and stops. D/S Jones walks up to the car, looking at the car and approaches the driver. D/S Jones greets the driver; "How you doing ma'am?" and asked; "Do you have your driver's license with you?" The driver tells him it is in the trunk. D/S Jones then

asked: "Do you know your name and date of birth?" The driver says she does and then asks: "Did you just ask me if I *know* my name and date of birth?" D/S Jones explains that sometimes people give him a false name and date of birth. D/S Jones tells the driver the reason for the stop was for a brake light being out. He asked if the vehicle had been in an accident and said it looked like the tail light had a problem. The driver asks if she can get out of the car and look at the light. He tells her to wait. D/S Jones returns to his vehicle and ask Dispatch to check the driver's status by name and date of birth. When the returns are given to D/S Jones he returns to the vehicle and allows the driver to get out and look at the vehicle. The video clearly shows there is a light out on the rear passenger side. The driver asks D/S Jones if he will get in her car and depress the brake pedal so she can see. He explains to the driver he is not a mechanic and declines her offer to get into her vehicle and press the brake pedal. He tells her she can take the car to a mechanic and have them look at it. D/S Jones tells the driver to "Have a good day" and ends the stop. The driver is allowed to proceed and is not detained longer than necessary. D/S Jones makes no further inquiries or expansion of the investigation.

I reviewed OCGA 40-8-20, 40-8-23 and 40-8-25 (Headlights required when raining, Taillights required, lens in good repair and Brake lights required).

On December 05, 2013 I spoke with a parts representative at the Honda dealership in Woodstock (Hennessey 770-924-9000). I asked him about the tail lights and Brake Lights on a 1998 Honda Accord LX 4 door sedan. He told me there is an indicator light (warning light) that will let the driver know when the brake lights are out. However there is a 2 element bulb in the brake light assembly and it is possible to have one of the elements out and not get the warning.

On December 05, 2013 at approximately 2130 hrs I contacted Ms. Fields and told her the results of my investigation. I explained the video does show she had a tail light out and I had talked with a Honda representative and was told there were 2 elements to the brake light and it was possible for one element to be burnt out and she not have an indicator light. I commented that I could see how the phasing of D/S Jones question about her name and date of birth could have appeared awkward, but based on the sound of his voice, demeanor and intent I thought it was a poor word choice and not meant to be offensive. I offered to allow Ms. Fields to view the video. Ms. Fields did not request to see the video and thanked me for my investigation and follow through. Ms. Fields appeared to be satisfied with the results.

Based on my investigation I found no evidence D/S Jones had lied or made an invalid stop. The video shows the car initially did not have the headlights on when operating in the rain and the taillight that is a part of the Brake/Taillight assembly was out; I believe there was probable cause for the stop.

D/S Jones used good judgment and officer safety by not getting into the driver's vehicle. D/S Jones could have articulated himself better with the driver, *but that was not the nature of the complaint*. D/S Jones will be encouraged to refine his explanations of the reason for the stop in the future and use more precise language.

As an interesting aside; I found information on Ms. Fields traffic history while trying to find an alternative number for her. This was after I completed my investigation and was trying to contact Ms. Fields to give her the results. I dialed Ms. Fields number and was getting an error message. I tried to find a different number with an internet search. I came across a news article from the Rome Tribune dated May 12, 2010; "Woman charged with signing false name to citation". The article named Ms. Fields as giving a false name and date of birth to police among other charges (attached).

O.C.G.A. § 40-8-20

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*** Current Through the 2013 Regular Session ***

TITLE 40. MOTOR VEHICLES AND TRAFFIC
CHAPTER 8. EQUIPMENT AND INSPECTION OF MOTOR VEHICLES
ARTICLE 1. EQUIPMENT GENERALLY
PART 2. LIGHTING EQUIPMENT

O.C.G.A. § 40-8-20 (2013)

§ 40-8-20. When lighted headlights and other lights required

Every vehicle upon a highway within this state at any time from a half-hour after sunset to a half-hour before sunrise and at any time when it is raining in the driving zone and at any other time when there is not sufficient visibility to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead shall display lights, including headlights, and illuminating devices as required in this part for different classes of vehicles, subject to exceptions with respect to parked vehicles as stated in this part.

HISTORY: Ga. L. 1953, Nov.-Dec. Sess., p. 556, § 103; Ga. L. 1973, p. 434, § 1; Ga. L. 1977, p. 667, § 1; Code 1933, § 68E-201, enacted by Ga. L. 1982, p. 165, § 4; Code 1981, § 40-8-20, enacted by Ga. L. 1982, p. 165, § 10.

O.C.G.A. § 40-8-23

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O.C.G.A. § 40-8-23 (2013)

§ 40-8-23. Taillights

(a) Every motor vehicle, trailer, semitrailer, and pole trailer manufactured prior to January 1, 1954, shall be equipped with at least one taillight mounted on the rear, which when lighted as required in this article shall emit a red light plainly visible from a distance of 500 feet to the rear.

(b) Every motor vehicle, trailer, semitrailer, and pole trailer manufactured after January 1, 1954, shall be equipped with two taillights which meet the specifications provided in this Code section.

(c) Every taillight upon every vehicle shall be located at a height of not more than 60 inches nor less than 20 inches, to be measured as set forth in subsection (b) of Code Section 40-8-21.

(d) Either a taillight or a separate light shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. Any taillight or taillights, together with any separate light for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlights or auxiliary driving lights are lighted.

(e) All lenses on taillights shall be maintained in good repair and shall meet manufacturers' specifications.

HISTORY: Ga. L. 1953, Nov.-Dec. Sess., p. 556, § 106; Code 1933, § 68E-204, enacted by Ga. L. 1982, p. 165, § 4; Code 1981, § 40-8-23, enacted by Ga. L. 1982, p. 165, § 10.

O.C.G.A. § 40-8-25

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CHAPTER 8. EQUIPMENT AND INSPECTION OF MOTOR VEHICLES
ARTICLE 1. EQUIPMENT GENERALLY
PART 2. LIGHTING EQUIPMENT

O.C.G.A. § 40-8-25 (2013)

§ 40-8-25. Brake lights and turn signals required

(a) It shall be unlawful for any person to sell any motor vehicle manufactured after January 1, 1954, including any motorcycle or motor driven cycle manufactured after January 1, 1954, in this state or for any person to drive such vehicle on the highways unless it is equipped with at least one brake light meeting the requirements of Code Section 40-8-26.

(b) If a motor vehicle is manufactured with two brake lights, both must be operational.

(c) No person shall sell or offer for sale or operate on the highways any motor vehicle, trailer, or semitrailer registered in this state and manufactured or assembled after January 1, 1954, unless it is equipped with mechanical or electrical turn signals meeting the requirements of Code Section 40-8-26. This subsection shall not apply to any motorcycle or motor driven cycle manufactured prior to January 1, 1972.

HISTORY: Ga. L. 1953, Nov.-Dec. Sess., p. 556, § 108; Code 1933, § 68E-206, enacted by Ga. L. 1982, p. 165, § 4; Code 1981, § 40-8-25, enacted by Ga. L. 1982, p. 165, § 10.

Detailed History for Police CAD# #P130194935 As of 11/26/2013 19:55:36

Priority:1 Type:T - TRAFFIC STOP

Location:BFR/92

Created:	11/26/2013 17:00:22	OP6	400136
Entered:	11/26/2013 17:00:22	OP6	400136
Dispatch:	11/26/2013 17:00:22	OP6	400136
Enroute:	11/26/2013 17:00:22	OP6	400136
Onscene:	11/26/2013 17:00:22	OP6	400136
Control:	11/26/2013 17:01:43	OP6	400136
Closed:	11/26/2013 17:07:12	OP6	400136

PrimeUnit:C25 Dispo:18 Type:T - TRAFFIC STOP

Agency:SO Position:P1(n/a) Beat:(n/a) Block:

Case #:SO130128886 ☐ Detail

17:00:22 CREATE Location:BFR/92 Plate:BZY8881

17:00:22 ENTRY Type:None-->T Plate:BZY8881 Position:None-->P1 TypeDesc:None-->TRAFFIC STOP
Priority:None-->1 Response:None-->POL1 Agency:None-->SO17:00:22 DISPOS C25 Location:BFR/92 Operator:000714 OperNames:JONES,CODY17:00:22 -PRIU C2517:00:22 -CASE C25 Case#:SO130128886

17:00:22 -PREMIS Comment:(none)

17:00:28 LOGM C25 Message:991311262200000340 Received:11/26/2013 17:00:25 Comment:LOGM17:01:43 OK C2517:02:18 MISC C25 Comment:FIELDS, LEBRIA 1991  F17:05:37 LOGM C25 Message:991311262205000341 Received:11/26/2013 17:05:30 Comment:LOGM17:07:12 CLEAR C25 Dispo:18

17:07:12 -CLEAR

17:07:12 CLOSE

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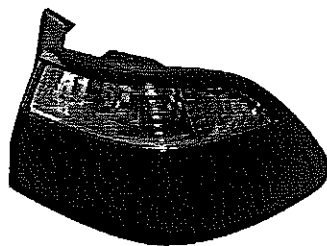
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Woman charged with signing false name to citation

Jeff Gable | Posted: Wednesday, May 12, 2010 12:00 am

A Rome woman was arrested on warrants Wednesday afternoon charging her with signing false statements during a traffic stop.

According to Floyd County Jail records:

Lebria Kamara Fields, 18, of 97-A Paris Drive, was arrested by Rome police around 1 p.m. and charged with felony false statements and writings, misdemeanor giving a false name to law enforcement, misdemeanor driving without a license, and misdemeanor driving through a private lot to avoid a traffic light.

Warrants stated that on Feb. 18, Fields cut through the Auto Zone parking lot at 1000 Shorter Ave. to avoid a red light. Upon stopping her vehicle, police said she gave a false name and date of birth to police. She then signed a traffic citation in the name of another person.

Fields remains in jail without bail.