

PROBABLE CAUSE COMMITTEE RECOMMENDATION TO COUNCIL

CASE NO. 005-615-05-19

1. Daniel Lindsay is multi-certified (Basic Law Enforcement, Lidar (Laser) Operator, Radar Operator, Field Training Officer, Jailer, Managerial, Supervisory, Intermediate, Advanced, General Instructor, Firearms Instructor).
2. Officer Lindsay was employed with the law enforcement unit from 12/29/2004 until he resigned in lieu of termination on 05/16/2019. Officer Lindsay was employed by another law enforcement unit on 07/29/2020.
3. Officer Lindsay is currently employed by a law enforcement unit.
4. Officer Lindsay did not submit a response to this investigation.
5. Officer Lindsay was the subject of a previous POST investigation (see Attachment A).

CASE SUMMARY

On 05/01/2019, Officer Lindsay's agency was notified about a possible inappropriate relationship between Officer Lindsay and another officer's mother-in-law. An Internal Affairs investigation was conducted regarding the allegation. Officer Lindsay was not notified of the investigation due to it being determined it could compromise the investigation, therefore he was not interviewed.

Officer Newton advised his supervisor that his wife told him Officer Lindsay had contacted her mother through Facebook Messenger and the contact was sexual in nature. Officer Newton's wife was upset due to knowing Officer Lindsay was still married and her moral compass would not let her go along with the behavior. Officer Newton's wife went on to say she believed Officer Lindsay was trying to set up a "booty call".

Screenshots of the conversation were provided, however, they were not in order and some messages were deleted. The messages were sexual in nature and included photographs of Officer Lindsay's genitals, conversations about Officer Lindsay's marriage, photographs of Officer Lindsay in his police uniform, photographs of Officer Lindsay in his police department office, and photographs of Officer Lindsay in his police vehicle.

On 5/06/2019, Officer Newton's mother-in-law was contacted about the allegation. She stated Officer Lindsay initiated the conversation by sending her a Facebook friend request. She stated the messages became sexual in nature and once she found out Officer Lindsay was married she stated, "I'm not going to mess around with a married man, I'm not going to be the other woman." Officer Newton's mother-in-law stated she initially believed Officer Lindsay was not married and that she stopped calling and messaging him after she found out he was still married. She stated she told her daughter about the conversations and her daughter became upset. She stated she redacted or deleted messages that showed the pictures of herself she sent to Officer Lindsay before she shared the messages with her daughter.

On 05/13/2019, Officer Lindsay was given a "Notice of Disciplinary Action" and informed he had violated the agency policy regarding Code of Conduct (Immoral Conduct). Officer Lindsay was informed he would be terminated on 05/15/2019 due to the policy violation. Officer Lindsay submitted a letter of resignation, dated 05/13/2019, and it was submitted to POST as resigned in lieu of termination.

CRL 06/09/2021

On 06/09/2021, Investigator Lee spoke with Officer Lindsay regarding the incident. Officer Lindsay stated he did send messages back and forth with Officer Newton's mother-in-law. He also stated he never met her in person. Officer Lindsay stated he was never interviewed about the incident and felt the new police chief may have been looking for a reason to terminate him due to him also applying for the police chief position. Officer Lindsay stated he did submit a written response to POST but it is not in the investigative file.

DISCIPLINARY HISTORY

None

CRIMINAL HISTORY

None

VIOLATION

It is hereby asserted this individual is in violation of the following sections of O.C.G.A. 35-8-7.1 (a)(6),(7),(8) as attached:

In accordance with O.C.G.A. 35-8-7.1 (b) (1), the Probable Cause Committee makes the following recommendations to the Council:

Chairman, Probable Cause Committee
Date:

Chairman, P.O.S.T. Council
Date: