

2019-00028

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 4/4/2019

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: **Kimberly James** Race: **B** Sex: **F** Age: **43** Date of Birth: **[REDACTED] 975**
Address: **303 Oak Leaf Pl** City: **Acworth** Zip: **30102**
Home Phone: **[REDACTED]** Business Phone:

II. Deputy/Civilian Employee Information:

Name: **Cody Jones** Rank: **Cpl** I.D.#:
Division: **UPD** Unit Number: **C7**
Name: **Connor Gross** Rank: **Dep** I.D.#:
Division: **FTEP** Unit Number:

III. Location of Incident:

237 Ridge Mill Dr.

Date: **4/4/19** Time: **0754** Case Number: **19-37047**

IV. Description of Incident: ☒ **Allegation** ☐ **Inquiry** ☐ **Commendation**

See Attached

V. Witness Information:

Name: **Byron James** Address: **303 Oak Leaf Pl.** City: **Acworth**
Home Phone: **[REDACTED]** Business Phone:
Name: Address: City:
Home Phone: Business Phone:

VI. Person Taking Report:

Name: **David Simmons** Rank **Lt.**
Division: **UPD** Shift: **Day** Badge Number: **286**

VII. Supervisor's Comments/Recommendations:

Mrs. James told Lt. Simmons that her husband, Byron James, was stopped as he was walking in their neighborhood just before 8am. He was talking to his father on the phone as he walked. Mr. James was stopped by Deputy Gross (FTEP) and his FTO Cpl. Jones.

Mrs. James stated that her husband was searched, but not given a reason for the search when he asked. Mr. James told his wife he was also not told the reason he was stopped. Mr. James told his wife he was never asked for his ID, but was asked if he lived in the area.

Mrs. James told Lt. Simmons that she spoke to Cpl. Jones first, then Sgt. Downey at the Oak Grove precinct and asked him to look into the stop. She said she was told that the stop was legal and and consensual and that they didn't have to tell her the reason for the stop or the search.

Mrs. James is alleging that her husband was "profiled" because he is a black male wearing a hoodie. Mrs. James went on to say they have lived in the neighborhood for over 10 years and she is on the HOA. Mrs. James wants the incident investigated and wants to know why her husband was stopped and searched. I asked why Mr. James was not making this complaint and Mrs. James said he was still upset by the incident. I told Mrs. James I would forward her complaint/allegation to the Office of Professional Standards for review. I provided her with the phone number for that office so she can follow up.

A check of CAD revealed that Deputy Gross called out with a suspicious person at 287 Ridge Mill Dr. at 0754. The person's ID was not run and Deputy Gross went 10-8 at 0802. No incident report was generated.

VIII. Allegation/Inquiry/Commendation Information:

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

A/I/C Referred to: Office of Professional Standards

☐ 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. *PK*
- ☐ 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]
Employee Signature
[Signature]
Witness Signature

4/8/19
Date
04-08-19
Date

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.

719 Loma C 760
Employee Signature
[Signature]
Witness Signature

4/9/19
Date
04-09-19
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.

719 Loma C 760
Employee Signature
[Signature]
Witness Signature

4/22/19
Date
04-22-19
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.

[Signature]
Employee Signature
[Signature]
Witness Signature

4/22/19
Date
04-22-19
Date

Distribution: Division Commander
Internal Affairs

CHEROKEE COUNTY SHERIFF'S OFFICE



498 CHATTIN DRIVE
CANTON GA 30115

Phone
(678) 493-4200
Fax

19-37047

Supplement No
ORIG

Reported Date
04/04/2019
Rpt/Incident Typ
INFO
Member #
JONES, CODY

Administrative Information

Agency CHEROKEE COUNTY SHERIFF'S OFFICE		Incident No 19-37047		Supplement No ORIG		Reported Date 04/04/2019		Reported Time 07:54	
CAD Call No 190061593		Status MISCELLANEOUS REPORT		Rpt/Incident Typ INFORMATION					
Location 237 RIDGE MILL DR, CH								City ACWORTH	
ZIP Code 30102	Area 2101	Zone C	Beat 21	From Date 04/04/2019	From Time 07:54	To Date 04/04/2019	To Time 08:02		
Member # 000714/JONES, CODY				Division UNIFORM PATROL OAK GROVE					
2nd Member # GROSS, CONNOR R		2nd Division ADULT DETENTION CENTER		Entered By 000714		Division UNIFORM PATROL OAK GROVE			
RMS Transfer Successful		Prop Trans Stat Successful		Approving Officer 000714		Approval Date 04/04/2019		Approval Time 18:24:30	

Person Summary

Invl COM	Invl No 1	Type I	Name JAMES, KIMBERLY					MNI 701372
Race	Sex	DOB						

Summary Narrative

Information

CHEROKEE COUNTY SHERIFF'S OFFICE

COMPLAINT 1: JAMES, KIMBERLY

Involvement COMPLAINT	Invl No 1	Type Individual
Name JAMES, KIMBERLY		PRN 649525
Phone Type PRIMARY	Phone No [REDACTED]	Date 04/04/2019

Modus Operandi

Crime Code(s)
ALL OTHERS

Narrative

On April 4, 2019 at 0500 I conducted a roll-call at the Oak Grove Precinct. The roll-call discussed various topics to include consensual [Tier 1] encounters with citizens. Deputy Gross, a member of the Field Training and Evaluation Program was present for said roll call. The roll-call discussed making consensual encounters with citizens without any authority to detain or believe a crime has occurred. These topics included to simply stop and talk to citizens, as the citizens are the eyes and ears of the community.

Due to Deputy Gross' Field Training Officer being absent on this date, I assumed responsibility as his FTO. As we left the precinct at approximately 0750 to start our patrol, Deputy Gross turned into the neighborhood located off Ridge Mill Court. This subdivision is directly across the street from Centennial Lakes subdivision; which was struck by over 20 entering autos just a few days prior.

Deputy Gross was operating the marked patrol vehicle as we patrolled the subdivision. On the way to the pool area, Deputy Gross noticed a male walking down the sidewalk and stopped his patrol vehicle approximately 3-5 yards away from the male on the opposite side of the road. He and I exited the patrol vehicle, and Deputy Gross alone approached the male as I observed from a distance.

Deputy Gross started the conversation with the male and asked "how are you doing, do you mind talking with me?" The male turned in Deputy Gross' direction and engaged Deputy Gross in conversation. The conversation included where the male was coming from and going, and Deputy Gross was able to identify the male lived in the subdivision. During their conversation, Deputy Gross never told the male to stop and indicate at any time the male was in trouble. In fact, just the contrary the male engaged Deputy Gross and started sharing the gospel with him, as he identified himself as a Jehovah's Witness.

The male started showing Deputy Gross his phone and the Jehovah's Witness website. He even gave Deputy Gross a business card after sharing the gospel with him. After the conversation about religion, Deputy Gross asked the male if he did not mind allowing him to search him. The male placed his hands out to the side and said he could search him. Deputy Gross searched the male on a consensual basis, did not locate any contraband and the two shook hands. The male walked away as Deputy Gross walked backed to the patrol vehicle. The male was not even identified as he had done nothing wrong and allowed a law enforcement officer to speak with him consensually. Presumably, this was the last contact we had with the male.

At 0818 hours, I received a phone call request from a Kimberly James of 253 Ridge Mill Drive. I called Mrs. James and she inquired as to why her husband was "stopped" and why officers were dispatched to the area of her husband. I inquired as to who her husband was and she stated the male that Deputy Gross stopped and searched on Ridge Mill.

I explained to Mrs. James her husband was not stopped and no one had been dispatched to the area. I explained we were performing a routine patrol of the neighborhood and we stopped and spoke with her husband. She became irate and started demanding why we stopped her husband because he was black. I attempted numerous times to explain her husband was not in trouble, did not have to stop, did not have to allow the officer to search and could have just kept walking. However, Mrs. James continued to talk over me and accused officers of stopping her husband because he was black and wearing headphones.

I explained to Mrs. James that could not be further from the truth. Mrs. James responded with "well if he had not stopped you would have shot him". Again, I attempted to explain to Mrs. James this was as far away from the purpose for the consensual encounter. After seeing the conversation was deteriorating, I explained I would have my supervisor call her. She hung up the phone.

CHEROKEE COUNTY SHERIFF'S OFFICE**Narrative**

I called Sgt. Downey and informed him of the situation. It is my understanding; he was unable to make headway with Mrs. James and encountered a similar phone conversation which ended in Mrs. James hanging up prior to a reasonable explanation.

It should be noted, Deputy Gross has been in the training program for approximately one month. This was his first consensual encounter with a citizen and he forgot to activate the in-car camera and microphone. Therefore there is no audio and visual of the encounter with the unidentified male. This was discussed in detail with Deputy Gross and notated on his Daily Observation Report.

Cpl. C. Jones 765

C-7

SHIELDS OF SHAME

CHEROKEE COUNTY SHERIFF'S OFFICE



498 CHATTIN DRIVE
CANTON GA 30115

Phone
(678) 493-4200
Fax

19-37047

Supplement No
0001

Reported Date
04/04/2019
Rpt/Incident Typ
INFO
Member #
JONES, CODY

Administrative Information

Agency CHEROKEE COUNTY SHERIFF'S OFFICE		Incident No 19-37047		Supplement No 0001		Reported Date 04/04/2019		Reported Time 07:54	
CAD Call No 190061593		Status NO ACTION TAKEN/NO REPORT			Rpt/Incident Typ INFORMATION				
Location 237 RIDGE MILL DR								City CH	
Area 2101	Zone C	Beat 21	From Date 04/04/2019	From Time 07:54	To Date 04/04/2019	To Time 08:02			
Member # 000714/JONES, CODY					Division UNIFORM PATROL OAK GROVE				
2nd Member # GROSS, CONNOR R		2nd Division ADULT DETENTION CENTER			Entered By 000906		Division ADULT DETENTION CENTER		
RMS Transfer Successful		Prop Trans Stat Successful		Approving Officer 000203		Approval Date 04/05/2019		Approval Time 09:14:58	

Summary Narrative

Information

Modus Operandi

Crime Code(s)
ALL OTHERS

Narrative

On Thursday, 4/4/19, I was patrolling on Ridge Mill Dr. when I observed a black male walking on the sidewalk. I got out of my patrol vehicle after calling out to Dispatch to initiate a consensual encounter with a public citizen.

