



Cherokee Sheriff's Office

498 Chattin Drive
Canton, Georgia 30115
(678) 493-4200
Fax (678) 493-4109



"AN INTERNATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY"

Frank Reynolds, Sheriff

To: GA POST

From: Lieutenant D. Barone *DP*

Date: February 9, 2024

Re: Deputy Russell Searcy

The Cherokee Sheriff's Office, Office of Professional Standards conducted an internal investigation against Deputy Russell Searcy in reference to possible Workplace Harassment and Unbecoming Conduct policy violations. Lieutenant Lauren Denson completed an AIC accusation in which she alleged that Deputy Searcy has made several racially motivated comments towards his Hispanic co-workers. She also reported that Deputy Searcy pointed his county issued TASER at another co-worker. Lieutenant Denson also alleged that Deputy Searcy bit a female co-worker on her upper arm.

The internal investigation has shown the allegations to be true. When a Hispanic employee was requested by a supervisor to come to the front of the roll call room to fill out some paperwork, Deputy Searcy made a comment that they (The Cherokee Sheriff's Office) were checking his "Green Card." Deputy Searcy also made a comment about Hispanics to the entire roll call room when he asked, "Has this become the immigrant shift?"

Deputy Searcy spoke inappropriately to a female co-worker who is a lesbian. Deputy Searcy told this co-worker, "Just one night with you, I will make you straight." He also told her "Having anal sex is like taking a good shit." Deputy Searcy also told this co-worker that he would give her a "Creampie", which by definition, is an explicit sexual act. These comments made the female deputy feel extremely uncomfortable and awkward.

Deputy Searcy was pointing his TASER in a co-worker's general direction and one of the TASER laser beams appeared on that deputy's person. The deputy then began to exit the roll call room when she advised she saw Deputy Searcy was tracking her with his TASER laser beams, thus indicating the TASER was armed with its cartridges. Deputy Searcy contends he was practicing with his TASER and admitted that one of his TASER laser beams appeared on Deputy Sager around the time she placed her duty bag on the table. Deputy Searcy contends both of his TASER laser beams appeared on the deputy's person only because she decided to walk in front of his TASER laser beams when she exited the roll call room. This investigator was not able to prove or disprove the deputy's allegation that Deputy Searcy tracked her with his TASER's laser beams as she exited the roll call room. However, Deputy Searcy should have never unholstered his TASER within the Adult Detention Center roll call room, as the Sheriff's

Office has an office dedicated to unholstering and testing the TASER. Once Deputy Searcy saw another person enter the roll call room, he should have immediately terminated "practicing" with his TASER, especially after one of his TASER laser beams appeared on Deputy Sager.

Deputy Searcy bit a female co-worker on her upper right arm. He walked into the book-in area as the female deputy had her arms on the book-in table. Deputy Searcy then bit her upper right arm. The female deputy was upset with his actions, and asked him if he was okay? Deputy Searcy responded by telling the female deputy, "I didn't bite you that hard." The female deputy then stated, "If you ever touch me again, I will fucking kill you!" Deputy Searcy did not take this as an opportunity to apologize, but rather stated, "Don't tempt me with a good time."

Deputy Searcy violated the Cherokee Sheriff's Office Workplace Harassment policy, specifically Hostile Work Environment and Sexual Harassment. He also violated the Code of Conduct policy, specifically Unbecoming Conduct. These accusations were SUSTAINED.

Deputy Searcy resigned his position with the Cherokee Sheriff's Office in lieu of termination. His resignation went into effect on February 2, 2024.

Respectfully,



Lt. David Barone

Cherokee Sheriff's Office

Office of Professional Standards

dmbarone@cherokeega.com

678-493-4116 office



Cherokee Sheriff's Office

498 Chattin Drive
Canton, Georgia 30115
(678) 493-4200
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"A NATIONALLY ACCREDITED AND STATE CERTIFIED LAW ENFORCEMENT AGENCY"



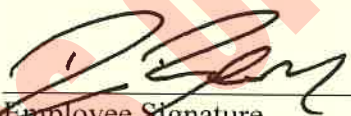
Frank Reynolds, Sheriff

Sheriff Frank A. Reynolds
Cherokee Sheriff's Office
498 Chattin Drive
Canton, GA 30115

Dear Sheriff Reynolds,

Please be advised that I hereby voluntarily resign my position with the Cherokee Sheriff's Office.

This resignation is submitted freely and without duress.



Employee Signature

ADC 2

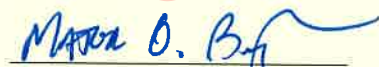
Division

2/2/24

Date



Witness



Division Commander

Cherokee Sheriff's Office

Memorandum

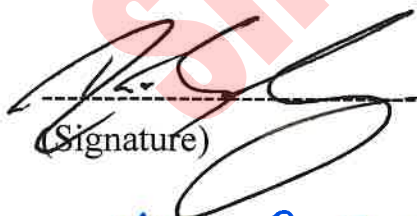
To: Deputy Russell Searcy

From: Major Olen Boughner

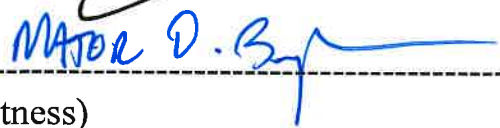
Date: February 2, 2024

Subject: Administrative Leave without Pay

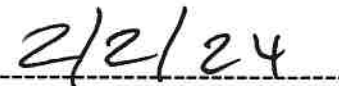
1. This is to inform you that as of February 2, 2024 you are being placed on Administrative Leave without Pay. This is due to a sustained Workplace Harassment and Code of Conduct Violation.
2. You are required to turn in your badge, identification, and your time card.
3. A copy of the allegation was already supplied to you for your information by Captain James Cox on January 25, 2024.
4. You are hereby ordered not to discuss this case with any person other than the Internal Affairs Office, Chief Deputy, Sheriff, Captain Darin Downey (Acting Jail Operations Commander), myself, or legal counsel. Any efforts on the contrary will be considered obstruction of this investigation and a violation of a direct order.
5. Please make yourself available between the hours of 8:00 AM and 5:00 PM Monday through Friday.



(Signature) Searcy



(Witness) Major O. B.



(Date)



(Date)



Cherokee Sheriff's Office

498 Chattin Drive
Canton, Georgia 30115
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Fax (678) 493-4195

"A NATIONALLY ACCREDITED AND STATE CERTIFIED LAW ENFORCEMENT AGENCY"



Frank Reynolds, Sheriff

To: Deputy Russell Searcy

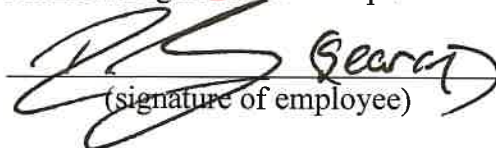
From: Major Olen Boughner

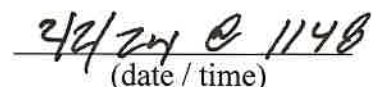
Date: February 2, 2024

Subject: Notice of Pre – Disciplinary Hearing

1. In accordance with the agency's Remedial Action Policy, #01-04-03, I am notifying you that I am in receipt of the Internal Investigation results and findings. The findings of the Internal Investigation reveals that you violated the Workplace Harassment Policy, #01-03-09, specifically Hostile Work Environment and Sexual Harassment. You also violated the Cherokee Sheriff's Office Code of Conduct Policy, #01-03-02, specifically Unbecoming Conduct (F) (2).
2. It is my responsibility to initiate the appropriate remedial action based upon the findings of the Internal Investigation. In considering what action to take, I want to give you the opportunity to respond, either in writing or in person, to the findings of the board.
3. Please consider this correspondence notice that you have 24 hours to respond in writing or to arrange for a meeting with Captain Darin Downey, Acting Jail Operations Commander, to discuss the finding of the investigation. Should you decide that you do not want to respond in writing or to schedule a face-to-face meeting with Captain Darin Downey, I will be forced to take the appropriate action based upon my review of the report and any other information I deem relevant to the charges. You are further advised that your failure to respond in writing or to request a meeting with me will constitute your waiver to any opportunity to a future pre-disciplinary hearing.

