

2024-00050

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 9/20/2024

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Johnson, Terri Race: B Sex: F Age: 62 Date of Birth: [REDACTED] 1962
Address: 682 Windcroft Cir NW City: Acworth, Ga 30102 Zip: 30102
Home Phone: [REDACTED] Business Phone:

II. Deputy/Civilian Employee Information:

Name: Joshua Belden Rank: Deputy I.D.#: 16914
Division: UPD Unit Number: C-31
Name: Rank: I.D.#:
Division: Unit Number:

III. Location of Incident:

Hwy 92 / Robin Rd

Date: 9/11/2024 Time: 08:46am Case Number: SO24-01559

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

See Attached

V. Witness Information:

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

VI. Person Taking Report:

Name: Robert Bradshaw Rank: Corporal
Division: UPD Shift: 3 Badge Number: 16450

VII. Supervisor's Comments/Recommendations:

Terri Johnson complaints are as follows: Deputy Belden stated that he would give the violator a choice on if he goes to jail or just receives a traffic citation. Deputy Belden was asked if Terri needed to record the video at QuickTrip showing the Hit and Run, Deputy Belden stated he got the video. Terri later found out she would have to pay for the video through Open Records. Terri Johnson is overall unhappy that the case has not been resolved.

VIII. Allegation/Inquiry/Commendation Information:

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

A/I/C Referred to:

☐ A/I/C Resolved on Initial Contact ☐ Allegation/Inquiry Withdrawn

IX. Documentation Attached: ☒ Incident Report ☐ Written Statement ☐ Other

X. Division Commanders Review: Capt. T. Shinsil 9/20/24
(Signature) (Date)

- ☒ No further Action Required.
☐ Refer to _____ for further investigation.
☐ Recommend Formal Commendation.

Additional Comments:

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- ☐ 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.
☐ 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.

J. Belden #2016 J.B.
Employee Signature
Cpl. Belden
Witness Signature

09/20/2024
Date
9/20/2024
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.

J.B.
Employee Signature
Cpl. Belden
Witness Signature

09/25/2024
Date
9/25/2024
Date

Distribution: Division Commander
Internal Affairs

**Cherokee Sheriff's Office**
Case ReportCase Number
SO24-012559
Report Type
Crime Report

Administrative Information			
Case Report Number	Verified Offense	Disposition	
SO24-012559-001	HR - Hit And Run	Active	
Summary			
Incident Information			
Entered On	Reported On	Reporting Officer	
9/11/2024 11:19:47 AM	9/11/2024 8:46:21 AM	Belden, Joshua S	
Occurred On	Or Between		
9/11/2024 8:41:00 AM			
Call Source	Related Cases	Supplemental	
Phone			
Location Information			
Location Name	Address		
QUIKTRIP	6400 Hwy 92 CH, GA 30102		
Suspect Information			
Name			Juvenile
Unknown			No
Addresses			
Phones			
Emails			
DOB	SSN	Race	Sex
		White	Male
Height	Weight	Hair	Eyes
DLN	DLS	DL Country	
County Resident		Employer/School	
Unknown			

Victim Information		
Victim Type	Victim Of	
Individual	40-6-270(C) 5401 - HIT AND RUN	
Name	Juvenile	
Johnson, Terri Michelle	No	
Addresses		
Home	682 Windcroft Cir NW	Acworth, GA 30102
Phones		
Mobile		

**Cherokee Sheriff's Office**

Case Report

Case Number
SO24-012559
Report Type
Crime Report

Emails			
DOB	SSN	Race	Sex
██████ 1962		Black or African American	Female
Height	Weight	Hair	Eyes
5' 3"	160	Black	Brown
DLN	DLS	DL Country	
053105016	Georgia	United States of America	
County Resident		Employer/School	
Resident			

Property Information	
Property Type	Description
03	
Status	Count
Information Only	1
Serial Number/VIN	Vehicle Year
3N1CP5BV3LL574939	2020
Vehicle Make	Vehicle Model
Nissan	Kicks
Type	OAN
SUV - Sport Utility Vehicle	
Finish	Condition
Color	Vehicle Damages
Primary Gray	
Other Identifiers	
Evidence Tag	Disposition
Notes	

Narrative		
Name	Date	Subject
Belden, Joshua S	9/11/2024	Hit and Run

On September 11, 2024, at 8:46 AM, I was dispatched to Highway 92 and Robin Road in reference to a hit and run.

Upon arrival, I met with the caller, Terri Johnson, who stated she was driving east on Highway 92 just east of Robin Road. When Terri slowed for traffic the vehicle following her struck her vehicle from behind. Terri stated she got out of her vehicle to look at the damage. The driver of the other vehicle, identified as a white male, asked if there was any damage. When Terri told the other driver there was damage to both vehicles and she wanted to call the police, the other driver left the scene without giving any information. Terri stated she got the license plate number from the other vehicle



Cherokee Sheriff's Office
Case Report

Case Number
SO24-012559
Report Type
Crime Report

as it left the scene (REL5329). Terri stated she believed this other vehicle to be a Honda CRV or similar in a gold color. I ran the plate through GCIC and it returned to a cancelled Ford pickup truck. I put the plate number into the Flock camera system but received no returns for that plate.

After gathering information from Terri, I went into the Quiktrip to see if their cameras caught the accident. While reviewing the cameras, it showed the collision. In this video it appeared the unknown vehicle was a light colored Honda CRV. I was unable to determine the plate number from this video. This video was recorded onto my body worn camera.

After Terri left the scene, I continued searching through the Flock camera system looking for a vehicle matching the description in the area at that time. I was unable to locate a matching vehicle through the Flock cameras.

Photos have been uploaded to the case file.

Nothing Follows
Joshua Belden #206
UPOG Shift 3

**Cherokee Sheriff's Office**
Case ReportCase Number
SO24-012559
Report Type
Follow-Up Report

Administrative Information			
Case Report Number	Verified Offense	Disposition	
SO24-012559-002	HR - Hit And Run	Inactive	
Summary			
Incident Information			
Entered On	Reported On	Reporting Officer	
9/13/2024 5:51:31 AM	9/11/2024 8:46:21 AM	Mills, Charles	
Occurred On	Or Between		
9/11/2024 8:41:00 AM			
Call Source	Related Cases	Supplemental	
Phone		Yes	
Location Information			
Location Name	Address		
QUIKTRIP	6400 Hwy 92 CH, GA 30102		
Suspect Information			
Name		Juvenile	
Unknown		No	
Addresses			
Phones			
Emails			
DOB	SSN	Race	Sex
		White	Male
Height	Weight	Hair	Eyes
DLN	DLS	DL Country	
County Resident		Employer/School	
Unknown			

Victim Information		
Victim Type	Victim Of	
Individual	40-6-270(C) 5401 - HIT AND RUN	
Name	Juvenile	
Johnson, Terri Michelle	No	
Addresses		
Home	682 Windcroft Cir NW	Acworth, GA 30102
Phones		
Mobile		

**Cherokee Sheriff's Office**

Case Report

Case Number
SO24-012559
Report Type
Follow-Up Report

Emails			
DOB	SSN	Race	Sex
██████ 1962		Black or African American	Female
Height	Weight	Hair	Eyes
5' 3"	160	Black	Brown
DLN	DLS	DL Country	
053105016	Georgia	United States of America	
County Resident		Employer/School	
Resident			

Property Information	
Property Type	Description
03	
Status	Count
Information Only	1
Serial Number/VIN	Vehicle Year
3N1CP5BV3LL574939	2020
Vehicle Make	Vehicle Model
Nissan	Kicks
Type	OAN
SUV - Sport Utility Vehicle	
Finish	Condition
Color	Vehicle Damages
Primary Gray	
Other Identifiers	
Evidence Tag	Disposition
Notes	

Narrative		
Name	Date	Subject
Belden, Joshua S	9/11/2024	Hit and Run

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Cherokee Sheriff's Office

Case Report

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SO24-012559
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Follow-Up Report

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Nothing Follows
Joshua Belden #206
UPOG Shift 3

Narrative		
Name	Date	Subject
Mills, Charles	9/13/2024	Follow Up

On 09/13/2024, I reviewed this case.

This case has limited to no solvability factors and will be closed/inactive pending any further leads.

Deputy Mills #885
Traffic Enforcement Unit

CHEROKEE SHERIFF'S OFFICE

MEMORANDUM

TO: Captain Shinall

FROM: Corporal Bradshaw

DATE: 9/16/2024

SUBJECT: Complaint from Terri Johnson (SO24-012559)

On 9/11/2024 Deputy Belden responded to a hit and run near the intersection of Highway 92 and Robin Road. Terri Johnson was the victim of a hit run. Deputy Belden met with Terri. While on scene, Deputy Belden conducted a thorough investigation checking flock camera's and viewing video from the QuikTrip gas station. Deputy Belden was able to identify a make and model of the suspect vehicle but was unable to locate the vehicle. Deputy Belden also spent approximately two hours after leaving the scene, searching flock for suspect vehicle. Terri provided Deputy Belden with a tag number from the suspect vehicle, but the tag provided was incorrect.

Deputy Belden explained to Terri that he would continue to search for the suspect vehicle. Terri was told that the at fault driver would be given the choice to receive a citation or be arrested. What Deputy Belden meant by this statement is that if the suspect was positively identified he would receive a citation if the suspect would meet with us, if not there would be no other choice but to issue an arrest warrant. Regardless, the suspect would be charged with hit and run. After Deputy Belden returned to service, I received a phone call request from Terri. Terri attempted to make Deputy Belden's statement about the at fault driver getting a choice on receiving a citation or going to jail a racial issue since the driver was a white male. Terri was also unhappy the at fault vehicle had not been identified. After trying to explain things to Terri, she hung the phone up on me.

Corporal Jarratt received a call from Terri the following day. Terri was unhappy about the case and stated she sent an email to Deputy Belden without response. Deputy Belden has not received an email from Terri.

On 9/19/2024, Terri attempted to get Deputy Belden's body camera video which shows the Hit and Run. Terri was upset that the video had an associated open records fee and stated Deputy Belden told her she did not need to get the video since he recorded it. Terri stated Deputy Belden should have told her that she would have to pay for his video.

I viewed Deputy Belden's body camera video. Deputy Belden was courteous throughout his interaction and completed his investigation to the best of his ability, going above what is required. The case was sent to the Traffic Enforcement Unit and was closed due to limited or no solvability factors.

Ultimately, I find that this complaint is unfounded.





CHEROKEE SHERIFF'S OFFICE
MEMORANDUM

Sheriff Frank Reynolds
September 20, 2024

MEMORANDUM

TO: Captain James T. Shinall
FROM: Lieutenant Christopher Bryant
SUBJECT: Complaint on Deputy Belden

On September 20, 2024, I spoke with Corporal Bradshaw regarding a complaint made by Terri Johnson against Deputy Belden regarding a hit and run investigated by the Sheriff's Office (SO24-02559). Ultimately, this incident was forwarded to Deputy Mills with the Traffic Enforcement Unit for follow-up and closed/inactive due to the lack of solvability factors. The basis of Ms. Johnson's complaint is D/S Belden informed her that the suspect or violator is given the choice of receiving a citation or going to jail, and that D/S Belden should have informed her she would have to pay for any open record request. Terri is also unhappy with this incident not being resolved.

My findings in this incident are in line with those of Corporal Bradshaw. While D/S Belden did misspeak regarding the issuance of citations or incarceration if a suspect is arrested, it is common practice for traffic offenders to be issued citations in lieu of posting bond if there is a certain level of cooperation and there is no belief the offender will fail to appear for any subsequent court proceeding. Next, D/S Belden is not required to inform anyone that fees are required to obtain copies of open records documents, nor is he responsible for the lack of solvability factors related to this incident.

I attempted to contact Ms. Johnson twice and was either sent to hold, or the telephone number she provided is not valid.

I recommend this complaint be closed out as EXONERATED.

Thank You

CKB