While I approached the male I called out to him and asked "would you mind talking with me?". The man was on the phone at the time, and hung up his phone call to speak with me. The man told me he lived in the neighborhood, and was taking a walk. I explained to him that I was reaching out to the community and seeing if there was anything, the Cherokee Sheriff's Office could assist with. He told me there was nothing now that I could assist with and began to talk about his work as a Jehovah's Witness. I was handed a Jehovah's Witness card and shown the website linked on the card on the man's phone. The man handed me his phone to hold while he showed me the website without me asking for it, and explained the organization and work of Jehovah's Witnesses.

After completing our conversation, I asked for a consensual search by saying "May I search you", and the man put his arms out at shoulder level and told me I could search him. I searched the man only finding personal items in his pockets. After the search we continued small talk until I thanked him for speaking with me and left.

Once I returned to my patrol vehicle, I noticed I had failed to initiate my audio and video system which was pointed out by my FTO and told that all self-initiated activity needs to be recorded.

Nothing further to report at this time.

Deputy Gross 760
Charlie 7
Charlie 21

On April 4, 2019, Lieutenant David Simmons took a complaint over the telephone from Mrs. Kimberly James. Mrs. James feels her husband, Byron James was racially profiled when 2 officers from the Cherokee Sheriff's Office stopped her husband and then searched him for no reason. Mrs. James feels her husband was stopped and searched for no reason other than he was a black man. The two officers in question are Corporal Cody Jones and Deputy Conner Gross.

On April 8, 2019, I interviewed Corporal C. Jones at the Oak Grove precinct. I supplied him with a copy of the allegation 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 Jones said he understood and signed both forms. Corporal Jones advised Deputy C. Gross is in phase II of the agencies Field and Training Evaluation Program (FTEP) and is assigned to his subordinate, Deputy Brian Ledford. Deputy Ledford needed to take Thursday, April 4, 2019 off. Corporal Jones assumed the Field Training Officer (FTO) responsibilities for that day and drove with Deputy Gross. Prior to going on the road with Deputy Gross, Cpl. Jones read over his Daily Observation Report (DOR's). Corporal Jones saw there were a couple of areas that Deputy Gross needed to improve on which were self-initiated engagements and his interaction with the public. During that morning's roll call, Cpl. Jones discussed Tier 1, 2 and 3 police interaction with citizens. Corporal Jones advised he and his subordinates had a discussion on the different types of encounters law enforcement has with the community and how important it was for an officer to engage in conversation with people on the street and not just when law enforcement gets requested.

Corporal Jones advised after that roll call meeting, he handed Deputy Gross his microphone and the keys to his patrol vehicle. Deputy Gross was the driver while Cpl. Jones was seated in

the passenger seat. He said Deputy Gross turned right into the Ridge Mill subdivision and then was heading toward the pool area. While driving inside the subdivision, a male was seen walking on the sidewalk. Without Cpl. Jones' direction or guidance, Deputy Gross stopped the patrol vehicle, called out his location to dispatch and exited the patrol vehicle to make a consensual encounter with the male. Corporal Jones advised he stepped out of the vehicle to observe Deputy Gross' interaction with this citizen. Corporal Jones advised he heard Deputy Gross ask the male how he was doing and if he would mind talking to him. He said the male turned toward Deputy Gross and then removed his headphones. The two then began to have a conversation which appeared to be a very friendly encounter to Cpl. Jones. He advised he heard this male tell Deputy Gross that he was a Jehovah's Witness, lived in the neighborhood and was an advocate of the Sheriff's Office. Corporal Jones told me this male then pulled out his cellular phone and gained access to the Jehovah's Witness website. This male then handed his cellular phone over to Deputy Gross so he could scroll through the website. Corporal Jones told me he considered this minor act a huge accomplishment for Deputy Gross in his young law enforcement career because not only did Deputy Gross make this male feel comfortable, he did so to the point where the male handed him his cellular phone to look through the Jehovah's Witness website. Corporal Jones told me he did not witness anything during the conversation that would make him think that Deputy Gross made this male feel like he did something wrong. At one point, the male handed Deputy Gross a Jehovah's Witness business card.

Corporal Jones told me he could see that Deputy Gross was trying to figure out how to continue the conversation as he was running out of things to say to the male. Corporal Jones wanted to make sure I understood he just got done with his Tier, 1, 2 and 3 roll call discussions with Deputy Gross and he could see the gears turning in Deputy Gross' head. Earlier that

morning, Corporal Jones told Deputy Gross how surprised he would be about how he has found illegal contraband on people when all he did was ask for permission to search them, even though all they had to say was no and that would have been the end of it. He said he told Deputy Gross if the person says no to the search, then we as law enforcement do not have the right to search the person without probable cause. Corporal Jones said he heard Deputy Gross ask the male something along the lines of, 'You don't have anything on you that I need to know about, anything illegal?' He said the male said, no and stood with his arms parallel to the ground. Deputy Gross then asked, 'Do you mind if I search you?' Corporal Jones told me he heard the male say, 'Sure, go ahead.' Corporal Jones told me Deputy Gross did a very vague pat down on the male and didn't go down his legs like you would for a search incident after an arrest. He advised Deputy Gross did not get the male's name because it was just a Tier 1 consensual encounter and there was no indication of the male doing any wrong doing, therefore an identification check was not necessary.

When Deputy Gross finished his contact with the male, he returned to the patrol car. Corporal Jones asked him what he did wrong and if he forgot to do anything. He said Deputy Gross hung his head in disappointment and told him he forgot to activate his recorder. Corporal Jones told him that was correct. He said he explained to Deputy Gross the importance of activating the camera (even during a Tier 1 encounter) because that camera is designed to not only protect the public, but also the officer.

I asked Cpl. Jones if Deputy Gross conducted any other consensual encounters (Tier 1) the day he rode with him. Corporal Jones told me he did. He explained Deputy Gross drove them down to the Galts Ferry boat ramp where they met a group of kids swimming in the water. The temperature was around 55 degrees and the water was a chilling 60-65 degrees. He said Deputy

Gross approached the group and had a consensual conversation with them. He was able to find out the group was from Utah and the temperature here was actually much warmer than their home town and that is why they decided to go swimming. I asked him if Deputy Gross searched any of the kids. Corporal Jones advised the kids were wearing bathing suits, therefore a search of their person was not necessary.

Corporal Jones advised the encounter with the male walking was just a training opportunity for a young officer who is having issues engaging the public. He feels Deputy Gross would have stopped any person of any race at that time and there was no biased based profiling taking place. He advised he captured a still photograph of Deputy Gross and the male having the conversation. He then text messaged that picture to his supervisor, Sergeant D. Downing. Corporal Jones attached a statement to that picture that read, "1 day and he's already talked to more people than with Bryan." This photograph was captured on April 4, 2019 at 7:59 AM and shows Cpl. Jones was intent on Deputy Gross working on his self-initiated citizen encounters that particular day.

I collected Deputy Gross' FTEP evaluations for phase II. The following are comments made by FTO Deputy Ledford concerning Deputy Gross:

"I spoke to Deputy Gross about his confidence on calls as well as self-initiated activity. He understands this is something he needs to work on in order to have command presence on various types of calls." (03/21/19)

"Deputy Gross has been fed a lot of knowledge this phase and continues to struggle with engagement. Deputy Gross needs to continue to work on speaking with people. The more he takes charge and engages with individuals on calls, the better officer he will become. Deputy Gross needs to be constantly reminded to turn his camera on when exiting the vehicle on calls for

service. The camera system is not only policy, it is a protection system should an allegation come up and video evidence could be used to debunk a claim. Deputy Gross participated in an in-depth roll call this date concerning biased based profiling. He now understands while profiling based on demographics is not acceptable, criminal profiling is a useful tool in crime suppression.” (03/25/2019)

“...When confronting a male, Deputy Gross seemed very rigid as if he was uncomfortable with the encounter. He needs to work on having a flowing conversation with people rather than making contact and immediately making the person feel like they are a violent crime suspect. He needs to continue on his interpersonal communication skills in order to better deal with the public.” (03/31/2019)

“Deputy Gross has improved in his ability to speak to people. He is still rigid in his delivery, but performed better than in his past interactions with the public.” (04/03/2019)

The following are Corporal Jones’ comments made on Deputy Gross’ daily observation report:

“I conducted roll call on this date about Tier 1, 2 and 3 encounters with citizens. The roll call stressed making positive encounters with citizens. Deputy Gross made 5 total, self-initiated Tier 1 encounters on this date. He was able to effectively communicate what he was doing and why. On this date, while encountering a citizen in a Tier 1 encounter, Deputy Gross failed to activate his in-car camera and microphone. Although the encounter was courteous and with no further action being taken against the citizen, a complaint revolving around the male came in. Deputy Gross was made aware he failed to activate his camera and this was stressed as the camera is a means of protecting both the citizen and the Deputy Sheriff. Based off my observations, Deputy Gross needs more exposure to citizen contacts in all 3 Tiers.” (04/04/2019)

On April 9, 2019, I interviewed Deputy Conner Gross in the Internal Affairs office. I supplied him with a copy of the allegation 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). Deputy Gross said he understood and signed both forms. I asked Deputy Gross to start by telling me what took place when he came to work on the morning of April 4, 2019. Deputy Gross said his FTO was off that day and he rode with Corporal Jones on this day. During roll call training, the topic discussed was Tier 1, 2 and 3 encounters with the public. I asked him who conducted the roll call training and he advised it was Cpl. Jones. Deputy Gross told me his FTO has talked to him about being a little too rigid on his encounters with the public and that Cpl. Jones told him they were going to work on that issue today. Deputy Gross said he was driving the patrol car and Cpl. Jones was his passenger. When he was exiting the precinct, Deputy Gross turned right into the Ridge Mill subdivision and saw a male walking down the street. He called out his location to dispatch and approached the male. He told me he asked this male, "Would you mind talking to me real quick?" He said the male turned around and he could see he was wearing headphones and was using his cellular phone. He heard this male tell the other party on the phone, "Hey, I'll have to call you back. This officer wants to speak with me." I asked Deputy Gross if this male seemed upset or angry you stopped to talk with him. He said the male was a pleasant guy, very nice and courteous. Deputy Gross said after he introduced himself, he explained that one part of his duty of patrolling is to ask citizens if there was anything the Sheriff's Office can do for him. He said the male responded with a no and told him he was just out for his daily walk. Deputy Gross told me the male then began to talk about his Jehovah's Witnesses faith. At one point, the male pulled up the Jehovah's Witnesses website and handed his phone over to Deputy Gross so he

could scroll through the website. Deputy Gross told me he was just practicing keeping the conversation flowing. He said near the end of the conversation, he told the male another thing he likes to do when interacting with the public is to ask if I may search you. Deputy Gross said the male immediately put his arms out to the side and said, 'Yeah, go ahead.' Deputy Gross checked his pockets and removed personal items. He then placed those items back into the pocket. I asked him if the male seemed upset he searched him and he advised he did not think so. Deputy Gross told me he thanked the male and they then shook hands. I asked Deputy Gross if he activated his in-car camera system during this encounter. He advised he failed to do so because he was in a rush to call out his location and to make contact with the male and he just forgot to do so.