Acknowledgement of Receipt:


(signature of employee)


(date / time)



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"AN INTERNATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY"



Frank Reynolds, Sheriff

TO: Lt. Colonel W. J. Smith 
FROM: Captain Kim Thompson
DATE: February 2, 2024
SUBJECT: Final Report of Internal Affairs Investigation

1. On January 26, 2024, Lieutenant Barone began an investigation on alleged misconduct against Deputy Russell Searcy.

2. Lieutenant Barone completed several interviews to include Deputy Searcy.

3. The findings of the investigation are as follows:

Cherokee Sheriff's Office Policy 01-03-09 (C) (1) (3) (a) (b) (c) (1) (2) (D) (1) (a) (b) (2) states:

C. POLICY: 1. Each employee of the Cherokee Sheriff's Office is entitled to be treated in a professional, respectful manner and work in a work environment without fear of any form of harassment from co-workers or supervisors. 3. PROHIBITED ACTIVITY: (GA 3.1) a. No employee shall ridicule, mock, deride, or belittle anyone. b. No employee shall make any offensive or derogatory comments, epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts related to the race, color, gender, religion, national origin, age, or disability of another person, either directly or indirectly. c. No employee shall make any unwelcome sexual advances, requests for sexual favors, or engage in verbal or physical conduct of a sexual nature. Examples of sexual harassment include, but are not limited to: (1) Sexual comments of a provocative or suggestive nature; (2) Jokes or innuendoes directed at another

employee. D. DEFINITIONS: 1. HARASSMENT: Behavior characterized by varying degrees of offensiveness. It can be verbal or physical conduct that denigrates hostility or aversion toward another person because of their race, color, religion, gender, national origin, age, or disability. IT IS THE BEHAVIOR THAT IS OFFENSIVE AND UNWELCOME, whether the victim complains explicitly or not, and: a. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; b. Has the purpose or effect of unreasonably interfering with an individual's work performance. 2. HOSTILE WORK ENVIRONMENT: Any repetitive acts of harassment which are both severe and pervasive to alter the conditions of the victim's employment by creating an abusive working environment. Such actions include touching, sexual comments, jokes, and sexually oriented pictures.

During Deputy Russell Searcy's employment with the Cherokee Sheriff's Office, he has repeatably made inappropriate comments and/or jokes at the expense of his co-workers. During the month of January/2024, Deputy Searcy has made several racially motivated comments towards his Hispanic co-workers. When a Hispanic employee was requested by a supervisor to come to the front of the roll call room to fill out some paperwork, Deputy Searcy made a comment that they (The Cherokee Sheriff's Office) were checking his "Green Card." Deputy Searcy also made a comment about Hispanics to the entire roll call room when he asked, "Has this become the immigrant shift?" A Hispanic deputy told this investigator he was upset at the comment and wanted to walk out of the room.

Deputy Searcy spoke inappropriately to a female co-worker who is a lesbian. Deputy Searcy told this co-worker, "Just one night with you, I will make you straight." He also told her "Having anal sex is like taking a good shit." Deputy Searcy also told this co-worker that he would give her a "creampie", which by definition, is an explicit sexual act. These comments

made the female deputy feel extremely uncomfortable and awkward. Therefore, Deputy Searcy violated the Cherokee Sheriff's Office Workplace Harassment policy, specifically Hostile Work Environment and Sexual Harassment, and this accusation is **SUSTAINED**.

Cherokee Sheriff's Office Policy 01-03-02 (C) (F) (2)

C. POLICY: All employees are expected to perform their assigned duties at or above satisfactory levels; comply with prescribed standards of workplace behavior and appearance; obey all Federal and State laws; and treat others fairly and with respect.

F. EMPLOYEE RULES OF CONDUCT: 2. UNBECOMING CONDUCT: Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the agency. Conduct unbecoming shall include that which tends to discredit or cause the public to lose confidence in the agency or Cherokee County 4 government; which is prejudicial to good order; OR that otherwise tends to impair the agency's operation, efficiency, and morale.

Deputy Sager reported to the roll call room and placed her duty bag on the table. Deputy Searcy was pointing his TASER in her general direction and one of the TASER laser beams appeared on Deputy Sager's person. Deputy Sager then began to exit the roll call room when she advised she saw Deputy Searcy was tracking her with his TASER laser beams, thus indicating the TASER was armed with its cartridges. Deputy Searcy contends he was practicing with his TASER and admitted that one of his TASER laser beams appeared on Deputy Sager around the time she placed her duty bag on the table. He also advised when he saw one of his TASER laser beams appear on Deputy Sager, he started to point his TASER away from her and to the right of her position. Deputy Searcy contends both of his TASER laser beams appeared on Deputy

Sager's person only because she decided to walk in front of his TASER laser beams when she exited the roll call room. This investigator was not able to prove or disprove Deputy Sager's allegation that Deputy Searcy tracked her with his TASER's laser beams as she exited the roll call room. However, Deputy Searcy should have never unholstered his TASER within the Adult Detention Center roll call room, as the Sheriff's Office has an office dedicated to unholstering and testing the TASER. Once Deputy Searcy saw another person enter the roll call room, he should have immediately terminated "practicing" with his TASER, especially after one of his TASER laser beams appeared on Deputy Sager.

Deputy Searcy bit a female co-worker on her upper right arm. He walked into the book-in area as the female deputy had her arms on the book-in table. Deputy Searcy then bit her upper right arm. The female deputy was upset with his actions, and asked him if he was okay? Deputy Searcy responded by telling the female deputy, "I didn't bite you that hard." The female deputy then stated, "If you ever touch me again, I will fucking kill you!" Deputy Searcy did not take this as an opportunity to apologize, but rather stated, "Don't tempt me with a good time." The female deputy told this investigator Deputy Searcy's actions made her feel upset, confused, disappointed, and uncomfortable. Deputy Searcy's inappropriate actions tends to impair the agency's operation, efficiency, and morale. Therefore, Deputy Searcy violated Cherokee Sheriff's Office policy, specifically Unbecoming Conduct and this accusation is **SUSTAINED**.

CHEROKEE COUNTY SHERIFF'S OFFICE

DATE: 1/25/2024

ALLEGATION/INQUIRY/COMMENDATION-REPORT FORM

I. Information Source:

Name: Sager, Alyssa Race: W Sex: F Age: Date of Birth:
Address: City: Zip:
Home Phone: Business Phone:

II. Deputy/Civilian Employee Information:

Name: Searcy, Russell Rank: Deputy I.D.#: 16516
Division: ADC Unit Number:
Name: Rank: I.D.#:
Division: Unit Number:

III. Location of Incident:

Roll Call Room

Date: 1/25/2024 Time: 0515 Case Number: n/a

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

See Attached

V. Witness Information:

Name: Frick, Ryan Address: City:
Home Phone: Business Phone:
Name: Address: City:
Home Phone: Business Phone:

VI. Person Taking Report:

Name: Lauren Denson Rank: Lieutenant
Division: ADC Shift: 1 Badge Number: 634

VII. Supervisor's Comments/Recommendations:

Deputy Searcy violated Agency Policy 01-03-02 Code of Conduct : 2. Unbecoming Conduct; 12. Use of Agency Equipment and Facilities and 20. Use of Force. All are open recommendation violations. Deputy Searcy should receive whatever punishment is deemed appropriate.

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.

Employee Signature (SEARCY)
Witness Signature _____

Date 1/25/24
Date 1/25/24

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 SEARCY
Witness Signature MARCO B. J.

Date 2/2/24
Date 2/2/2024

Distribution: Division Commander
Internal Affairs

**CHEROKEE COUNTY SHERIFF' S OFFICE
MEMORANDUM**

To: Captain J. Cox

From: Lt. Lauren Denson

Date: 01/25/24

RE: Deputy Searcy

In roll call this morning I overheard Deputy Sager speaking to Deputy Vaughan about something that occurred with Deputy Searcy this morning. After roll call was over, I asked the Corporals to speak with her to determine what they were talking about. Deputy Sager was reluctant to tell the Corporals what happened because she did not want to get Searcy in trouble. After some probing, she told the Corporals that when she came into the roll call room, Searcy and Frick were talking about their Tasers. Deputy Searcy had his Taser out, and he lifted it up and pointed it at Sager. She noted that the lasers were pointed at her chest but was not sure if both cartridges were in the Taser or not. Deputy Sager told him that it was too early to be playing around like that and left the roll call room. As she was leaving, Searcy and Frick were laughing about the incident. Deputy Sager noted that the situation made her very uncomfortable and was upset about it. However, she is adamant that she does not want Searcy to get in trouble. Regardless of that fact, Deputy Searcy violated the Code of Conduct policy #2 Unbecoming Conduct; #12 Use of Agency Equipment, and #20 Use of Force. Deputy Searcy has to be constantly monitored for his behavior and needs to be disciplined for this clear violation of policy.



Lt. Lauren Denson

CHEROKEE COUNTY SHERIFF'S OFFICE

MEMORANDUM

Subject: Conduct with fellow deputies.

Date: January 25, 2024

Deputy Searcy was talked to today by Sgt. Kapanowski and I concerning his conduct with other deputies on shift.

Yesterday on January 24, 2025 Deputy Searcy bit Deputy Vaughan on her right arm. The bite wasn't hard enough to break skin but Deputy Vaughan felt it through several layers of clothing. Deputy Vaughan asked him if he was ok with the meaning of was he mentally unsound when he bit her arm. Deputy Searcy responded that he didn't break skin to which Deputy Vaughan told him not to fucking touch her again. He responded to her by saying don't tempt him with a good time. Deputy Searcy then left the booking area.

The supervisor in GCIC has made complaints about Deputy Searcy scaring the ladies working in GCIC. She told Sgt. Kapanowski that several times Deputy Searcy would stick his head through the door flap at the GCIC room when the ladies would open the flap. This behavior has caused discomfort for the ladies working in GCIC.

Deputy Searcy has made several comments about green card checks to some of the deputies in roll call. He made the comment specifically to Deputy Mendoza in roll call on January 25, 2024. Deputy Searcy was verbally counseled by me about how he spoke to his trainee when he called him guacamole. He has also made some outlandish comments almost for the shock value have made others uncomfortable.

This kind of behavior has gone beyond simple teasing or locker room talk to offensive. Deputies and others have expressed their discomfort with some of Deputy Searcy's comments and behavior. Deputy Searcy has several years of experience in law enforcement and the Marine Corps. He is also one the senior deputies on shift and a detention training officer. He should set the example of professionalism and decorum expected of someone at his level of experience. Deputy Searcy likes to tease and have a good time with other deputies and there are times and places for that but lately the behavior has gone too far. When the teasing has become offensive

COPY

and the good time comes at the expense of others feelings this can create a hostile work environment.

Deputy Searcy needs to be mindful of the comments he makes and to whom he makes them to. He has to stop with comments that could be taken as racists or offensive. He needs to behave more professionally with civilian staff to include the GCIC ladies. Deputy Searcy needs to stop touching other people in inappropriate ways. Biting or touching that is unwanted should not be happening in the workplace. Deputy Searcy wants to promote but his behavior lately has not shown him to be mature enough to handle that responsibility.

Corporal Burgos, J.A. #805

ADC

Shift 1

SHIELDS OF SHAME



On January 25, 2024, Captain James Cox turned over an AIC (accusation) which was reported by Lieutenant Lauren Denson. Lieutenant Denson wrote that she overheard Deputy Alyssa Sager tell another deputy that something occurred with Deputy Russell Searcy earlier that morning. Lieutenant Denson tasked her corporals to speak with Deputy Sager. Deputy Sager advised when she walked into the roll call room, Deputy Searcy had his TASER out, lifted it up and pointed his TASER at her. She advised the laser dots were pointed on her chest, but she wasn't sure if the TASER still had its cartridges in the TASER. Deputy Sager told her corporal that she told Deputy Searcy it was too early to be playing games and then left the roll call room. She also reported that Deputy Searcy was laughing when she exited the room and that this situation made her very uncomfortable. I was also made aware of a memorandum which was written by Corporal Jose Burgos on January 25, 2024. Apparently, Deputy Searcy bit Deputy Vaughan on her right arm on January 24, 2024. Corporal Burgos also reported that Deputy Searcy made inappropriate comments to the entire roll call referencing "Green card checks."

On January 29, 2024, I interviewed Deputy Alyssa Sager in the Internal Affairs Office. I supplied her with a copy of the AIC as well as a copy of the Employees Duties and Rights during an Internal Investigation. I read her the Cherokee Sheriff's Office Internal Affairs memorandum and the Internal Investigation Warning (Garrity Warning). Deputy Sager said she understood and signed both documents. I asked Deputy Sager to tell me what happened when she arrived for her duty assignment on January 25, 2024? Deputy Sager explained she walked into the Adult Detention Center roll call room. Deputy Frick and Deputy Searcy were standing on the opposite side of the room. She advised Deputy Searcy had his TASER out of its holster, and she thought he might have been testing the TASER, but wasn't sure. I wanted to know for certainty where she was in the roll call room compared to Deputy Searcy and Deputy Frick. She told me they

were standing near the coffee maker while she was on the opposite side of the room, close to the windows. Deputy Sager placed her duty bag on the table and then began walking out of the roll call room toward the hallway (the main hallway, not the exit door near Master Control). She explained that all of a sudden, she saw the flashlight on Deputy Searcy's TASER. She told me Deputy Searcy's TASER was pointed at her and she then saw a green and red laser dot on her chest. Deputy Sager told me she gasped when she realized the TASER laser dots were on her body. She explained she didn't think Deputy Searcy would have actually pointed his TASER at her while it was still loaded with the cartridges, but she later realized that the cartridges were loaded due to seeing both laser dots on her person. She advised she saw one green laser dot, along with one red laser dot on her upper body. Deputy Sager said Deputy Searcy then tracked her with his TASER laser dots as she continued to walk toward the exit of the roll call room. I asked her if she remembers what she said to Deputy Searcy? She advised she didn't say anything to him, but did make a "Euh" sound as she walked out. Deputy Sager told me Deputy Searcy then said something to her that was inappropriate. I told her to tell me what Deputy Searcy told her. She explained she wasn't exactly sure how he said it, but he said something along the lines of, "Now we know how she sounds like in the bedroom." Deputy Sager told me she didn't tell her supervisors about the comment Deputy Searcy made because it was uncomfortable for her to talk about it. I asked her if she ever spoke to Deputy Searcy after this incident and she advised she did not. She explained Deputy Searcy likes to play pranks on people and she just took it as him trying to play a prank on her. She told me she doesn't want to get him in trouble because she likes him, but she didn't like the TASER being pointed at her. I asked her how it felt to have a TASER pointed at her? Deputy Sager advised she was uncomfortable, but she trusts Deputy Searcy enough that she doesn't think he would actually tase

her or hurt her. She then told me she wasn't scared, just uncomfortable, especially at 5:15 AM in the morning.

On January 29, 2024, I interviewed Deputy Meagan Vaughan in the Internal Affairs Office. I supplied her with a copy of the AIC as well as a copy of the Employees Duties and Rights during an Internal Investigation. I read her the Cherokee Sheriff's Office Internal Affairs memorandum and the Internal Investigation Warning (Garrity Warning). Deputy Vaughan said she understood and signed both documents. I asked Deputy Vaughan to explain to me the "Biting" incident? This incident occurred on Wednesday, January 24, 2024 at approximately 5:30 PM. Deputy Vaughan told me she was sitting at the count desk in book-in when Deputy Searcy came up beside her and bit her on her arm. I asked her if either of them made any sort of comment to each other prior to him biting her? She told me, "No sir." I asked her where on her arm she was bit? Deputy Vaughan explained it was her upper right arm and the bite wasn't hard enough to make a mark or break the skin. I asked her what she was wearing at the time? She advised she was wearing her long sleeve uniform shirt along with her uniform jacket. I asked her what the bite felt like? Deputy Vaughan said the bite didn't hurt, nor was it painful, but she was able to feel it through the layers of her clothing. I asked her what she said to Deputy Searcy after he bit her? She told me she asked him if he was okay? She said Deputy Searcy responded by saying, "I didn't bite you that hard." I asked her to explain to me what she meant by "Are you Okay?" Deputy Vaughan advised she meant are you okay in the head, because he has never done anything like that to her before. She then explained she has known Deputy Searcy for approximately 6 years and she would consider him a friend. As I was speaking with Deputy Vaughan, I told her it appeared to me that she was angry. Deputy Vaughan told me she isn't angry, just upset, confused, and disappointed. She told me Deputy Searcy knows better than to

do stuff like that. She told me he disrespected their friendship and crossed a line by biting her. I asked her if she said anything to Deputy Searcy other than, 'Are you okay?' Deputy Vaughan advised she told him, "If you ever touch me again, I will fucking kill you!" She apologized and told me she knows that probably wasn't the right wording, but she was mad. I asked her what Deputy Searcy said after she threatened him. She advised Deputy Searcy told her, "Don't tempt me with a good time." I asked her what his demeanor was during this confrontation? She told me he was smiling and laughing. She advised she did not think Deputy Searcy knew she was uncomfortable. She explained to me that Deputy Searcy is a jokester, so it is hard to get him to take things seriously. She advised, "But, I mean he is known for that, he is Searcy. It's the Searcy clause."

On January 29, 2024, I interviewed Deputy Marguetta Morrow in the Internal Affairs Office. I supplied her with a copy of the AIC as well as a copy of the Employees Duties and Rights during an Internal Investigation. I read her the Cherokee Sheriff's Office Internal Affairs memorandum and the Internal Investigation Warning (Garrity Warning). Deputy Morrow said she understood and signed both documents. I asked Deputy Morrow if she could tell me if Deputy Searcy has ever done anything to her that she feels might have been inappropriate? Deputy Morrow told me Deputy Searcy definitely says inappropriate things about her being gay. She told me he always talks in a sexual way. She explained with regards to her being gay, Deputy Searcy would tell her how he could make her become straight. She told me everything he says is sexual and that he talks in a very sexual manner during every single encounter they have. I asked her how long she has known Deputy Searcy? She advised she knew who he was during his time on Shift 2, but only got to know him when he transferred to her shift, Shift 1. It is to be noted, Deputy Searcy transferred from Shift 2 to Shift 1 on May 14, 2023.

I asked Deputy Morrow how Deputy Searcy makes her feel when he talks to her about her sexuality? Deputy Morrow told me it makes her uncomfortable, but added, she does not think he means any harm when he says it, but it does make her uncomfortable because she does not like guys. I asked her if she can remember anything Deputy Searcy said to her specifically? She told me this is awkward and asked if she can be graphic? I told her she can be 100% graphic. Deputy Morrow told me that Deputy Searcy explained to her, "Having anal sex is like taking a good shit." I asked her when that conversation took place and how in the world does a conversation like that begin? She told me she went on a transport with Deputy Searcy where they picked up a female prisoner and took her to another facility. That conversation started in the patrol vehicle, but she couldn't explain how the conversation started. She then explained another instance when she and Deputy Searcy were assigned to the medical unit approximately a week or so ago. Deputy Morrow said Deputy Searcy was talking to her about him giving her a "creampie or something." She told me she doesn't even know what that means, however, she knows it to be sexual in nature. Please note: the Wikipedia definition of creampie is as follows: *A creampie (also known as internal ejaculation, and, typically in same-sex contexts, as a breeding[1]) is a sexual act, commonly featured in hardcore pornography, in which a man ejaculates inside his partner's vagina or anus without the use of a condom, resulting in visible seeping or dripping of semen from the orifice.* I asked Deputy Morrow how a conversation like that even starts? Deputy Morrow told me she doesn't know how that conversation started. She explained their conversations are not sexual, but Deputy Searcy always takes it there. She gave me an example of how she could tell him that she is having cramps and he will say random things that is always sexual. She then explained how he told her, "Just one night with you, I will make you straight." She told me his comments are just odd and very weird.

Deputy Morrow told me she never says anything to him about his inappropriate comments because she does not think anything will ever happen to him. She explained Deputy Searcy will talk about "The Searcy clause" and that he likes to brag about slapping Sheriff Reynolds on the ass during a prior encounter. She told me she feels like he gets away with everything and there is no point in telling a supervisor about his inappropriate comments. I asked her if she ever told Deputy Searcy she does not appreciate the way he talks to her? Deputy Morrow told me she never did and that she will just tell him that he is weird. I asked her why she didn't feel it was necessary to tell him how she felt? She told me she does not care for confrontation and doesn't like to be the center of attention in any kind of way. She added that Deputy Searcy says and does whatever he wants and there is no point in saying anything.

Deputy Morrow then told me about an encounter she had with Deputy Searcy just the other day. She explained she had a "PIPE" (recording device) in her back-right pant pocket when Deputy Searcy removed the "PIPE" from her pocket and then placed it back in her pant pocket. She doesn't remember what Deputy Searcy said, but she felt uncomfortable. She advised she did not say anything to her supervisors and just left the area due to being uncomfortable. I asked her if Deputy Searcy made any motions with the "PIPE" when he placed it back into her pant pocket. She told me he did move the "PIPE" up and down a couple of times while the "PIPE" was in her back pocket. I asked her if she felt the "PIPE" on her buttocks? She told me she did and I then asked her how that made her feel? Deputy Morrow told me, "It made me feel very awkward. Like, extremely uncomfortable."

I asked Deputy Morrow if there was anything that I did not ask that she feels would be beneficial to my investigation? Deputy Morrow advised yes and told me Deputy Searcy says a lot of inappropriate things, a lot of racist things and nobody says anything. She told me she feels

like everybody turns a blind eye and nobody corrects him. In roll call, she remembers Deputy Searcy saying things about Mexicans crossing the border and makes a lot of racist jokes that are not funny and are uncomfortable. She thinks people do not say anything to him because Deputy Searcy is always talking about "The Searcy clause, the Searcy clause." I asked Deputy Morrow if she can remember any specific racially motivated comments made by Deputy Searcy? She told me he said something in roll call the other day along the lines of, 'How the Mexicans keep crossing the borders and why are all the Mexicans coming to this shift?' Deputy Morrow told me there are people laughing who shouldn't be laughing because of their supervisory position. She added that Deputy Searcy is never corrected and that is why she believes Deputy Searcy is able to say and do the things that he does, because no one says anything.

On January 29, 2024, I interviewed Deputy Ryan Frick. I supplied him with a copy of the AIC 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 Frick said he understood and signed both documents. I asked Deputy Frick to tell me about Deputy Searcy pointing his TASER at another co-worker? Deputy Frick told me it was approximately 5:10 AM in the morning and he and Deputy Searcy were talking about how they do not like the short stub handle on their TASERs. He turned to make the coffee and when he turned back around, Deputy Searcy had his TASER out of his holster. He told me Deputy Searcy then had his TASER aimed at the opposite wall in the roll call room. I asked him where Deputy Searcy was seated within the roll call room. Deputy Frick told me he was seated near him, which is directly next to the coffee pot. I asked him if he saw Deputy Searcy's TASER laser dots on the opposite side wall? He told me he did. I asked him if he saw any laser dots on Deputy Sager's person? Deputy Frick told me he did see

the laser dots on Deputy Sager, but it was due to her walking through the laser dots when she walked toward the door to go punch in. I asked him if he heard Deputy Sager make any comments after she crossed the laser dots? He told me he is not fully awake in the morning. I explained Deputy Sager advised that she made a "Euh" gasping sound, or something along those lines. I asked Deputy Frick what Deputy Searcy said after she made that audible gasp or sound? He told me he does not know. I asked him if he remembers Deputy Searcy saying something along the lines of "Now we know what she sounds like in bed?" He told me he never heard that part. I then asked him what Deputy Searcy did after Deputy Sager left the roll call room? He advised Deputy Searcy holstered his TASER. I asked him if Deputy Searcy made any comment? Deputy Frick advised, "Not to me."

On January 30, 2024, I interviewed Deputy Pedro Salazar in the Internal Affairs Office. I supplied him with a copy of the AIC 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 Salazar said he understood and signed both documents. I asked Deputy Salazar if he has heard Deputy Searcy make any inappropriate comments or jokes, specifically concerning ethnicity and/or sexual orientation? Deputy Salazar told me there are several new members to his shift (Shift 1) that have a Hispanic background and he explained he is of Mexican descent. Just last week in roll call, he heard Deputy Searcy make a comment to the entire roll call room, "Has this become the immigrant shift?" Deputy Salazar told me even though the comment wasn't directed toward him, he was upset with that comment. He told me, "I should have just walked out of the room." He explained everyone was present in roll call, to include his supervisors. He explained his issues are more with his supervisors, because they failed to correct Deputy Searcy.

On January 30, 2024, I interviewed Deputy Omar Mendoza in the Internal Affairs Office. I supplied him with a copy of the AIC 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 Mendoza said he understood and signed both documents. Deputy Mendoza has been employed with the Cherokee Sheriff's Office for over four years. He has known Deputy Searcy since they went to Mandate together back in October of 2017. He has been on the same shift (Shift 1) with Deputy Searcy since the beginning of this year, but they have worked on the same night shift for approximately four years. I asked Deputy Mendoza to explain to me what occurred when he was requested by a supervisor to come to the front desk during roll call? He explained he was called to the front of the roll call room to fill out some emergency contact information. Deputy Searcy then made a comment along the lines of, "Oh, it's your Green Card, they want to know about your Green Card." He told me he didn't take Deputy Searcy's comment personally, or felt it was racially motivated, because he has known him for years now and they are always goofing around and/or texting each other. Deputy Mendoza stressed to me that he and Deputy Searcy are really close and he does not take offense to the racial jokes because they are close. He also advised he sometimes instigates the jokes and comments between him and Deputy Searcy. I explained there are co-workers on his shift, and throughout the agency which are of different ethnic backgrounds. This is why some of the comments Deputy Searcy makes can be taken offensively. Deputy Mendoza said he understood, but explained when he and Deputy Searcy joke around with each other, there are usually no other co-workers in the area who could take offense.

On January 30, 2024, I interviewed Deputy Russell Searcy in the Internal Affairs Office. I supplied him with a copy of the AIC 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 Searcy said he understood and signed both documents. Deputy Searcy has been employed with the Cherokee Sheriff's Office for 8 years. He has been a Detention Training Officer for approximately 6 years and has been assigned to Shift 1 since May of 2023. I asked him to tell me what happened on January 25, 2024 in roll call? Deputy Searcy advised he and Deputy Frick were sitting near the coffee pot within the roll call room. They began to talk about their TASERS and how they both do not like the short battery on the device because it does not allow for a secure grip. He told me he then removed his TASER from its holster and started pointing it at the opposite side wall. He advised no one else was in the roll call room when he began practicing his draw with the TASER. Deputy Searcy explained he was practicing by rotating the TASER to change between the close range and long range which widens and shortens the distance between laser beams of the TASER. He advised Deputy Sager then came through the door near Master Control and then placed her duty bag on a desk near the windows on the opposite side of the roll call room. He told me when he rotated his TASER, it caused the laser beams to go wide, and one laser beam did cross her. He said this caused Deputy Sager to make a "Euh" noise. Deputy Searcy told me he then pointed his TASER away and to the right of where Deputy Sager placed her duty bag. He continued to practice with the rotation of his TASER. Deputy Searcy advised Deputy Sager announced she was going to go punch in. He said, "Then she runs directly in front of my freaking lasers." He told me, "I was not targeting her." I asked him to tell me what comment he made after Deputy Sager made the "Euh" sound? He told me he doesn't know. I asked him if he

said, "Now we know what she sounds like in the bedroom." I then asked if he remembered saying that? Deputy Searcy said, "No, I really do not and I swear to God." He then told me he can't swear to God, but he does not recall saying that. I told Deputy Searcy he wasn't trained to practice his TASER draws inside the roll call room, as the Adult Detention Center has a room dedicated to testing and arcing the device. I then told him when Deputy Sager entered the roll call room and he saw one of his TASER laser beams strike her person, he should have holstered his TASER immediately. Just moving the direction of his TASER to the right of a co-worker is unacceptable, especially with his years of experience and in a position of a leader. I also told Deputy Searcy that I believe Deputy Sager when she told me he made the comment, "Now we know what she sounds like in the bedroom."

I then told Deputy Searcy we were going to talk about the racist comments he made on January 24, 2024 while in roll call. I told him he said something about Hispanic's coming to his shift. Deputy Searcy hesitated for a moment and I asked if I was going to have to put words in his mouth? He told me, "No sir." I then told him to tell me what he said. Deputy Searcy said, "I remember making a comment about, they're all coming to our shift." I asked him if he remembers saying his shift is the immigrant shift? He said, "That may be right sir." I then asked him if he calls his trainee guacamole? Deputy Searcy told me his trainee, Deputy Castano saved his contact in his cellular phone as "Columbian Guaca." He also explained Deputy Castano got a nickname while in Mandate and he is called "Guaca."

I asked Deputy Searcy to tell me about "The Searcy clause" that he likes to tell everybody about? He said, "That's just a joke." He explained there are a bunch of them who like to make jokes in roll call and in front of supervisors who laugh. He thinks of it as being a family and its just fun. I asked him to tell me what "The Searcy clause" means? Deputy Searcy advised it is

just not his, but he thinks it just means they have done this, joked for so long, that he thinks it's just okay. I told him I have heard he brags to other co-workers about slapping Sheriff Reynolds on the ass. I told him this along with "The Searcy clause," makes him feel untouchable. I explained he has the "I can do this, but you cannot" attitude. I asked him if I was wrong? Deputy Searcy stated, "I mean, no sir."

I asked Deputy Searcy to tell me about the inappropriate conversations he had with Deputy Morrow. He told me he doesn't remember all of his conversations, so I told him I will let him know what has been reported to me. I asked him if he remembers telling her he could make her straight? Deputy Searcy said, "Probably sir." I asked him how in the world he thinks it is okay to talk to a lesbian co-worker about how he thinks he could make her straight? He told me they all have joked around, even longer than the eight months he has been on Shift 1. Deputy Searcy stated that it just seemed like it was okay, because he was not the only one to do it.

I then asked Deputy Searcy to tell me about his conversation with Deputy Morrow where he talks about anal sex? Deputy Searcy sighed and appeared to become uncomfortable. I told him to tell me why he told her, "Having anal sex is like taking a good shit?" He advised they started the conversation when they were on a transport. Deputy Morrow pointed to a hotel where she told him how she tried to have sex with a man, but she couldn't be with a man. He said they just kept talking about different things and the anal sex thing just came up. I told him he brought up the anal conversation and he told me he did, but they were both talking about sexual things.

I told Deputy Searcy, he and Deputy Morrow were assigned to the medical unit when he spoke to her about a "creampie." I asked him how a conversation about a "creampie" even starts? He told me, "I do not know sir." I asked him if he remembers saying it? Deputy Searcy

stated, "I'm sure I said it." I told him to tell me how his conversation about "creampie" started? He told me that it happened two weeks ago and he doesn't remember.

I asked Deputy Searcy to explain to me the time he removed the "PIPE" from Deputy Morrow's back pant pocket and then made the motion of the "PIPE" going up and down within her back pocket? Deputy Searcy advised, "I do not recall it."

I told Deputy Searcy to tell me about him biting a co-worker on her arm. Deputy Searcy told me he didn't bite her hard. He explained Deputy Vaughan was at the count desk and he was just acting like a kid, and bit her. He said Deputy Vaughan asked him if he was crazy, or something along those lines. He said she then told him she would beat his ass if he did that again. Deputy Searcy stated, "If I have a dime every time, you know." He then told me he and Deputy Vaughan joke around like that. I asked him how in the world he can think it is okay to walk up to an adult female and bite her in the arm? I then asked if they have a personal relationship that he felt he could physically touch her like that? Deputy Searcy stated, "Guess not sir." I asked him why he walked up to Deputy Vaughan and bit her in the arm? Deputy Searcy stated, "I have no excuse for it sir."

I told Deputy Searcy he has been on Shift 1 for just about seven or eight months and he has made several of his co-workers feel extremely uncomfortable and awkward. Deputy Searcy stated, "I definitely didn't mean to hurt anybody." He explained he didn't realize how he made his co-workers feel because they all joke around and that he is not the only one. I told him that is unacceptable and he agreed with me.

I presented Deputy Searcy with the "Last Chance Agreement" he signed in January of 2022. I asked him if he remembers signing the agreement? Deputy Searcy told me he does. I then

asked him why he would talk to his co-workers the way he does when he knew he could be terminated for any policy violation? He explained he spoke the way he did because everybody else did and he wanted to be part of the group. He then told me I was right, and it was wrong.

On January 30, 2024, I interviewed Deputy Sager in the Internal Affairs interview room. I made sure she understood she was still under the Sheriff's Office memorandum, which restricts her ability to discuss this case with anyone other than the appropriate parties. I also made sure she understood she was still under the Sheriff's Office Internal Investigation Warning (Garrity). Deputy Sager advised she understood. I told her I needed to get a few things clarified and asked her to tell me which door she entered to get into the roll call room? She explained she entered through the hallway door, not the door near Master Control. I asked her what Deputy Searcy and Deputy Frick were doing when she entered the roll call room? Deputy Sager said it appeared to her that Deputy Searcy was messing with his TASER. I asked her if Deputy Searcy had his TASER pointed at the wall, close to her seat at the table when she first walked into the roll call room? She stated, "No." She then explained she never enters the roll call room through the door near Master control. She feels she would have seen the flashlight on Deputy Searcy's TASER if he had the TASER pointed at the wall, as well as the green and red laser dots on the wall. Deputy Sager became emotional and couldn't believe Deputy Searcy would lie. Deputy Sager stated, "I put my stuff down and I was walking back towards the hallway and he pointed it at me and he tracked me out. And then I put my gun in the gun locker, tested my TASER in the TASER room, went to the bathroom and then came back in. Nothing else happened." I asked her about the comment he made after she made the "Euh" sound? She told me she doesn't know what Deputy Searcy said specifically, but it was along the lines of, "That's how she sounds in the bedroom."

On January 30, 2024, I interviewed Deputy Frick in the Internal Affairs interview room. I made sure he understood he was still under the Sheriff's Office memorandum, which restricts his ability to discuss this case with anyone other than the appropriate parties. I also made sure he understood she was still under the Sheriff's Office Internal Investigation Warning (Garrity). Deputy Frick advised he understood. I asked him which door Deputy Sager entered when she entered the roll call room? He advised Deputy Sager entered through the door near the hallway. I then asked him if he heard Deputy Searcy make a comment along the lines of, "Now we know what she sounds like in the bedroom?" Deputy Frick insists he never heard Deputy Searcy make that comment. He then told me he would never jeopardize his career "to cover" for Deputy Searcy, nor any other co-worker.

Cherokee Sheriff's Office Policy 01-03-09 (C) (1) (3) (a) (b) (c) (1) (2) (D) (1) (a) (b) (2) states:

C. POLICY: 1. Each employee of the Cherokee Sheriff's Office is entitled to be treated in a professional, respectful manner and work in a work environment without fear of any form of harassment from co-workers or supervisors. 3. PROHIBITED ACTIVITY: (GA 3.1) a. No employee shall ridicule, mock, deride, or belittle anyone. b. No employee shall make any offensive or derogatory comments, epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts related to the race, color, gender, religion, national origin, age, or disability of another person, either directly or indirectly. c. No employee shall make any unwelcome sexual advances, requests for sexual favors, or engage in verbal or physical conduct of a sexual nature. Examples of sexual harassment include, but are not limited to: (1) Sexual comments of a provocative or suggestive nature; (2) Jokes or innuendoes directed at another employee. D. DEFINITIONS: 1. HARASSMENT: Behavior characterized by varying degrees of offensiveness. It can be verbal or physical conduct that denigrates hostility or aversion toward

another person because of their race, color, religion, gender, national origin, age, or disability. IT IS THE BEHAVIOR THAT IS OFFENSIVE AND UNWELCOME, whether the victim complains explicitly or not, and: a. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; b. Has the purpose or effect of unreasonably interfering with an individual's work performance. 2. HOSTILE WORK ENVIRONMENT: Any repetitive acts of harassment which are both severe and pervasive to alter the conditions of the victim's employment by creating an abusive working environment. Such actions include touching, sexual comments, jokes, and sexually oriented pictures.

During Deputy Russell Searcy's employment with the Cherokee Sheriff's Office, he has repeatably made inappropriate comments and/or jokes at the expense of his co-workers. During the month of January/2024, Deputy Searcy has made several racially motivated comments towards his Hispanic co-workers. When a Hispanic employee was requested by a supervisor to come to the front of the roll call room to fill out some paperwork, Deputy Searcy made a comment that they (The Cherokee Sheriff's Office) were checking his "Green Card." Deputy Searcy also made a comment about Hispanics to the entire roll call room when he asked, "Has this become the immigrant shift?" A Hispanic deputy told this investigator he was upset at the comment and wanted to walk out of the room.

Deputy Searcy spoke inappropriately to a female co-worker who is a lesbian. Deputy Searcy told this co-worker, "Just one night with you, I will make you straight." He also told her "Having anal sex is like taking a good shit." Deputy Searcy also told this co-worker that he would give her a "creampie", which by definition, is an explicit sexual act. These comments made the female deputy feel extremely uncomfortable and awkward. Therefore, Deputy Searcy

violated the Cherokee Sheriff's Office Workplace Harassment policy, specifically Hostile Work Environment and Sexual Harassment, and this accusation is **SUSTAINED**.

Cherokee Sheriff's Office Policy 01-03-02 (C) (F) (2)

C. POLICY: All employees are expected to perform their assigned duties at or above satisfactory levels; comply with prescribed standards of workplace behavior and appearance; obey all Federal and State laws; and treat others fairly and with respect.

F. EMPLOYEE RULES OF CONDUCT: 2. UNBECOMING CONDUCT: Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the agency. Conduct unbecoming shall include that which tends to discredit or cause the public to lose confidence in the agency or Cherokee County 4 government; which is prejudicial to good order; OR that otherwise tends to impair the agency's operation, efficiency, and morale.

Deputy Sager reported to the roll call room and placed her duty bag on the table. Deputy Searcy was pointing his TASER in her general direction and one of the TASER laser beams appeared on Deputy Sager's person. Deputy Sager then began to exit the roll call room when she advised she saw Deputy Searcy was tracking her with his TASER laser beams, thus indicating the TASER was armed with its cartridges. Deputy Searcy contends he was practicing with his TASER and admitted that one of his TASER laser beams appeared on Deputy Sager around the time she placed her duty bag on the table. He also advised when he saw one of his TASER laser beams appear on Deputy Sager, he started to point his TASER away from her and to the right of her position. Deputy Searcy contends both of his TASER laser beams appeared on Deputy Sager's person only because she decided to walk in front of his TASER laser beams when she

exited the roll call room. This investigator was not able to prove or disprove Deputy Sager's allegation that Deputy Searcy tracked her with his TASER's laser beams as she exited the roll call room. However, Deputy Searcy should have never unholstered his TASER within the Adult Detention Center roll call room, as the Sheriff's Office has an office dedicated to unholstering and testing the TASER. Once Deputy Searcy saw another person enter the roll call room, he should have immediately terminated "practicing" with his TASER, especially after one of his TASER laser beams appeared on Deputy Sager.

Deputy Searcy bit a female co-worker on her upper right arm. He walked into the book-in area as the female deputy had her arms on the book-in table. Deputy Searcy then bit her upper right arm. The female deputy was upset with his actions, and asked him if he was okay? Deputy Searcy responded by telling the female deputy, "I didn't bite you that hard." The female deputy then stated, "If you ever touch me again, I will fucking kill you!" Deputy Searcy did not take this as an opportunity to apologize, but rather stated, "Don't tempt me with a good time." The female deputy told this investigator Deputy Searcy's actions made her feel upset, confused, disappointed, and uncomfortable. Deputy Searcy's inappropriate actions tends to impair the agency's operation, efficiency, and morale. Therefore, Deputy Searcy violated Cherokee Sheriff's Office policy, specifically Unbecoming Conduct and this accusation is **SUSTAINED.**

EMPLOYEE DUTIES AND RIGHTS DURING INTERNAL INVESTIGATIONS:

1. SCOPE OF QUESTIONING DURING INTERVIEW

a. Prior to an interview conducted by the Office of Professional Standards Officer or his designee, concerning allegations of criminal or administrative misconduct, the employee will be given a proper Garrity warning, indicating that:

(1) S/he can be required to answer all questions specifically, narrowly and directly related to the performance of his or her official duties;

(2) Refusal to comply with an order to answer such questions is a violation of the agency's Code of Conduct which may subject the employee to further discipline up to, and including dismissal; and

(3) Any required self-incriminatory admission made during the interview may only be used in subsequent administrative or civil proceedings, and shall not be used against the employee in future criminal proceedings.

b. If an employee begins to disclose incriminating evidence of a criminal nature that is beyond the scope of the original investigation, the "Garrity interview" must either be terminated or the interview must be refocused to its original area.

2. EMPLOYEE DUTIES: During any internal investigation, agency employees have a duty to fully cooperate with the investigator. Additionally, employees involved in an internal investigation, in any capacity, shall:

a. Be honest and forthright in all aspects of the investigation;

b. Comply with **ALL** instructions from the investigating officer, including those relating to Aids to Investigations listed below;

c. Adhere to the Employee Rules of Conduct outlined in 01-03-02 and the agency's [Code of Conduct SOP](#); and



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d. Not discuss any part of the investigation except as permitted by the Office of Professional Standards Officer or Division Commander, as appropriate.

3. AIDS TO INVESTIGATIONS: During the course of an internal investigation, it may become necessary to perform certain examinations and/or to obtain personal information from an employee to help establish a conclusion of fact. Such examinations, procedures, and/or requests for information must be narrowly related to a particular open investigation and will not be used randomly in order to establish the basis upon which to initiate an inquiry.

a. MEDICAL OR LABORATORY EXAMINATION: (CALEA 52.2.6a)

(1) An employee may request in a timely manner, an intoximeter, blood, urine, psychological, or medical examination if it is believed that such measures would be beneficial to his or her defense.

(2) The agency may require that an employee submit to a medical examination or other appropriate testing procedure upon the direction of the Sheriff or his designee, when it is probable that the examination will produce relevant evidence.

(3) An on-duty supervisor is required to direct an employee to submit to a breath, blood, or urine test when a level of inebriation or drug usage is suspected as the factor directly related to an employee's duty performance or operation of an agency vehicle.

b. PHOTOGRAPHS: (CALEA 52.2.6b) If it becomes necessary to take or provide a photograph of an employee, the photograph in the official agency personnel file shall normally be used. However, when such photographs are out-dated or otherwise inappropriate to the matter under investigation, an employee may then be directed to have a photograph taken by investigative personnel.

c. LINE-UP: (CALEA 52.2.6c) If an identification or photographic line-up is solely for administrative purposes, and criminal prosecution is not anticipated, an employee may be required to participate in the line-up.

d. **FINANCIAL DISCLOSURE:** (CALEA 52.2.6d) During the course of corruption, fraud, embezzlement, drug trafficking, white collar, or other similar investigation, an employee may be required to provide certain investment, banking, credit card, real estate, or other financial documents.

e. **POLYGRAPH EXAMINATION:** (CALEA 52.2.6 e)

(1) In the event an employee is ordered to take a polygraph, the person making the original complaint must also agree to submit to a polygraph, but only if the individual is not an agency employee. In such cases, the individual making the complaint must take the polygraph before the employee under suspicion UNLESS the employee either initiates the request for a polygraph or agrees to take the examination before the complainant.

