

2024-00043

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 08/30/2024

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Nicola Kirk Race: W Sex: F Age: 55 Date of Birth: [REDACTED] 1969
Bunn
Address: 3801 Overlook Trl City: Kennesaw Zip: 30144
Home Phone: [REDACTED] Business Phone:

II. Deputy/Civilian Employee Information:

Name: Meagan Vaughan Rank: Deputy I.D.#:
Division: ADC Unit Number: Shift 1
Name: Rank: I.D.#:
Division: Unit Number:

III. Location of Incident:

498 Chattin Drive, Canton, Ga 30115

Date: 08/30/2024 Time: 4:07pm Case Number: SO24-012003
SO24-012012

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

See Attached

V. Witness Information:

Name: Andrew Bunn Address: 3801 Overlook Trl City: 30144
Home Phone: [REDACTED] Business Phone:
Name: Address: City:
Home Phone: Business Phone:

VI. Person Taking Report:

Name: James D. Roberts Rank: Sergeant
Division: UPBM Shift: 1 Badge Number: 417

VII. Supervisor's Comments/Recommendations:

Nicola Bunn and her son, Andrew Bunn both stated Deputy Vaughan used profanity and threatened harm during their telephone conversation. The available audio of the incident states otherwise. Deputy Vaughan never used profanity or threatened harm during the conversation. No Sheriff's Office policies were violated. My recommendation for this complaint is to be Unfounded. The evidence shows that the allegation is false or not factual.

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Allegation/Inquiry Withdrawn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:

(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.
- ☐ 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.

DS Vayner
Employee Signature
[Signature]
Witness Signature

09/15/24
Date
9/15/24
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.

DS Vayner
Employee Signature
[Signature]
Witness Signature

09/15/24
Date
9/15/24
Date

Distribution: Division Commander
Internal Affairs

CHEROKEE COUNTY SHERIFF'S OFFICE
MEMORANDUM

To: Lieutenant Christopher Bryant

From: Sergeant J.D. Roberts

Date: 08/31/2024

Subject: AIC Allegation (SO24-012012)

On 08/30/2024 at around 4:49pm, I spoke with Nicola Bunn via telephone about her stepdaughter (Ashley Mora Balboa) making a false report on her and about how she was treated by the deputy who called her. Nicola was very upset with everything that had recently occurred. Please see case number SO24-012003 for the details of the harassing communications report.

During my conversation with Nicola she was able to tell me it was a female deputy that contacted her, but she did not remember her name. Nicola was able to find out through a family member that Ashley went to the Cherokee Sheriff's Office headquarters to file the report, so it may have been a jail deputy that called her.

While on the telephone with Nicola, I was unable to locate a report pertaining to the incident.

Nicola reiterated that she wanted something done with how she was spoken to by the officer who called because it was hateful and mean. Nicola wanted to go ahead with a complaint because she believes the officer needs to be reprimanded for how she treated her.

Nicola stated that she felt threatened by the phone call from the officer. I asked Nicola how she felt threatened. Nicola stated she felt threatened because the officer stated "I'm not the one to fucking mess with, it could hurt you". Nicola went on to verify this statement with her son (Andrew Bunn) and he verified the statement because he heard it also because the phone was on speaker phone. I asked Nicola if the officer actually used profanity and she stated she did.

After ending the phone call with Nicola, I called the Cherokee County Adult Detention Center and asked to speak with a supervisor. I spoke with Corporal Griffin. I explained the situation to him. Corporal Griffin informed me Deputy Meagan Vaughan would have been the deputy working the lobby. I asked Corporal Griffin if he could ask Deputy Vaughan about the incident and to see if he could find any video or audio for me. He stated he would.

Shortly after this same day, I was able to locate the report Ashley Mora Balboa had filed at the ADC with Deputy Vaughan.

Corporal Griffin contacted me back and stated he did find video and audio of the incident. Corporal Griffin stated Deputy Vaughan did not use any profanity while she was communicating over the telephone. I asked Corporal Griffin if I could get a copy of the video and audio. He stated he would let me know when it was ready for pick up.

After obtaining the video and audio, I reviewed it. Below is a transcript of the phone conversation Deputy Vaughan had with Nicola Bunn. I wrote the transcript the best I could from the low audio quality.

Deputy Vaughan:

I have someone in front of me that's asking for you to quit contacting them.

First of all, if you yell at me I'm the wrong one, number two.

Why are you yelling at me I have nothing to do with it.

She is not getting locked up, she is not breaking the law, you are breaking the law.

You are doing harassing communications.

If you would stop screaming I would explain it, harassing communications, you can look it up, it's when someone asks you to stop contacting them and you sent three other today I'm looking at, today at 1:21 I have 3 other text messages by you.

I will take screen shots and put them in the report

That's fine, that's wonderful, alright thank you ma'am, do not contact her again and I'm writing a report, have a great day.

Phone call ended

At no time during the conversation did Deputy Vaughan use profanity toward Nicola Bunn or threaten to hurt her in any way. From the audio it sounded like Deputy Vaughan was trying to communicate everything, but she was being interrupted and cut off. Twice during the conversation Deputy Vaughan asked Nicola Bunn why she was yelling at her.

Deputy Vaughan did state "first of all, if you yell at me I'm the wrong one". I did not perceive this as a threat, but an attempt to try and get Nicola Bunn to listen to her and stop yelling. I believe because of Nicola Bunn yelling at Deputy Vaughan she may have been a little short in conversation with her, but tried her best to relay what information she needed to relay.

The video and audio were attached to case file SO24-012012. Axon body cam footage of my telephone call with Nicola Bunn is also available on Axon.

Conclusion / Recommendations

Nicola Bunn and her son, Andrew Bunn both stated Deputy Vaughan used profanity and threatened harm during their telephone conversation. The available audio of the incident states otherwise. Deputy Vaughan never used profanity or threatened harm during the conversation. No Sheriff's Office policies were violated. My recommendation for this complaint is to be Unfounded. The evidence shows that the allegation is false or not factual.

Respectfully,

Sgt. J.D. Roberts

SHIELDS OF SHAME