I asked Deputy Gross if he stopped to talk to this male because of his race. Deputy Gross said, "No, it was simply Tier 1 practice for me." He added that the person's age, sex, or race didn't matter to him because it was merely Tier 1 practice because that is one of the things his trainers feels he needs to work on. I asked him if he and Cpl. Jones conducted any other Tier 1 encounters that day. Deputy Gross told me they did, but he doesn't remember the particulars of them due to it being a busy day for calls of service.

Since this complaint has been received, I called Mr. and Mrs. James several times. I have left messages asking for a return phone call and have yet to receive that return phone call. On April 9, 2019, I drove to the James' residence and attempted contact there, but no one answered the door. I left my business card in the front door as well as the garage pull up door asking for a phone call. On April 10, 2019, I drove back to the James' residence and I saw that my business card was no longer in the front door. I knocked several times, but there was no answer. I left another business card in the front door with a message written on the back asking for a return

phone call. When I got back to the office a short time later, there was a voice message from Mrs. James thanking me for leaving my business card and she then asked that I call her back. I returned her phone call, but it went to her voicemail. Another message was left. A short time later, Mrs. James called back and I thanked her for contacting me. I explained I would like to speak to her husband and she said that would be fine. She gave me his number [REDACTED] and advised he may not be available today, but most definitely will be available to talk tomorrow. The following day (April 11, 2019) I called Mr. James' cell phone number, but there was no answer. A message was left asking for a return phone call. Later in the day, Mr. James called and advised he would like to meet with me face to face to discuss this matter. He then told me he would like to view the video as he was told by his wife that there was a body camera video that captured the incident. I told Mr. James that was incorrect as the Sheriff's Office does not issue body cameras to our officers. He then asked if there was an in-car video available and I told him the officer failed to activate his camera, therefore, there is no video of the incident. Mr. James then handed the telephone over to his wife. She told me this was very disturbing as she was told by one of Deputy Gross' supervisors (Sgt. D. Downey) that he viewed the video. Mrs. James said she and her husband will be in my office tomorrow (Friday, April 12, 2019) around 9:30 AM.

On Friday, April 4, 2019 at approximately 9:30 AM, I received two voicemail messages from Mrs. James. She advised she does not feel I have her and her husband's best interests in mind and they feel it would better serve them if they spoke to an attorney and a civil rights representative before speaking to me. Later in the day, I called Mrs. James and advised Sheriff Reynolds would like to discuss what took place between the deputy and Mr. James and he would like to meet with them at their earliest convenience. Mrs. James advised she will set up an

appointment with the Sheriff's assistant Monday morning. Mr. and Mrs. James failed to make contact with Ms. Andrea on Monday, April 15, 2019. Ms. Andrea then called Mrs. James and left a message explaining the Sheriff was available all day and to give her a return phone call. As of Thursday, April 18, 2019, Mr. or Mrs. James did not return Ms. Andrea's phone call.

Cherokee Sheriff's Office policy #03-01-02 (F) (1) (2) (J) states:

F. OFFICIAL CONTACTS WITH CITIZENS: During their official duties, law enforcement officers engage in many different forms of contacts with citizens. Such contacts are based upon the facts and circumstances of the situation and, in some cases, have legal consequences under the Fifth Amendment that states persons shall not be compelled in a criminal case to be a witness against themselves.

1. VERBAL ENCOUNTER: is casual contact between a deputy and citizen that is voluntary, often involving an exchange of information of a general nature, such as directions to a specific location, advice about county services, or other matters of mutual interest.

2. INTERVIEW: (CALEA 1.2.3a 6th ed.) is contact that is again totally voluntary, where there is no interference with an individual's movement or progress; no display of official authority beyond the uniform and personal identification; is conducted in a deferential manner to avoid causing any anxiety and fear; and is conducted in a location that the deputy has a legal right to be.

J. BIASED BASED PROFILING: The practice of any biased based profiling by deputies of this agency is strictly prohibited. Citizens will only be stopped or detained, including traffic and field contacts, when there exists reasonable suspicion to believe they have committed, are committing, or about to commit a violation of the law. Deputies will base their enforcement actions solely on

an individual's conduct and behavior or specific suspect information. Additionally, agency asset seizure and forfeiture efforts will not be biased based.

Corporal Jones conducted roll call training involving the different types of Tier encounters law enforcement officers have with citizens. Tier 1 is essentially a consensual encounter one could have with anyone on the street, whether or not law enforcement is involved. For example, if I saw you on the street, I could walk up to you and attempt to strike up a conversation. You on the other hand could speak to me or simply walk away. Law enforcement officers can do the same thing. They could attempt to communicate with you but if you didn't want to talk you could simply walk away since there is no formal investigation and no criminal arrest. Deputy Gross' field evaluations have shown he is in need of improvement on public engagement and his interaction with the public. Within minutes of the completion of the roll call training, Deputy Gross stopped to speak with the first individual he saw, which just happened to be a black male walking in his neighborhood. Deputy Gross asked if he could speak to him and the two struck up a cordial conversation. Once again for training purposes, Deputy Gross asked the male if he could search him. This male who was still not questioned as to what his name was, did not hesitate and raised his arms out parallel to the ground and told Deputy Gross, "Yeah, go ahead." After the search, Deputy Gross and the male shook hands and both went about their morning. Therefore, the allegation that Corporal Jones and Deputy Gross violated Cherokee Sheriff's Office policy, specifically the Authority, Discretion and Arrest policy by racially profiling this male is proven to be false. Both officers are **EXONERATED.**

David M. Barone

From: Cody L. Jones
Sent: Friday, April 12, 2019 1:02 PM
To: David M. Barone
Subject: Re: Follow up question IA2019-00028

Lt. Barone,

The context in which Mrs. James and I spoke was in regards to an encounter with Deputy Gross and her husband. She called and was inquiring as to why her husband was stopped. She asked to see the video and I explained in most cases videos are present during these types of encounters. However, I was in a patrol vehicle and would have to go to the precinct for review. I explained this could take some time. The portion of our conversation about the video was sandwiched in between allegations and interruptions. I attempted to explain the video process more thoroughly, however I was cut off and subsequently turned her complaint over to Sgt. Downey.

If you need anything else from me, I'm an open book and will assist anyway I can.

Cpl. Cody L. Jones

Sent from my iPhone

On Apr 12, 2019, at 11:47 AM, David M. Barone <dmbarone@cherokeega.com> wrote:

Corporal Jones,

While speaking to Mrs. Kimberly James, she advised she was told by a supervisor there was video footage available from the incident involving her husband, Mr. Byron James on Thursday, April 4, 2019.

If possible, please explain to me what your conversation was about when you spoke to Mrs. James on April 4, 2019.

Please note, your Garrity Warning and Sheriff's Office Memorandum still apply. Therefore, please do not discuss this case with any person other than Internal Affairs, Sheriff, Chief Deputy or legal counsel.

Thank you and stay safe.

Respectfully,

<image003.jpg>

Follow-up question to Cpl. C. Jones

David M. Barone

From: Phillip D. Downey
Sent: Thursday, April 04, 2019 9:58 AM
To: David M. Barone; Mark M. Anderson
Subject: Phone Call

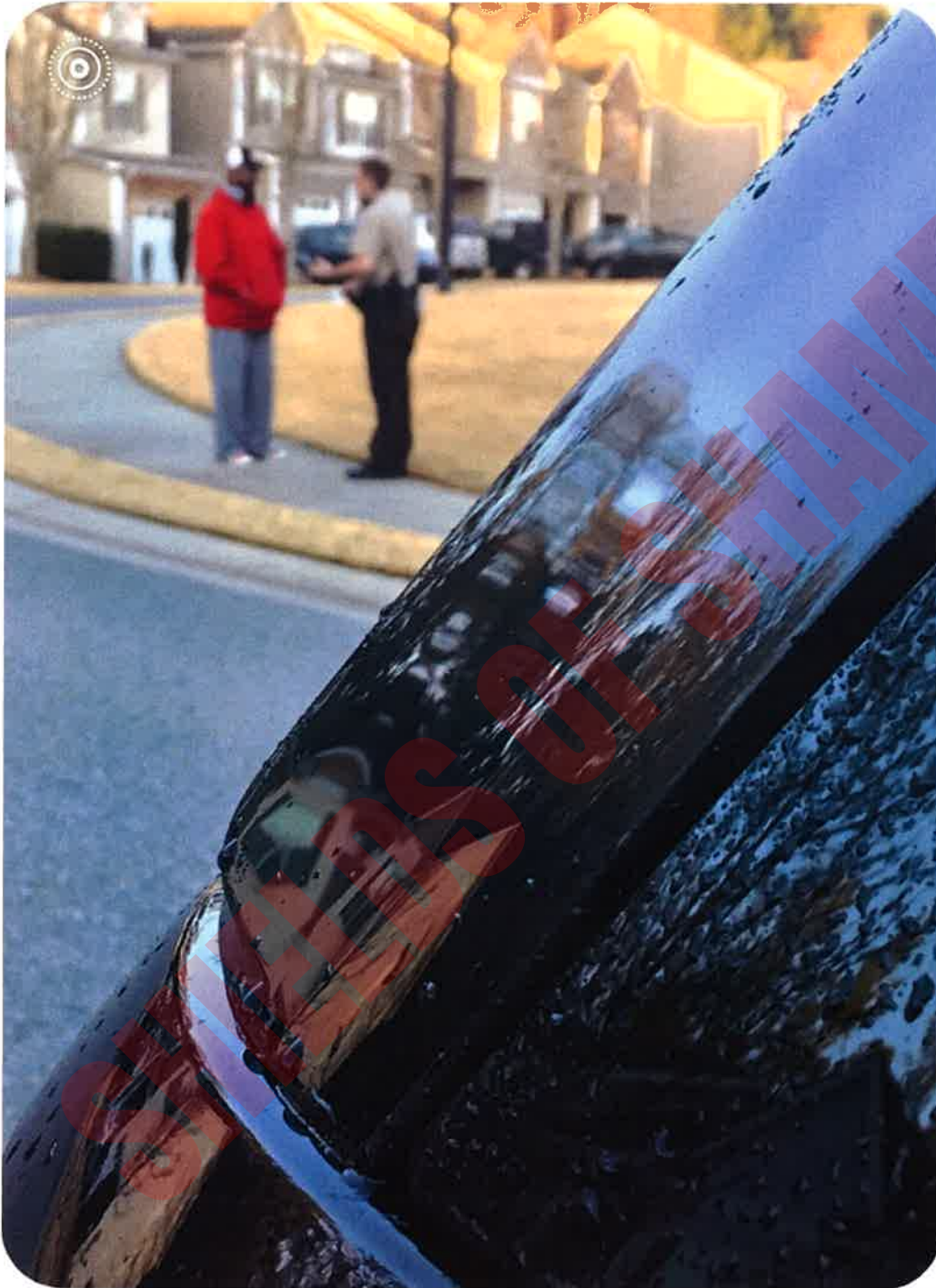
I am going to give you the short story. Cpl. Jones and FTEP Gross went out on a consensual encounter this morning in the Ridgemill Subdivision. This was a very cordial encounter, the male even gave Deputy Gross a card for his JW religion. During this encounter D/S Gross asked to search the male. Again the male was very cooperative. He was searched, they continued to talk and have conversation about religion. After they left, Cpl. Jones fielded a phone call from Kimberly James, the males wife. I don't know the males name because he was not ran through Dispatch. She wanted to know why we were stopping only black people, why her husband was searched for no reason and was thankful he wasn't shot. She was unhappy with Cpl. Jones's explanation. He told her I would call her. I did give her a call. I recorded the conversation. This conversation was completed with her ending the call abruptly and threatening a law suit. My attempts to explain community involvement went on deaf ears and trying to explain citizen rights. She stated this was racially motivated. D/S Gross failed to turn on his recorder, but the complaint isn't about behavior or misconduct. The complaint is this encounter was racially motivated and according to Mrs. James, officers have to tell people why they want to search them. If anything comes of this, I have the phone call recording. I couldn't even determine if she wanted to file a complaint.



Sgt. Phillip D. Downey #402
Cherokee Sheriff's Office
498 Chattin Drive
Canton, GA 30115
770-529-7302
pddowney@cherokeega.com

Thursday 7:59 AM

Cody Jones



1 day and he's already talked to more people than with Bryan

CJ

Text message from Cpl. Jones to Sgt. Downey

Lol

Output for: 000377

Detailed History for Unit C7 Between 04/04/2019 00:00 And 04/04/2019 23:59 ☐ Detail

04:53:55edt	*LOGON	Operator:000714 OperNames:JONES, CODY Position:P1 UnitType:CPL Unknown:GT69 MobileId:M:GT69
04:53:55	*OPON	Unknown:000714 OperNames:JONES, CODY
04:53:56	*AIQ	
04:54:02	-AVLCNT	
05:12:22	DISPOS	#P190061548 Type:T Location:575 SB/TLP Plate:RDE5915
05:12:22	-PRIU	
05:12:22	-CASE	Case#:SO190037020 Comment:PURPLE CHALLENGER
05:12:22	INV	InvType:INVV Priority:1 Plate:RDE5915 Category:V
05:12:38	LOGM	Message:011904040912001686 MessageType:Text Received:04/04/2019 05:12:29 Comment:LOGM
05:13:39	MISC	Comment:STOPPED AT RIDGEWALK
05:14:39	OK	
05:17:20	MISC	Comment:MCADAMS, BRIAN 19751211
05:17:42	MISC	Comment:C7 REF 38D
05:19:07	LOGM	Message:011904040919001699 MessageType:Text Received:04/04/2019 05:19:03 Comment:LOGM
05:20:05	CLOS	Location:575SB/RIDGEWALK PKWY
05:20:14	MISC	Comment:AT THE EXIT TO 9
05:24:13	OK	
05:30:08	OK	
05:32:20	CLEAR	Type:T Dispo:18
05:40:39	MISC	Plate:BEL5716 Comment:28
05:40:40	INV	InvType:INVV Priority:1 Plate:BEL5716 Category:V
05:40:48	LOGM	Message:011904040940001717 MessageType:Text Received:04/04/2019 05:40:41 Comment:LOGM
06:00:34	RELOG	-Operator:000714 OperNames:JONES, CODY Position:P1 UnitType:CPL Unknown:GT69 MobileId:M:GT69
06:01:01	RELOG	Operator:000714 000906 OperNames:JONES, CODY; GROSS,CONNER Position:P1 UnitType:CPL Unknown:GT69 MobileId:M:GT69
07:54:01	DISPOS	#P190061593 Type:54P Location:237 RIDGE MILL DR, CH
07:54:01	-PRIU	
07:54:01	-CASE	Case#:SO190037047 Comment:WITH BM
07:55:22	OK	

07:59:01	OK	
08:02:57	CLEAR	Type:54P Dispo:13
08:07:48	DISPOS	#P190061597 Type:54A Location:HWY 92/LITTLE RIDGE RD, CH
08:07:48	-PRIU	
08:07:48	-CASE	Case#:SO190037051 Comment:ABANDON HOUSE
08:09:00	CLOS	Location:3757 HWY 92, CH LocDesc:btwn RIDGE MILL CT and LITTLE RIDGE RD
08:09:35	OK	
08:11:28	CLEAR	Type:54A Dispo:13
08:15:59	DISP	#P190061600 Type:86 CallLoc:5208 HAMBY RD, CH
08:15:59	-PRIU	
08:15:59	-CASE	Case#:SO190037053
08:16:57	ENRTE	
08:18:34	LOGM	Message:011904041218002181 MessageType:Text Received:04/04/2019 08:18:15 Comment:27 C4
08:26:46	ONSCN	
08:30:31	OK	
08:36:38	OK	
08:40:32	OK	
08:41:06	LOGM	Message:011904041241002286 MessageType:Text Received:04/04/2019 08:40:48 Comment:27 JIMMY C4
08:41:15	LOGM	Message:011904041241002287 MessageType:Text Received:04/04/2019 08:40:48 Comment:27 DOWLAN C4
08:44:37	OK	
08:44:42	CLEAR	Type:86 Dispo:13
08:44:48	DISP	#P190061602 Type:1021 CallLoc:253 RIDGE MILL DR, CH
08:44:48	-PRIU	
09:11:31	CLEAR	Type:1021 Dispo:19 Comment:C3
09:20:44	DISPOS	#P190061649 Type:54P Location:GALTS DAY USE AREA, CH
09:20:44	-PRIU	
09:20:44	-CASE	Case#:SO190037083 Comment:4 SUB
09:23:41	OK	
09:25:49	CLEAR	Type:54P Dispo:13
10:39:09	DISP	#P190061697 Type:55 CallLoc:704 GREENWAY TRC, CH
10:39:09	-PRIU	
10:39:09	-CASE	Case#:SO190037111
10:41:40	PRMPT	
10:58:28	BACKER	#P190061710 UnitID:C3 Type:21 CallLoc:6437 HWY 92, CH Location:6437 HWY 92, CH
11:08:12	PRMPT	
11:13:45	LOGM	Message:011904041513002883 MessageType:Text Received:04/04/2019

		11:13:21 Comment:CAIN,ALTON
11:14:01	LOGM	Message:011904041514002888 MessageType:Text Received:04/04/2019 11:13:18 Comment:CAIN,ALTON 1017
11:14:08	LOGM	Message:011904041514002890 MessageType:Text Received:04/04/2019 11:13:18 Comment:CAIN,ALTON 1017
13:29:17	DISP	#P190061796 Type:86 CallLoc:HIDDEN FALLS MHP #602, CH
13:29:17	-PRIU	
13:29:17	-CASE	Case#:SO190037167
13:30:17	ENRTE	
13:34:18	MISC	Comment:CODE 1
13:36:16	MISC	Comment:NEG 10 3
13:41:37	LOGM	Message:011904041741003327 MessageType:Text Received:04/04/2019 13:41:19 Comment:27 SUS
13:42:14	ONSCN	Comment:NEVER ADV
13:42:19	OK	
13:47:18	OK	
13:49:14	MISC	Comment:REST OF THE CALLERS ARE TALKING TO D/S
13:50:34	OK	
14:02:04	OK	
14:06:37	OK	
14:13:00	OK	
14:26:40	OK	
14:33:55	NOTIFY	Notified:600
14:34:05	CUFF	
14:34:49	OK	
14:40:03	OK	
14:48:22	OK	
15:10:29	OK	
15:19:37	OK	
15:44:46	OK	
16:06:15	OK	
16:33:42	OK	
17:06:50	OK	
17:16:05	LOGM	Message:011904042116004269 MessageType:Text Received:04/04/2019 17:15:48 Comment:28 C4
17:16:09	LOGM	Message:011904042116004270 MessageType:Text Received:04/04/2019 17:16:05 Comment:28 C4
17:16:39	MISC	Comment:^^27S NOT 28S
17:20:05	OK	
17:25:35	OK	
17:29:00	CUFF	Comment:1 M 2 FMS
17:29:07	PRMPT	
17:52:06	SCDOFF	
17:52:08	LOGOFF	

Detailed History for Police Event #P190061593 As of 4/12/2019 09:21:44

Output for: 000377

Priority:1 Type:54P - SUSP PERSON

Location:237 RIDGE MILL DR, CH btwn RENDEZVOUS RD and OAKSIDE PLC

Created:	04/04/2019 07:54:01	OP6	400214
Entered:	04/04/2019 07:54:01	OP6	400214
Dispatch:	04/04/2019 07:54:01	OP6	400214
Enroute:	04/04/2019 07:54:01	OP6	400214
Onscene:	04/04/2019 07:54:01	OP6	400214
Control:	04/04/2019 07:55:22	OP6	400214
Closed:	04/04/2019 08:02:57	OP6	400214

ICUnit: PrimeUnit:C7 Dispo:13

Type:54P - SUSP PERSON

Agency:SO Position:P1 Zone:21

Block:2101

Case #:S0190037047 ☐ Detail

07:54:01edt	CREATE	Location:237 RIDGE MILL DR, CH Type:54P Position:P1 Area:2101 TypeDesc:SUSP PERSON LocDesc:btwn RENDEZVOUS RD and OAKSIDE PLC Priority:1 Response:POL1 Agency:SO LocType:S
07:54:01	ENTRY	Comment:WITH BM
07:54:01	DISPOS	C7 Location:237 RIDGE MILL DR, CH Operator:000714 000906 OperNames:JONES, CODY; GROSS,CONNER
07:54:01	-PRIU	C7

07:54:01	-CASE	C7 Case#:SO190037047 Comment:WITH BM
07:54:01	-NPREMS	Comment:(none)
07:55:22	OK	C7
07:59:01	OK	C7
08:02:57	CLEAR	C7 Dispo:13
08:02:57	-CLEAR	
08:02:57	CLOSE	

SHIELDS OF SHAME

Detailed History for Police Event #P190061602 As of 4/12/2019 09:22:43

Output for: 000377

Priority:3 Type:1021 - PHONE CALL REQ

Location:253 RIDGE MILL DR, CH btwn RENDEZVOUS RD and OAKSIDE PLC

Created:	04/04/2019 08:18:14	OP5	400210
Entered:	04/04/2019 08:19:43	OP5	400210
Dispatch:	04/04/2019 08:22:09	OP6	400214
Closed:	04/04/2019 09:11:31	OP6	400214

**ICUnit: PrimeUnit:C7 Dispo:19
Type:1021 - PHONE CALL REQ
Agency:SO Position:P1 Zone:21
Block:2101
Case #:SO190037057 ☐ Detail**

08:18:14edt	CREATE	Location:253 RIDGE MILL DR, CH Type:1021 Name:JAMES, KIMBERLY Phone: [REDACTED] Position:P1 Area:2101 TypeDesc:PHONE CALL REQ LocDesc:btwn RENDEZVOUS RD and OAKSIDE PLC Priority:3 Response:POL1 Agency:SO LocType:S ContCaller:P
08:19:43	ENTRY	Comment:REQ SUPERVISOR// REF 54P THIS MORNING
08:19:43	-PREMIS	Comment:PPR
08:19:45	NOMORE	
08:19:45	SELECT	
08:22:06	HOLD	
08:22:09	DISP	SSUPW

08:22:09	-PRIU	SSUPW
08:22:09	-CASE	SSUPW Case#:SO190037057
08:22:16	PRMPT	SSUPW Comment:PER C7
08:22:16	-HOLD	SSUPW
08:22:25	DISP	C3 Operator:000203 OperNames:DOWNEY, PHILLIP
08:22:25	-PRIU	C3
08:22:25	-HOLD	
08:27:21	PRMPT	C3 Comment:C7 WILL HANDLE
08:27:21	-HOLD	C3
08:44:48	DISP	C7 Operator:000714 000906 OperNames:JONES, CODY; GROSS,CONNER
08:44:48	-PRIU	C7
08:44:48	-HOLD	
09:11:31	CLEAR	C7 Dispo:19 Comment:C3
09:11:31	-CLEAR	
09:11:31	CLOSE	

CONTACT INFO:

Name	Phone	Rpaddr	ContCaller	ALS/BLS	Contact3	Contact4
JAMES, KIMBERLY			P			

Detailed History for Police Event #P190061649 As of 4/12/2019 09:21:10

Output for: 000377

Priority:1 Type:54P - SUSP PERSON

**Location:GALTS DAY USE AREA, CH at 7299 ROCKY LN, CH
LocCross:btwn OVERLOOK DR and END**

Created:	04/04/2019 09:20:44	OP6	400214
Entered:	04/04/2019 09:20:44	OP6	400214
Dispatch:	04/04/2019 09:20:44	OP6	400214
Enroute:	04/04/2019 09:20:44	OP6	400214
Onscene:	04/04/2019 09:20:44	OP6	400214
Control:	04/04/2019 09:23:41	OP6	400214
Closed:	04/04/2019 09:25:49	OP6	400214

ICUnit: PrimeUnit:C7 Dispo:13

Type:54P - SUSP PERSON

Agency:SO Position:P1 Zone:21

Block:2101

Case #:S0190037083 ☐ Detail

09:20:44edt	CREATE	Location:GALTS DAY USE AREA, CH Type:54P Position:P1 Area:2101 TypeDesc:SUSP PERSON LocDesc:at 7299 ROCKY LN, CH Unknown:btwn OVERLOOK DR and END Priority:1 Response:POL1 Agency:SO LocType:C
09:20:44	ENTRY	Comment:4 SUB
09:20:44	DISPOS	C7 Location:GALTS DAY USE AREA, CH Operator:000714 000906

		OperNames: JONES, CODY; GROSS, CONNER
09:20:44	-PRIU	<u>C7</u>
09:20:44	-CASE	<u>C7</u> Case#: SO190037083 Comment: 4 SUB
09:20:44	-PREMIS	Comment: FPR
09:23:41	OK	<u>C7</u>
09:25:49	CLEAR	<u>C7</u> Dispo: 13
09:25:49	-CLEAR	
09:25:49	CLOSE	

SHIELDS OF SHAME

CHEROKEE COUNTY SHERIFF'S OFFICE
FIELD TRAINING & EVALUATION DAILY OBSERVATION REPORT

EVALUATION INFORMATION

Evaluatee: 760 (Gross, Connor) **Evaluator:** 807 (Ledford, Bryan) **Evaluation Period:** 03/20/2019 05:00 - 03/20/2019 18:00

Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By
760 (Gross, Connor)	358 (Rose, George)			
03/21/2019 18:29	03/21/2019 18:40			

Instruction

Grade observed behavior using the 1, 3, 5 rating scale below. Check N.O. for "Not Observed" or NRT for "Not Responding to Training"
 The "Most Acceptable Performance" Narrative is required daily.
 The "Least Acceptable Performance" Narrative is required only if a failing grade is given and is left blank for shifts when all grades are passing.
 Comments required on ratings of a 1, "REM, remedial training" and "N.R.T"
 You are encouraged to comment on any other behavior you wish.

Evaluation Ratings

Evaluation Item	Rating	Comment
CRITICAL PERFORMANCE TASKS - 1. Control of Conflict:	N.O.	
CRITICAL PERFORMANCE TASKS - 2. Problem Solving/Decision	3	
CRITICAL PERFORMANCE TASKS - 3. Driving Skill: Non-Stress	3	
CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress	3	
CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General	1	See Least Acceptable
CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons	3	
CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress	3	
CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-	3	
FREQUENT PERFORMANCE TASKS - 10. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 11. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 12. Control of Conflict:	N.O.	
FREQUENT PERFORMANCE TASKS - 13. Proper Form Selection:	3	
FREQUENT PERFORMANCE TASKS - 14. Radio: Listens &	3	
FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of	3	
FREQUENT PERFORMANCE TASKS - 16. Computer Skills:	3	
FREQUENT PERFORMANCE TASKS - 17. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 18. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field	3	
FREQUENT PERFORMANCE TASKS - 20. Report Writing:	3	
KNOWLEDGE - 21. Knowledge Of Criminal Laws / County	3	
KNOWLEDGE - 22. Knowledge of Departmental Policies	3	
KNOWLEDGE - 23. Knowledge of Traffic Laws	3	
KNOWLEDGE - 24. Knowledge Reflected in Verbal / Written	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 26. Attitude Towards	3	

ATTITUDE/ RELATIONS/ APPEARANCE - 27. Relationships with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 29. General	3	

Most Acceptable Performance:

FREQUENT PERFORMANCE TASKS - 11. Field Performance : Investigative Procedures; FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field

Most Acceptable Performance

11. Field Performance : Investigative Procedures - Deputy Gross worked an injury accident today and was able to complete the investigation and determine the at fault driver with little assistance from the FTO.

19. Self Initiated Field Activity - Although little time was available for self initiated activity today, Deputy Gross observed on more than one occasion, traffic violations which had not been seen by the FTO. He conducted traffic stops on these vehicles with little to no assistance from the FTO.

25. Acceptance of Feedback - Deputy Gross was faced with a situation today which required discussion after the fact. Deputy Gross saw the error and did not allow this to deter him from continuing to stop cars.

Least Acceptable Performance:

CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General; FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of Transmissions

Least Acceptable Performance

6. Officer Safety: General - Deputy Gross conducted a traffic stop this afternoon on Bascomb Carmel Road. The driver of the vehicle stopped in a less than ideal location making it difficult for other traffic to pass. Rather than asking the driver to relocate, he remained in a hazardous situation. After making contact with the driver, instead of returning the his vehicle, Deputy Gross stood directly behind the violators vehicle to run the license. This placed him in danger not only from a threat inside the violators vehicle, but also if his patrol car were to be struck from behind. Deputy Gross was counseled about this after clearing the stop and understood his mistake.

15. Radio: Articulation of Transmissions - Deputy Gross is articulate in his radio traffic; however, his volume is lacking. He was made aware of this and made corrections throughout the day.

PHASE #

2

DOR #

15

Additional Comments

Today was Deputy Gross' first day in a new zone. He was unfamiliar with the area and spent much of his day admittedly in areas he had never been before. He has a drive to stay busy and as he progresses in Oak Grove his activity should improve. He needs to continue to study departmental policy and state law as it will only aid him as he continues in his career.