(2) When a polygraph examination is conducted, the questioning will be limited to the performance of an employee's official duties as related to the matter under investigation.

f. **SEARCH OF PROPERTY:**

(1) Property belonging to the agency is subject to inspection when there is reasonable suspicion that evidence of work-related misconduct will be found therein. Such property includes, but is not limited to, vehicles, desks, files, and storage lockers.

(2) However, employee property of a purely private nature, such as a purse, athletic bag, or closed luggage may not be searched without the employee's consent or probable cause.

4. **EMPLOYEE RIGHTS DURING AN INTERNAL INVESTIGATION:**

a. **NOTIFICATION:** (CALEA 52.2.5) Prior to any interview conducted by or special examination directed by the Office of Professional Standards Officer, the employee under suspicion will receive a confidential written notification of the complaint. This notification will include the employee's rights and responsibilities relative to the investigation and a copy of the original complaint or a summary adequately listing the relevant facts.

b. CONDUCT OF INTERVIEWS:

(1) Whenever possible, interviews will be conducted while the employee is on duty, unless the seriousness of the investigation is such that an immediate interview is required.

(2) Unless placed under arrest, an employee has the right to leave the interview at any time.

(3) Employees under investigation shall not be subjected to offensive language, nor threatened with transfer, dismissal, or disciplinary action during an interview. No promise or reward shall be made by the investigator as an inducement to answer any questions.

c. RECORDINGS: Interviews of employees under suspicion conducted by the Office of Professional Standards Officer shall be recorded. Any interruptions will be noted, and any relevant discussions transpiring during breaks will be summarized on the tape recorder and verified for accuracy by the employee.

d. STATUS OF INVESTIGATIONS: Employees under suspicion or their supervisor may contact the Office of Professional Standards Officer to ascertain the status (on-going, completed, or forwarded to the Commander, Headquarters Operations for appropriate action) of the investigation.

e. OBSERVER AT INTERVIEW:

(1) Employees will be permitted to have an attorney (at their own expense), supervisor or other agency representative with them during any interview concerning allegations of misconduct.

(2) Such individuals are limited to acting only as observers during the interview and are not permitted to participate in the proceedings.

Cherokee Sheriff's Office

Memorandum

To: Deputy Alyssa Sager

From: Lieutenant David Barone

Date: January 29, 2024

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 January 25, 2024.
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.

Alyssa Sager
(Signature)

Lt David Barone
(Witness)

1/29/24
(Date)

01/29/24
(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.

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In addition to the above rights, you have the right to have counsel present during this questioning.

Alyssa Sager (Signature) (Sager) #797

1/29/24
(Date)

Leanne Basson (Signature)

01/29/24
(Date)

Cherokee Sheriff's Office

Memorandum

To: Deputy Meagan Vaughan

From: Lieutenant David Barone

Date: January 29, 2024

Subject: Internal Affairs Investigation

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(Signature)

(Date)

(Witness)

(Date)



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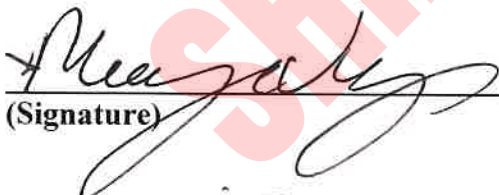


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In addition to the above rights, you have the right to have counsel present during this questioning.

 (Vaughan)
(Signature)

11/29/2024
(Date)

 (Signature)

01.29.24
(Date)

Cherokee Sheriff's Office

Memorandum

To: Deputy Marquetta Morrow

From: Lieutenant David Barone

Date: January 29, 2024

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 January 25, 2024.
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** Marquetta Morrow*

(Signature)

01/29/24

(Date)

Lt David Barone

(Witness)

01/29/24

(Date)



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In addition to the above rights, you have the right to have counsel present during this questioning.

+ Marguella Herron (Morrow)
(Signature)

01/29/24
(Date)

It Saml B...
(Signature)

01-29-24
(Date)

Cherokee Sheriff's Office

Memorandum

To: Deputy Ryan Frick

From: Lieutenant David Barone

Date: January 29, 2024

Subject: Internal Affairs Investigation

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(Signature)

1-29-24

(Date)



(Witness)

01-29-24

(Date)



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INTERNAL INVESTIGATION WARNING

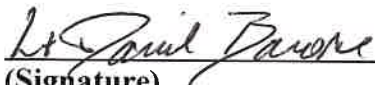
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In addition to the above rights, you have the right to have counsel present during this questioning.

 (Frick)
(Signature)

1-29-24
(Date)


(Signature)

01-29-24
(Date)

Cherokee Sheriff's Office

Memorandum

To: Deputy Pedro Salazar

From: Lieutenant David Barone

Date: January 30, 2024

Subject: Internal Affairs Investigation

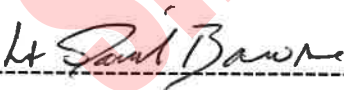
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x 

(Signature)

1-30-2024

(Date)



(Witness)

01-30-24

(Date)



Cherokee Sheriff's Office Office of Professional Standards

498 Chattin Drive
Canton, Georgia 30115

678-493-4200

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In addition to the above rights, you have the right to have counsel present during this questioning.

(Signature)

(Salazar)

1-30-2021

(Date)

(Signature)

01-30-24

(Date)

Cherokee Sheriff's Office

Memorandum

To: Deputy Omar Mendoza

From: Lieutenant David Barone

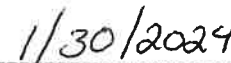
Date: January 30, 2024

Subject: Internal Affairs Investigation

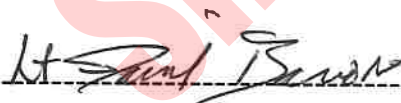
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(Signature)



(Date)



(Witness)



(Date)



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INTERNAL INVESTIGATION WARNING

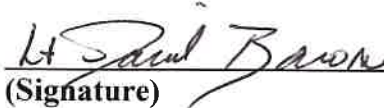
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In addition to the above rights, you have the right to have counsel present during this questioning.


(Signature) _____ (Mendoza)

1/30/2024
(Date)


(Signature) _____

01.30.24
(Date)

Cherokee Sheriff's Office

Memorandum

To: Deputy Russell Searcy

From: Lieutenant David Barone

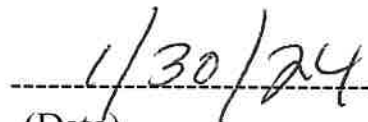
Date: January 30, 2024

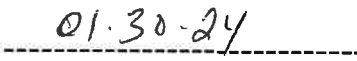
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(Signature)


(Witness)


(Date)


(Date)



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INTERNAL INVESTIGATION WARNING

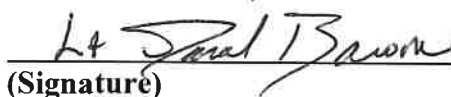
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In addition to the above rights, you have the right to have counsel present during this questioning.


(Signature) _____ (Searcy)

1/30/24
(Date)


(Signature) _____

01.30.24
(Date)



Cherokee Sheriff's Office

498 Chattin Drive
Canton, Georgia 30115
(678) 493-4200
Fax (678) 493-4195



"A NATIONALLY ACCREDITED AND STATE CERTIFIED LAW ENFORCEMENT AGENCY"

Frank Reynolds, Sheriff

Last Chance Agreement

Whereas Russell "Brice" Searcy acknowledges that he has violated the following Cherokee Sheriff's Office policies:

1. Employee Rules of Conduct 01-03-02 (F) (2) (h) Unbecoming Conduct and 01-03-09 (D) (2) Hostile Work Environment

Whereas Russell Searcy acknowledges that pursuant to the policies of the Cherokee Sheriff's Office, has the right to terminate him for said named policy offenses; and that termination is an appropriate consequence for commission of such named policy offenses; and,

Whereas the Cherokee Sheriff's Office acknowledges that in the event that it terminated employee for these named policy offenses, employee would have the right to appeal said termination under the Remedial Action Policy 01-04-03; and,

Whereas for good cause shown, the Cherokee Sheriff's Office believes it would be in the best interests of the Department, Employee, and the County to retain Employee, provided that employee strictly adheres to the terms and conditions of this "Last Chance Agreement" as set forth herein below; and,

Whereas Employee is willing to waive certain rights that he would have under the County's Personnel Policies to appeal a termination;

Now Therefore, Employee, the Cherokee Sheriff's Office agrees as follows:

1. Employee agrees that he has been made aware of, and fully understands the meaning and requirements of the Cherokee Sheriff's Office policies governing the above named policy offenses, that he is fully capable of maintaining full compliance with said policies, and that immediate termination of employment is an appropriate consequence for commission of the named policy offenses.
2. Employee promises that he will never again commit the same named policy offense(s) above at any time in his career as an employee of the Cherokee Sheriff's Office.
3. Employee agrees that if he violates paragraph 2, he shall be terminated, without any prior disciplinary step or warning of said violation.

