

2024-00047

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 17 SEP 2024

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Downey, Kelley Race: W Sex: F Age: 36 Date of Birth: [REDACTED] 87
Address: 156 Oak Haven Dr City: Canton Zip: 30115
Home Phone: [REDACTED] Business Phone:



II. Deputy/Civilian Employee Information:

Name: Rian Carpenter Rank: D/S I.D.#: 16602
Division: CID/SVU Unit Number:
Name: Rank: I.D.#:
Division: Unit Number:

III. Location of Incident:

9870 Highway 92 #200 Woodstock, 30188 (Ana Crawford Center)

Date: 9/13/24 Time: 1500 Case Number: SO24-012197

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

See Attached

V. Witness Information:

Name: Hailey Gagner Address: 1300 Univeter Rd City: Canton
Home Phone: [REDACTED] Business Phone: [REDACTED]
Name: Jessica DeGourville Address: 9870 Hwy 92 #200 City: Woodstock
Home Phone: [REDACTED] Business Phone: [REDACTED]

VI. Person Taking Report:

Name: Cody Jones Rank: SGT
Division: CID Shift: SVU Badge Number: 765

VII. Supervisor's Comments/Recommendations:

-SEE ATTACHED (EXONERATED)

VIII. Allegation/Inquiry/Commendation Information:

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

A/I/C Referred to: Sgt. C. Jones

☒ 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Allegation/Inquiry Withdrawn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.


Employee Signature

Witness Signature

17 Sep 2024
Date
17 Sep 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.


Employee Signature
Yanira Mordaga
Witness Signature

17 Sep 2024
Date
September 17, 2024
Date

Distribution: Division Commander
Internal Affairs

On Friday September 13, 2024 at 1526 hours, Kelley Downey left a voicemail regarding filing a complaint against Detective R. Carpenter. The voicemail indicated Detective Carpenter yelled at her and she felt verbally abused.

Approximately thirty minutes prior, Det. Carpenter called me and informed me there was an incident at the Anna Crawford Center, where he and a mother of a child, which had been forensically interviewed; had gotten into a verbal altercation. Det. Carpenter told me the entirety of the conversation with the mother, Kelley Downey, was recorded and Jessica DeGourville (ACCC) and Hannah Gaddis (DFCS) were present at the Anna Crawford Center when the alleged incident occurred. Det. Carpenter stated he was firm in his presentation of facts, but did not feel as if he were rude nor did he curse.

Kelley Downey is named as the mother [REDACTED] -ref. SO24-012197. The investigation was assigned to Det. Carpenter on September 3, 2024. Since assignment, Det. Carpenter has conducted six Forensic Interviews and over forty interviews with family members in less than two weeks. I have obtained weekly updates with the case and have been made aware the mother of the victim has been adamant the child victim is lying; even though evidence contradicts her statements.

On Monday September 16, 2024 at 0944 I called and spoke with Kelley Downey and recorded the conversation. She informed me of the incident on September 13, 2024 and stated she was upset and felt as if she were verbally abused by Det. Carpenter. She informed me after a forensic interview of [REDACTED] she asked Det. Carpenter when she could get her life back to normal. She indicated Det. Carpenter began yelling saying things like "you're not a supportive mother, not a good mom and I'm sick of this". She stated no man should talk to a woman the way he did.

I answered any and all questions Mrs. Downey had. She ended the conversation with she felt as if she were verbally abused by Detective Carpenter.

I then reviewed the recording of the conversation between Kelley Downey and Det. Carpenter on September 13, 2024. The recording is 12:37 long. At the 6:44 mark, Detective Carpenter says "suck it up, quit being selfish and start being a mom". The context of these comments came after the previous 6:43 of the recording revealed Det. Carpenter making Kelly aware she had been "coaching" her daughter and making her daughter tell every one she is lying about the investigation.

At no time during the conversation did I feel Det. Carpenter was verbally abusing Kelley Downey. He was however, very emotional and direct with his line of statements. (-see recording)

I called to speak with the witnesses in this case. Due to the Cherokee County School District Fall Break Holiday; Hannah Gaddis (DFCS) was out of the office. I called and spoke with her direct supervisor, Hailey Gangner. Hailey told me she was aware of the incident between Det. Carpenter and Mrs. Downey, through testimony from Hannah to her. It was not relayed to her that anything Det. Carpenter did was unprofessional, but more unorthodox from what Mrs. Downey had seen from civilian personnel. Hailey informed me DFCS currently has an open investigation with the Downey's.

Next, I called and spoke with Jessica DeGourville (ACCC). Jessica told me a similar account to what Hailey informed me of. Det. Carpenter was very direct, raised his voice; but she did not feel as if he was unprofessional at any time.

I reviewed the Cherokee Sheriff's Office Policy 01-03-02 Code of Conduct. I acknowledged Det. Carpenter did not violate any policies. In terms of Mrs. Downey's accusations that Det. Carpenter "verbally abused" her. In the Official Code of Georgia Annotated (law book) there is not a criminal statute which constitutes action using these terms. I find no State law violation occurred.

Disposition: EXONERATED

Sergeant Cody L. Jones 

9/17/24



Cherokee Sheriff's Office

498 Chattin Drive
Canton, Georgia 30115
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"AN INTERNATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY"



Frank Reynolds, Sheriff

MEMORANDUM

To: Lieutenant William Ballard

From: Sergeant Cody L. Jones *CJ*

CC: Captain L.A. Hands

Date: 17 September 2024

Ref: Complaint/Detective Carpenter

Lieutenant,

Please find attached my investigation into a complaint on Detective Rian Carpenter from Mrs. Kelley Downey (ref. case#: SO24-012197.)

Disposition: EXONERATED

Respectfully,

A handwritten signature in blue ink, appearing to read "Cody L. Jones", written over a large, diagonal, semi-transparent red watermark that says "SHIELDS OF SHAME".

Sergeant Cody L. Jones