CHEROKEE COUNTY SHERIFF'S OFFICE
FIELD TRAINING & EVALUATION DAILY OBSERVATION REPORT

EVALUATION INFORMATION				
Evaluatee: 760 (Gross, Connor)		Evaluator: 807 (Ledford, Bryan)		Evaluation Period: 03/21/2019 05:00 - 03/21/2019 18:00
Acknowledged By 760 (Gross, Connor) 03/21/2019 18:28	Acknowledged By 358 (Rose, George) 03/21/2019 18:45	Acknowledged By	Acknowledged By	Acknowledged By
Instruction Grade observed behavior using the 1, 3, 5 rating scale below. Check N.O. for "Not Observed" or NRT for "Not Responding to Training" The "Most Acceptable Performance" Narrative is required daily. The "Least Acceptable Performance" Narrative is required only if a failing grade is given and is left blank for shifts when all grades are passing. Comments required on ratings of a 1, "REM, remedial training" and "N.R.T" You are encouraged to comment on any other behavior you wish.				

Evaluation Ratings		
Evaluation Item	Rating	Comment
CRITICAL PERFORMANCE TASKS - 1. Control of Conflict:	N.O.	
CRITICAL PERFORMANCE TASKS - 2. Problem Solving/Decision	3	
CRITICAL PERFORMANCE TASKS - 3. Driving Skill: Non-Stress	3	
CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress	3	
CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress	3	
CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General	3	
CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons	3	
CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress	3	
CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-	3	
FREQUENT PERFORMANCE TASKS - 10. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 11. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 12. Control of Conflict:	3	
FREQUENT PERFORMANCE TASKS - 13. Proper Form Selection:	3	
FREQUENT PERFORMANCE TASKS - 14. Radio: Listens &	3	
FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of	3	
FREQUENT PERFORMANCE TASKS - 16. Computer Skills:	3	
FREQUENT PERFORMANCE TASKS - 17. Report Writing:	1	See Least Acceptable
FREQUENT PERFORMANCE TASKS - 18. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field	3	
FREQUENT PERFORMANCE TASKS - 20. Report Writing:	3	
KNOWLEDGE - 21. Knowledge Of Criminal Laws / County	3	
KNOWLEDGE - 22. Knowledge of Departmental Policies	3	
KNOWLEDGE - 23. Knowledge of Traffic Laws	3	
KNOWLEDGE - 24. Knowledge Reflected In Verbal / Written	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 26. Attitude Towards	3	

ATTITUDE/ RELATIONS/ APPEARANCE - 27. Relationships with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 29. General	3	

Most Acceptable Performance:

CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress Conditions

Most Acceptable Performance

8. Orientation Skills: Stress Conditions - Deputy Gross was given a scenario this date where he was led deep into a neighborhood. He was then presented with a situation where his beat partner needed backup immediately. Through the use of a map book, Deputy Gross was able to determine his location, navigate out of this neighborhood, and respond to the specified location with little difficulty.

Least Acceptable Performance:

CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress Conditions

Least Acceptable Performance

4. Driving Skill: Stress Conditions - Deputy Gross stopped a car this date and had difficulty accelerating to catch up with the vehicle. It was only after being told to catch up, Deputy Gross accelerated above the posted speed limit despite his lights and siren being activated.

11. Field Performance : Investigative Procedures - During a theft call today, Deputy Gross was faced with a situation where he did not know how to proceed. Rather than requesting assistance, Deputy Gross stood silently until the FTO spoke up to further the investigation. He was counseled on this after the fact and understands he needs to ask for help rather than stand in awkward silence.

17. Report Writing: Appropriate Time Used - Deputy Gross needs to work on his time management. It took over two hours to completes three reports this date. He is still learning the accident reporting system and should improve with experience.

PHASE #

2

DOR #

16

Additional Comments

Deputy Gross participated in an depth roll call this date in which he was exposed to common ways to house drugs. He was also given scenarios on how to enter a dwelling as well as a vehicle and what the proper steps are in order to seize evidence of a crime.

Deputy Gross needs to spend some time studying case law and departmental policy. When asked specific questions about state law, he knows the basic elements of crimes and can explain them. He does have issues with confidence when asked about criminal procedure.

I spoke with Deputy Gross about his confidence on calls as well as self-initiated activity. He understands this is something he needs to work on in order to have command presence on various types of calls.

CHEROKEE COUNTY SHERIFF'S OFFICE
FIELD TRAINING & EVALUATION DAILY OBSERVATION REPORT

EVALUATION INFORMATION

Evaluatee: 760 (Gross, Connor) **Evaluator:** 807 (Ledford, Bryan) **Evaluation Period:** 03/25/2019 05:00 - 03/25/2019 18:00

Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By
760 (Gross, Connor)	358 (Rose, George)			
03/25/2019 18:28	03/25/2019 18:49			

Instruction

Grade observed behavior using the 1, 3, 5 rating scale below. Check N.O. for "Not Observed" or NRT for "Not Responding to Training".
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Evaluation Ratings

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CRITICAL PERFORMANCE TASKS - 1. Control of Conflict:	N.O.	
CRITICAL PERFORMANCE TASKS - 2. Problem Solving/Decision	3	
CRITICAL PERFORMANCE TASKS - 3. Driving Skill: Non-Stress	3	
CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress	3	
CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General	3	
CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons	1	See Least Acceptable
CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress	3	
CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-	3	
FREQUENT PERFORMANCE TASKS - 10. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 11. Field Performance :	1	See Least Acceptable
FREQUENT PERFORMANCE TASKS - 12. Control of Conflict:	N.O.	
FREQUENT PERFORMANCE TASKS - 13. Proper Form Selection:	3	
FREQUENT PERFORMANCE TASKS - 14. Radio: Listens &	3	
FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of	3	
FREQUENT PERFORMANCE TASKS - 16. Computer Skills:	3	
FREQUENT PERFORMANCE TASKS - 17. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 18. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 19. Self Inflated Field	N.O.	
FREQUENT PERFORMANCE TASKS - 20. Report Writing:	3	
KNOWLEDGE - 21. Knowledge Of Criminal Laws / County	3	
KNOWLEDGE - 22. Knowledge of Departmental Policies	1	See Least Acceptable
KNOWLEDGE - 23. Knowledge of Traffic Laws	3	
KNOWLEDGE - 24. Knowledge Reflected in Verbal / Written	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 26. Attitude Towards	3	

ATTITUDE/ RELATIONS/ APPEARANCE - 27. Relationships with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 29. General	3	

Most Acceptable Performance:

FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of Transmissions; ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of

Most Acceptable Performance

15. Radio: Articulation of Transmissions - Deputy Gross has shown improvement on speaking clearly on the radio. His volume was lacking in the beginning of the phase but has become less of an issue.

25. Acceptance of Feedback - Deputy Gross has been fed a lot of knowledge this phase and continues to struggle with engagement. Deputy Gross does not get upset when constructive criticism is given. He accepts the feedback in a positive light and understands it is something he needs to work on.

Least Acceptable Performance:

CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons and Prisoners; FREQUENT PERFORMANCE TASKS - 11. Field Performance :

Least Acceptable Performance

7. Officer Safety: Persons and Prisoners - Deputy Gross responded to a residence check this date in which he encountered a male who appeared intoxicated. He gathered the males information and then walked away to run his information without making an effort to pat the male down or gain consent to search him. Due to the rapidly evolving situation, the FTO stepped in to ensure the male had no weapons.

11. Field Performance : Investigative Procedures - On the aforementioned call, Deputy Gross admittedly had multiple indicators as to the males impairment. He had several opportunities to gain consent to search the male and therefore missed the opportunity to locate the methamphetamine located in the males pocket by the FTO. Deputy Gross needs to continue to work on speaking with people and picking up on criminal indicators. The more he takes charge and engages with individuals on calls, the better officer he will become.

22. Knowledge of Departmental Policies - Deputy Gross needs to be constantly reminded to turn his camera on when exiting the vehicle on a call for service. The camera system is not only policy, it is a protection system should an allegation come up and video evidence could be used to debunk a claim.

PHASE #

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DOR #

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Additional Comments

Deputy Gross participated in an in-depth roll call this date concerning Biased Based Profiling. He now understands while profiling based on demographic is not acceptable, criminal profiling is a useful tool in crime suppression.

The FTO drove part of the day and Deputy Gross was able to observe several traffic stops in an effort to gain a better understanding as to how to get vehicles to pull over, as well as tactics for speaking with violators.

CHEROKEE COUNTY SHERIFF'S OFFICE
FIELD TRAINING & EVALUATION DAILY OBSERVATION REPORT

EVALUATION INFORMATION

Evaluatee: 760 (Gross, Connor) **Evaluator:** 807 (Ledford, Bryan) **Evaluation Period:** 03/30/2019 05:00 - 03/30/2019 18:00

Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By
760 (Gross, Connor)	358 (Rose, George)			
03/31/2019 06:29	03/31/2019 06:39			

Instruction

Grade observed behavior using the 1, 3, 5 rating scale below. Check N.O. for "Not Observed" or NRT for "Not Responding to Training".
 The "Most Acceptable Performance" Narrative is required daily.
 The "Least Acceptable Performance" Narrative is required only if a failing grade is given and is left blank for shifts when all grades are passing.
 Comments required on ratings of a 1, "REM, remedial training" and "N.R.T"
 You are encouraged to comment on any other behavior you wish.

Evaluation Ratings

Evaluation Item	Rating	Comment
CRITICAL PERFORMANCE TASKS - 1. Control of Conflict:	N.O.	
CRITICAL PERFORMANCE TASKS - 2. Problem Solving/Decision	3	
CRITICAL PERFORMANCE TASKS - 3. Driving Skill: Non-Stress	3	
CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress	3	
CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General	3	
CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons	3	
CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-	3	
FREQUENT PERFORMANCE TASKS - 10. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 11. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 12. Control of Conflict:	N.O.	
FREQUENT PERFORMANCE TASKS - 13. Proper Form Selection:	3	
FREQUENT PERFORMANCE TASKS - 14. Radio: Listens &	3	
FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of	3	
FREQUENT PERFORMANCE TASKS - 16. Computer Skills:	3	
FREQUENT PERFORMANCE TASKS - 17. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 18. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field	3	
FREQUENT PERFORMANCE TASKS - 20. Report Writing:	3	
KNOWLEDGE - 21. Knowledge Of Criminal Laws / County	3	
KNOWLEDGE - 22. Knowledge of Departmental Policies	3	
KNOWLEDGE - 23. Knowledge of Traffic Laws	3	
KNOWLEDGE - 24. Knowledge Reflected in Verbal / Written	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 26. Attitude Towards	3	

ATTITUDE/ RELATIONS/ APPEARANCE - 27. Relationships with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 29. General	3	

Most Acceptable Performance:

CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress Conditions; FREQUENT PERFORMANCE TASKS - 17. Report Writing: Appropriate

Most Acceptable Performance

5. Field Performance: Stress Conditions - Deputy Gross responded to as well as located additional entering autos this date. He kept his cool despite the overwhelming amount of information which required being recorded.

17. Report Writing: Appropriate Time Used - Out of 14 located or dispatched calls for entering autos, Deputy Gross was required to write reports for 9 of them. These reports were completed in a timely manner with minimal corrections.

19. Self Initiated Field Activity - While Deputy Gross was unable to stop cars this date, he took it upon himself to canvass the area during the rash of entering autos. Most of the victims were located because of this and victims were appreciative of being notified by Deputy Gross rather than finding the evidence themselves.

Least Acceptable Performance:

FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of Transmissions

Least Acceptable Performance

15. Radio: Articulation of Transmissions - Deputy Gross continued to improve with his radio traffic this date; however, still needed to be reminded to speak up at times.

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Additional Comments

Today was extremely busy with call volume. At the beginning of shift, Deputy Gross showed motivation to stop cars; however, this was short lived as a rash of entering auto calls came in causing him to change his plans.

CHEROKEE COUNTY SHERIFF'S OFFICE
FIELD TRAINING & EVALUATION DAILY OBSERVATION REPORT

EVALUATION INFORMATION

Evaluatee: 760 (Gross, Connor) **Evaluator:** 807 (Ledford, Bryan) **Evaluation Period:** 03/31/2019 05:00 - 03/31/2019 18:00

Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By
760 (Gross, Connor)	358 (Rose, George)			
03/31/2019 22:45	03/31/2019 22:53			

Instruction

Grade observed behavior using the 1, 3, 5 rating scale below. Check N.O. for "Not Observed" or NRT for "Not Responding to Training".
 The "Most Acceptable Performance" Narrative is required daily.
 The "Least Acceptable Performance" Narrative is required only if a failing grade is given and is left blank for shifts when all grades are passing.
 Comments required on ratings of a 1, "REM, remedial training" and "N.R.T."
 You are encouraged to comment on any other behavior you wish.

Evaluation Ratings

Evaluation Item	Rating	Comment
CRITICAL PERFORMANCE TASKS - 1. Control of Conflict:	3	
CRITICAL PERFORMANCE TASKS - 2. Problem Solving/Decision	3	
CRITICAL PERFORMANCE TASKS - 3. Driving Skill: Non-Stress	3	
CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress	3	
CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General	3	
CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons	3	
CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-	3	
FREQUENT PERFORMANCE TASKS - 10. Field Performance :	1	See Least Acceptable
FREQUENT PERFORMANCE TASKS - 11. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 12. Control of Conflict:	3	
FREQUENT PERFORMANCE TASKS - 13. Proper Form Selection:	3	
FREQUENT PERFORMANCE TASKS - 14. Radio: Listens &	3	
FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of	3	
FREQUENT PERFORMANCE TASKS - 16. Computer Skills:	3	
FREQUENT PERFORMANCE TASKS - 17. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 18. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field	3	
FREQUENT PERFORMANCE TASKS - 20. Report Writing:	3	
KNOWLEDGE - 21. Knowledge Of Criminal Laws / County	3	
KNOWLEDGE - 22. Knowledge of Departmental Policies	3	
KNOWLEDGE - 23. Knowledge of Traffic Laws	3	
KNOWLEDGE - 24. Knowledge Reflected in Verbal / Written	5	See Most Acceptable
ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of	5	See Most Acceptable
ATTITUDE/ RELATIONS/ APPEARANCE - 26. Attitude Towards	3	

ATTITUDE/ RELATIONS/ APPEARANCE - 27. Relationships with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 29. General	3	

Most Acceptable Performance:

FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of Transmissions; KNOWLEDGE - 24. Knowledge Reflected in Verbal / Written Tests

Most Acceptable Performance

15. Radio: Articulation of Transmissions - Deputy Gross' radio traffic has greatly improved. He was articulate and had an acceptable volume level while speaking to dispatch and other deputies on the radio.

24. Knowledge Reflected in Verbal / Written Tests - Deputy Gross took Test #3 this date and score a 100%. Great Job!

25. Acceptance of Feedback - Deputy Gross has done a fantastic job over the past few days taking feedback, whether positive or negative, and allowing his weaknesses to be a learning experience. In most instances, he has either shown improvement immediately or within the next shift. He understands the process of learning comes with success and failure and does not let his mistakes get him down.

Least Acceptable Performance:

FREQUENT PERFORMANCE TASKS - 10. Field Performance : Non-Stress

Least Acceptable Performance

10. Field Performance : Non-Stress - Deputy Gross conducted a Subject Stop on a male who was crossing Bells Ferry Road at a place other than a crosswalk. He did a good job with recognizing the violation and calling out the stop; however, when he confronted the male he seems very rigid as if he were uncomfortable with the encounter. He needs to work on having a flowing conversation with people rather than making contact and immediately making the person feel like they are a violent crime suspect.

DOR #

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PHASE #

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Additional Comments

Deputy Gross is improving on his ability to navigate the zone and articulate his intentions. he needs to continue on his interpersonal communication skills in order to better deal with the public. This may be a class he should look into attending sometime in the near future.

He should continue to study departmental policy as well as State and Case Law. These resources will only aid him as he continues in this career.

CHEROKEE COUNTY SHERIFF'S OFFICE
FIELD TRAINING & EVALUATION DAILY OBSERVATION REPORT

EVALUATION INFORMATION

Evaluatee: 760 (Gross, Connor) **Evaluator:** 807 (Ledford, Bryan) **Evaluation Period:** 04/03/2019 05:00 - 04/03/2019 18:00

Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By
760 (Gross, Connor)	358 (Rose, George)			
04/08/2019 18:20	04/08/2019 18:22			

Instruction

Grade observed behavior using the 1, 3, 5 rating scale below. Check N.O. for "Not Observed" or NRT for "Not Responding to Training"
 The "Most Acceptable Performance" Narrative is required daily.
 The "Least Acceptable Performance" Narrative is required only if a failing grade is given and is left blank for shifts when all grades are passing.
 Comments required on ratings of a 1, "REM, remedial training" and "N.R.T."
 You are encouraged to comment on any other behavior you wish.

Evaluation Ratings

Evaluation Item	Rating	Comment
CRITICAL PERFORMANCE TASKS - 1. Control of Conflict:	N.O.	
CRITICAL PERFORMANCE TASKS - 2. Problem Solving/Decision	3	
CRITICAL PERFORMANCE TASKS - 3. Driving Skill: Non-Stress	3	
CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress	3	
CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General	3	
CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons	3	
CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress	N.O.	
CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-	1	See Least Acceptable
FREQUENT PERFORMANCE TASKS - 10. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 11. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 12. Control of Conflict:	3	
FREQUENT PERFORMANCE TASKS - 13. Proper Form Selection:	3	
FREQUENT PERFORMANCE TASKS - 14. Radio: Listens &	3	
FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of	3	
FREQUENT PERFORMANCE TASKS - 16. Computer Skills:	3	
FREQUENT PERFORMANCE TASKS - 17. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 18. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field	3	
FREQUENT PERFORMANCE TASKS - 20. Report Writing:	3	
KNOWLEDGE - 21. Knowledge Of Criminal Laws / County	3	
KNOWLEDGE - 22. Knowledge of Departmental Policies	3	
KNOWLEDGE - 23. Knowledge of Traffic Laws	3	
KNOWLEDGE - 24. Knowledge Reflected in Verbal / Written	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 26. Attitude Towards	3	

ATTITUDE/ RELATIONS/ APPEARANCE - 27. Relationships with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 29. General	3	

Most Acceptable Performance:

CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General; FREQUENT PERFORMANCE TASKS - 10. Field Performance : Non-Stress

Most Acceptable Performance

6. Officer Safety: General - Deputy Gross assisted with a domestic standby in which he was required to clear a residence. Deputy Gross used good building clearing tactics and was able to ensure the residence was clear of persons prior to the homeowners arrival.

10. Field Performance : Non-Stress - Deputy Gross has improved in his ability to speak to people. He is still rigid in his delivery but performed better than in his past interactions with the public.

11. Field Performance : Investigative Procedures - Deputy Gross responded to a Runaway juvenile this date. He was able to gather the pertinent information to enter the juvenile into GCIC with little assistance from the FTO. Before he was able to enter the juvenile, she returned home. Deputy Gross placed the juvenile under arrest and completed the juvenile complaint form as well as contacted DJJ without assistance.

Least Acceptable Performance:

CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-Stress Conditions

Least Acceptable Performance

9. Orientation Skills: Non-Stress Conditions - Deputy Gross is improving on his zone orientation; however, he has on several occasions passed an incident location even after recognizing or determining the location before calling on-scene. On one such occasion, Deputy Gross was responding to a traffic crash. Dispatch had advised the color of the vehicles which had pulled into the median. Deputy Gross was looking so hard for the vehicles described that he nearly drove past the vehicles on the side of the road when they did not match perfectly what he had been told. This was discussed and has not been an issue again.

DOR #

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PHASE #

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Additional Comments

Continue to study state law and policy. This will only aid you as you continue in this field. Due to high call volume this date, Deputy Gross was directed not to complete non-essential reports until the following shift. Because of this his paperwork was unable to be attached to this DOR file and per Sergeant Rose, is to be attached to his next working DOR.

CHEROKEE COUNTY SHERIFF'S OFFICE
FIELD TRAINING & EVALUATION DAILY OBSERVATION REPORT

EVALUATION INFORMATION

Evaluatee: 760 (Gross, Connor) **Evaluator:** 765 (Jones, Cody) **Evaluation Period:** 04/04/2019 05:00 - 04/04/2019 18:00

Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By	Acknowledged By
760 (Gross, Connor)	358 (Rose, George)			
04/08/2019 17:47	04/08/2019 17:56			

Instruction

Grade observed behavior using the 1, 3, 5 rating scale below. Check N.O. for "Not Observed" or NRT for "Not Responding to Training".
 The "Most Acceptable Performance" Narrative is required daily.
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 Comments required on ratings of a 1, "REM, remedial training" and "N.R.T"
 You are encouraged to comment on any other behavior you wish.