4. Employee will not engage in any violation of any other Cherokee Sheriff's Office policy, or behave in a manner which reflects unfavorably on the Cherokee Sheriff's Office. A pattern that requires more than a single informal or verbal counseling for said violation, to ensure the employee's continued compliance with the rules and standards will be deemed in violation of this agreement.
5. Employee agrees that if he violates paragraph 4, employee shall be terminated without any further warning or disciplinary steps.
6. Employee agrees that if he is terminated pursuant to either paragraph 3 or paragraph 5, he will not appeal said termination nor otherwise challenge it. Employee agrees that this Last Chance Agreement shall constitute a waiver of any right to appeal said decision through the Cherokee Sheriff's Office Personnel Policy, and further, employee agrees that he hereby waives every right to challenge said termination under this agreement by filing any cause of action or suit in Superior or State Court, or in any Federal Court.

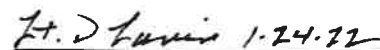
AGREED, this 24th day of January

For the Cherokee Sheriff's Office

Employee:


Russell Searcy


Acting Major Kim Thompson

 1-24-22
Witness Date



Cherokee Sheriff's Office

498 Chattin Drive
Canton, Georgia 30115
(678) 493-4200
Fax (678) 493-4109



"AN INTERNATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY"

Frank Reynolds, Sheriff

CHEROKEE COUNTY SHERIFF'S OFFICE MEMORANDUM

TO: Deputy R. Searcy
FROM: Chief Deputy T.K. Pinyan
DATE: February 2, 2022
SUBJECT: NOTICE OF FINAL ADVERSE DISCIPLINARY ACTION

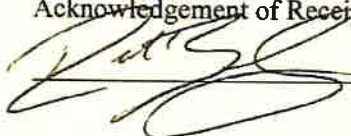
On January 31, 2022 I met with you in my office for the purpose of appealing your Adverse Discipline. Prior to the meeting I reviewed your performance evaluations and your disciplinary file. I then listened as you plead your case and admitted to the allegation. After listening to your explanation, I informed you that this type of behavior would not be tolerated in the future. I explained the recommended discipline and informed you I would take the totality of the circumstances into consideration when making my final decision.

Later that same date you placed a telephone call to my office. You explained that you had reviewed your Adverse Discipline documentation and that you now understood it recommended a nine (9) day suspension. You indicated that you were fine with the recommendation and that I did not have to consider reducing the discipline.

1. In accordance with the procedures outlined in the agency's Remedial Action SOP (01-04-03), I am notifying you that I am initiating the following disciplinary action against you:
 - a. 86-hour suspension without pay.
 - b. Sign and abide by the Last Chance Agreement.
 - c. Attend Interpersonal Communications within the next 12 months.
2. This disciplinary action is being taken because of acts of misconduct to wit:

On January 7, 2022 you stated in front of three other deputies "I wish they upstairs would just all crash and burn in a car." When you were asked specifically who you were speaking about you replied, Captain Ruiz. On December 17, 2021 you were spoken to by Cpl. McClure and Cpl. Anchaya about your behavior and then about inappropriate statements made to D/S Vasquez in book-in, which is documented on a memo sent to Sgt. Imbriano.

Acknowledgement of Receipt and Date

 Feb 4, 2022

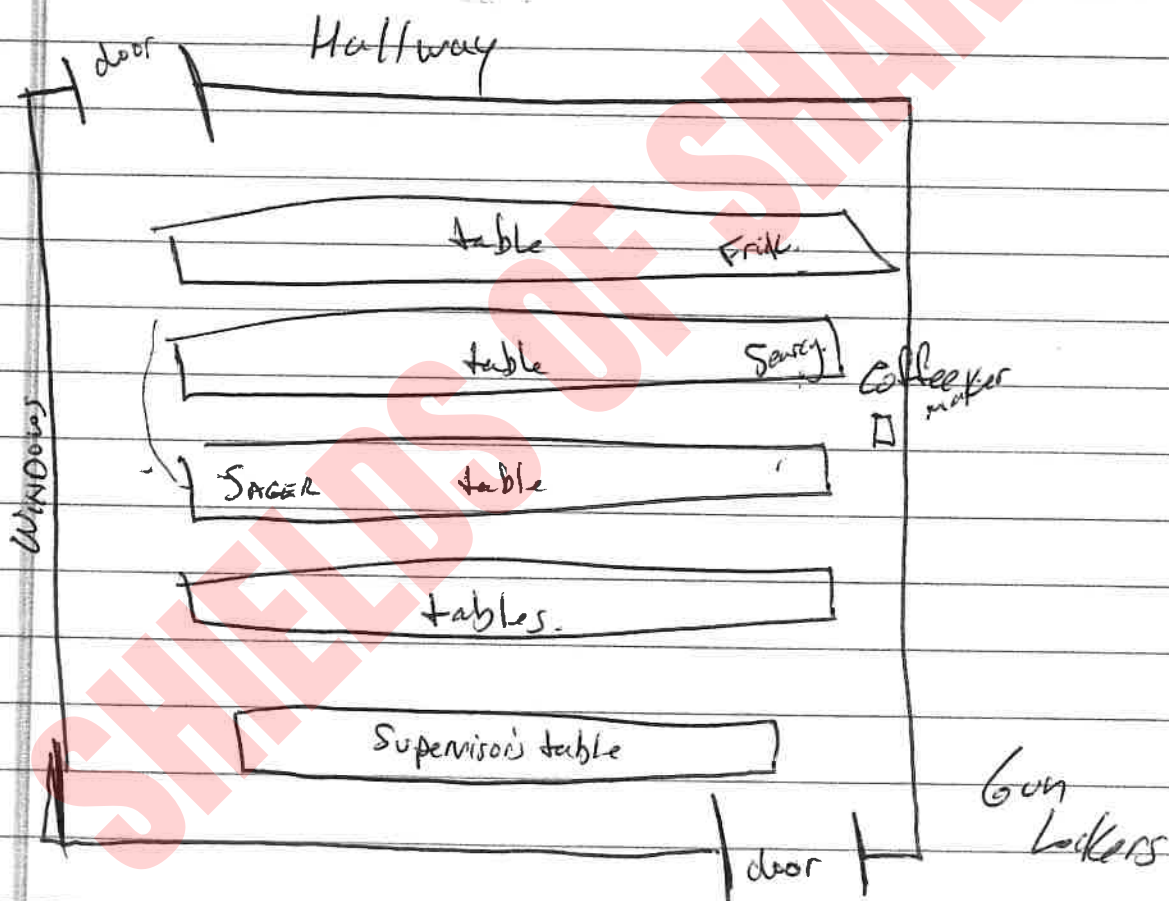
SAGER

01/29/24

Green/red dot

5:15 AM

"Now we know what she sounds like in the bedroom"



Vaughan

01/29/24

> Book-in table Burgers.

Right upper arm.

6 years.
Friends

>

I didn't bid you that hard

Wed around 5:30 PM

"If you ever touch me again I will fucking kill you."

Screary: "Don't tempt me with a good time"

4:45 "confused?"

and

disappointed "were friends, he crossed a line"

4:45 into interview

Morrow 01-29-24

"Sorry clause"

SHIELDS OF SHAME

FRICK

01-29-24

SHIELDS OF SHAME

~~Roby~~
Mendoza

01/30/24

4 years / 3 months.

"Green card checks"

Calling his trainee "guacamole"

SHIELDS OF SHAME

Salazar 01/20/24

CSO Halloween 22

October 2022

'Has our shift become ~~the~~
the immigrant shift?

SHIELDS OF SHAME

Searcy

01-30-24

8 years.

Shift 1 May 2023

shift. 2 years.

~~Read~~

shift 4 2 years

Road UPD.

shift 2

Shift 1 in May '23

DTO 2 6 years

Costano 1 1/2 - 2 months.

Frick & him.

01-03-69 D 1 a b 2

Hostile Work Environment

anal sex, creampie, touching with pipe

- ① sexual comments to lesbian co-worker
~~biting another co-worker~~ - several times can make her straight, etc.
- ② Jokes & comments about Green Card & immigrant shift

Wise

BITING INCIDENT - Hostile