Evaluation Ratings

Evaluation Item	Rating	Comment
CRITICAL PERFORMANCE TASKS - 1. Control of Conflict;	N.O.	
CRITICAL PERFORMANCE TASKS - 2. Problem Solving/Decision	3	
CRITICAL PERFORMANCE TASKS - 3. Driving Skill: Non-Stress	3	
CRITICAL PERFORMANCE TASKS - 4. Driving Skill: Stress	3	
CRITICAL PERFORMANCE TASKS - 5. Field Performance: Stress	3	
CRITICAL PERFORMANCE TASKS - 6. Officer Safety: General	3	
CRITICAL PERFORMANCE TASKS - 7. Officer Safety: Persons	3	
CRITICAL PERFORMANCE TASKS - 8. Orientation Skills: Stress	3	
CRITICAL PERFORMANCE TASKS - 9. Orientation Skills: Non-	3	
FREQUENT PERFORMANCE TASKS - 10. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 11. Field Performance :	3	
FREQUENT PERFORMANCE TASKS - 12. Control of Conflict:	3	
FREQUENT PERFORMANCE TASKS - 13. Proper Form Selection:	3	
FREQUENT PERFORMANCE TASKS - 14. Radio: Listens &	3	
FREQUENT PERFORMANCE TASKS - 15. Radio: Articulation of	3	
FREQUENT PERFORMANCE TASKS - 16. Computer Skills:	3	
FREQUENT PERFORMANCE TASKS - 17. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 18. Report Writing:	3	
FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field	5	
FREQUENT PERFORMANCE TASKS - 20. Report Writing:	3	
KNOWLEDGE - 21. Knowledge Of Criminal Laws / County	3	
KNOWLEDGE - 22. Knowledge of Departmental Policies	3	
KNOWLEDGE - 23. Knowledge of Traffic Laws	3	
KNOWLEDGE - 24. Knowledge Reflected in Verbal / Written	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 25. Acceptance of	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 26. Attitude Towards	3	

ATTITUDE/ RELATIONS/ APPEARANCE - 27. Relationships with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with	3	
ATTITUDE/ RELATIONS/ APPEARANCE - 29. General	3	

Most Acceptable Performance:

FREQUENT PERFORMANCE TASKS - 19. Self Initiated Field Activity

Most Acceptable Performance

On this date I, Cpl. Jones, covered the FTO responsibilities for Deputy Gross. I conducted a roll call on this date about Tier 1, 2 and 3 encounters with citizens. The roll call stressed making positive encounters with citizens. Deputy Gross made 5 total, self-initiated Tier 1 encounters on this date. He was able to effectively communicate what he was doing and why. He showed good officer presence and used a good bladed technique while speaking with citizens.

One of his encounters resulted in a frivolous complaint and was used as a training opportunity to stress the importance of activating the in-car camera and microphone.

He also handled a call for service involving a domestic and a firearm. Subsequently, illegal drugs were observed in the home. CMANS responded and assisted with writing a search warrant. Deputy Gross was exposed to the execution of a search warrant and evidence collection. Four total arrests were made to include possession with intent. Deputy Gross was able to complete his warrants with no help. 19-37167

Least Acceptable Performance:

ATTITUDE/ RELATIONS/ APPEARANCE - 28. Relationship with Citizens

Least Acceptable Performance

On this date, while encountering a citizen in a Tier 1 encounter, Deputy Gross failed to activate his in-car camera and microphone. Although the encounter was courteous and with no further action being taken against the citizen, a complaint revolving around the male came in. Deputy Gross was made aware he failed to activate his camera and this was stressed as the camera is a means of protecting both the citizen and the Deputy Sheriff. 19-37047.

PHASE #

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DOR #

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Additional Comments

Deputy Gross is very intelligent in terms of reading and articulating criminal law and policy. However, after my observations Deputy Gross needs more exposure to citizen contacts in all three Tiers. This would allow more exposure to evidence packaging, warrants and other administrative functions.

Cherokee Sheriff's Office

Memorandum

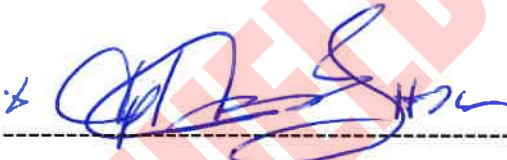
To: Corporal C. Jones

From: Lieutenant D. Barone

Date: April 8, 2019

Subject: Internal Affairs Investigation

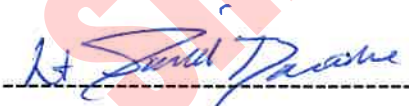
1. This is to inform you that an Internal Affairs Investigation has been started in regards to a situation which was reported on April 4, 2019.
2. A copy of the allegation is being supplied to you for your information. I have also supplied you with a copy of the "Employee's duties and rights during Internal 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)

4/8/19

(Date)



(Witness)

04.08.19

(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)

(Cody Jones)

4/8/19
(Date)


(Signature)

04-08-15
(Date)

Cherokee Sheriff's Office

Memorandum

To: Deputy C. Gross

From: Lieutenant D. Barone

Date: April 9, 2019

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 April 4, 2019.
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 Lt. Paul Barone

(Signature)

4/9/19

(Date)

Lt. Paul Barone

(Witness)

04-09-19

(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.

 (Conner Gross)
(Signature)

4/9/19
(Date)


(Signature)

04-09-19
(Date)

To my knowledge...

"You can stop anyone on the street that you like as an officer but you can not search someone without cause."

"You guys have every right to stop people on the street and engage them in a conversation or what have you...
- When did this become an opportunity to search someone without giving him due cause for searching him?"

the officer asked if he could search her husband... and...
We as Christians abide by the law and we make sure we put ourselves in a situation where our lives can't be taken because of some officer thinking they are not working with them. WE want to make it very clear that WE work with the community.

With all the things that happen in the news with officers who shot Black People - WE try to make sure we keep our lives, just that - ALIVE.

- ① 04-05-19 @ 10:38 am - Returned Mrs. James' phone call - He answer not allowed to leave a message. (Constant ringing)
 - ② @ 10:57 am - No answer, unable to leave message.
 - ③ @ 12:38 pm - No answer, not allowed to leave a message.
- Wrong # called



Cherokee Sheriff's Office

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"A NATIONALLY ACCREDITED AND STATE CERTIFIED LAW ENFORCEMENT AGENCY"

Frank Reynolds, Sheriff

TO: Captain Pinyan
FROM: Major Martin 
DATE: April 19, 2019
SUBJECT: Final Report of Internal Affairs Investigation

4/19/19 

1. On April 4, 2019, Lieutenant David Simmons took a complaint over the telephone from Mrs. Kimberly James. Mrs. James feels her husband, Byron James was racially profiled when 2 officers from the Cherokee Sheriff's Office stopped her husband and then searched him for no reason. Mrs. James feels her husband was stopped and searched for no reason other than he was a black man. The two officers in question are Corporal Cody Jones and Deputy Conner Gross.
2. Lt. Barone interviewed Corporal C. Jones and Deputy Connor Gross during the investigation. . Lt. Barone and Sheriff Reynolds made several attempts to meet with Mr. and Mrs. Jones but they did not return the phone calls to schedule a time for such a meeting. All reports pertaining to this incident were reviewed. The details of this investigation are outlined in the attached IA Case Report.
3. The findings of the investigation are as follows: Cherokee Sheriff's Office policy #03-01-02 (F) (1) (2) (J) states: *F. OFFICIAL CONTACTS WITH CITIZENS: During their official duties, law enforcement officers engage in many different forms of contacts with citizens. Such contacts are based upon the facts and circumstances of the situation and, in some cases, have legal consequences under the Fifth Amendment that states persons shall not be compelled in a criminal case to be a witness against themselves.*
 1. *VERBAL ENCOUNTER: is casual contact between a deputy and citizen that is voluntary, often involving an exchange of information of a general nature, such as directions to a specific location, advice about county services, or other matters of mutual interest.*
 2. *INTERVIEW: (CALEA 1.2.3a 6th ed.) is contact that is again totally voluntary, where there is no interference with an individual's movement or progress; no display of official authority beyond the uniform and personal identification; is conducted in a deferential manner to avoid causing any anxiety and fear; and is conducted in a location that the deputy has a legal right to be.**J. BIASED BASED PROFILING: The practice of any biased based profiling by deputies of this agency is strictly prohibited. Citizens will only be stopped or detained, including traffic and field contacts,*

when there exists reasonable suspicion to believe they have committed, are committing, or about to commit a violation of the law. Deputies will base their enforcement actions solely on an individual's conduct and behavior or specific suspect information. Additionally, agency asset seizure and forfeiture efforts will not be biased based.

Corporal Jones conducted roll call training involving the different types of Tier encounters law enforcement officers have with citizens. Tier 1 is essentially a consensual encounter one could have with anyone on the street, whether or not law enforcement is involved. For example, if I saw you on the street, I could walk up to you and attempt to strike up a conversation. You on the other hand could speak to me or simply walk away. Law enforcement officers can do the same thing. They could attempt to communicate with you but if you didn't want to talk you could simply walk away since there is no formal investigation and no criminal arrest. Deputy Gross' field evaluations have shown he is in need of improvement on public engagement and his interaction with the public. Within minutes of the completion of the roll call training, Deputy Gross stopped to speak with the first individual he saw, which just happened to be a black male walking in his neighborhood. Deputy Gross asked if he could speak to him and the two struck up a cordial conversation. Once again for training purposes, Deputy Gross asked the male if he could search him. This male who was still not questioned as to what his name was, did not hesitate and raised his arms out parallel to the ground and told Deputy Gross, "Yeah, go ahead." After the search, Deputy Gross and the male shook hands and both went about their morning. Therefore, the allegation that Corporal Jones and Deputy Gross violated Cherokee Sheriff's Office policy, specifically the Authority, Discretion and Arrest policy by racially profiling this male is proven to be false. Both officers are **EXONERATED.**

Cc: Sheriff Reynolds
Chief Ball