

April 25, 2022

Georgia POST Council  
*Attn; All POST Council Committee Members*  
5000 Austell Powder Springs Rd. SW # 261  
Austell, GA 30106

*Re: Gross Abuse of Discretion*  
*GA Bill of Rights, Paragraph 2 violated*

This letter is to inform all of POST committee members about an incident which has the appearance a serious violation of law had been managed in a manner which strongly appears to have circumvented the POST council normal procedures and mission statement.

It is my opinion, Grantville Police Chief Steve Whitlock received special treatment which is a shocking departure from normal and acceptable standards at the POST council. It is my opinion, the POST Council has engaged in unequal application of rules, laws and procedures which should not be acceptable. In my opinion, deliberate indifference is at play here.

**Investigator Fleming documents every element of two police impersonator crimes<sup>1</sup> ( OCGA 16-10-23 & OCGA 40-6-395(c)) in his email summary .**

- **Fleming himself had the opinion Boyd looked like a real officer.**
- **Fleming had the opinion that Boyd's appearance was so convincing that citizens would believe Boyd was a real police officer.**
- **Fleming documented Police Chief Whitlock had the intent to trick, fool or deceive the production crew into thinking Boyd was a real police officer.**

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<sup>1</sup> **OCGA 16-10-23** A person who falsely holds himself out as a peace officer or other public officer or employee with intent to mislead another into believing that he is actually such officer commits the offense of impersonating an officer and, upon conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both. **OCGA 40-6-395c** It shall be unlawful for a person: (2) Otherwise to impersonate any such law enforcement officer in order to direct, stop, or otherwise control traffic.

The below events rise to the level which are contradictory to the POST Council's Mission Statement.

The events which transpired is the first of its kind in the history of Georgia law enforcement and has been documented by video, photographs, and witness (on-duty police officer). A Police Chief creating the alleged crime of impersonating a police officer for mere purpose of complying with a city contractual agreement with a private company. I want to be clear; my issue is not with Investigator Fleming, and I am sure he is only doing what he was instructed to do.

- An investigation which gathered this level of facts, in my opinion, should have been sent directly to the Probable Cause Committee for review.
- Investigator Fleming established the elements a felony was committed, so **why did Whitlock receive special treatment?**
- The citizens deserve transparency from their government officials.

The community of Grantville and I as an individual have the right to equal protection. How many non-police officers are sitting in prison for the crime of police impersonating and how many non-administrator types of law enforcement officers have been afforded "special privileges" for an allegation of a felony crime?

- **Georgia Constitution, Bill of Rights, Paragraph 2**
  - *"Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws."* Most Oaths of Office law enforcement mentions the duty to protect these rights. This did not happen in the Whitlock matter.

## **BACKGROUND INFORMATION**

I am only the **Reporting Party**; I did not witness any of these events. I just gathered the documents, photos, and video and reported it as a concerned citizen and exposed it. "See something, Say Something"

Recently the POST Council **Investigator Doug Fleming** contacted me, and it was inferred he was "investigating" the activities of **Grantville Police Chief Steve Whitlock**.

I am a retired professional law enforcement officer and knew that a felony allegation against a current police chief is not managed over the phone.

**Whitlock** was recorded by the police department surveillance system furnishing a marked police vehicle to **Tommie Boyd** a non-officer and non-city employee. **Boyd** was dressed in a uniform which could easily be confused as a police uniform, with a belt badge, shirt badge and gun. **I asked Investigator Fleming** if it was a violation of 40-6-395(c) (misdemeanor) was being investigated and he said “no” and that it was a felony”<sup>2</sup>



I explained to **Investigator Fleming** I was just the reporting party and former Grantville on-duty police officer **Jon McIntyre** witnessed and photographed the alleged crime in progress and can make positive ID of Boyd (I have never met Boyd). **Mr. McIntyre** was also interviewed over the phone and not in person. **Mr. McIntyre** also states it was inferred to him by **Investigator Fleming** that Fleming was investigating **Whitlock**.

I told **Investigator Fleming** about additional facts which supported the element of the crime of police impersonation. Through ORA requests I obtained a copy of contract the city had with Till Production company. That contract laid out the city’s requirement to have a minimum of two certified law enforcement officers at the scene of the filming. In my opinion, the only reasonable conclusion is that **Whitlock** formed the scheme of presenting **Mr. Boyd** as a certified law enforcement to trick

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<sup>2</sup> This is supported by Investigator Fleming own statement in an email Fleming wrote to Mr. Ayers on 3/3/2022. Fleming was referring the matter to GBI for a criminal investigation.

Till Production company into thinking Boyd was an actual police officer<sup>3</sup>. **Mr. Boyd** was already dressed like an officer upon his arrival to the police station early that morning. **Whitlock** pulled the marked police car out of the parking spot for **Mr. Boyd**. **Whitlock** has been in law enforcement over 30 years and had to have known his actions were at least an ethical violation if not a felony crime. There is also a second violation of impersonating an officer (40-6-395(C)) to unlawfully control vehicle traffic on a public roadway that was never been addressed during the investigation.

## **ISSUES**

**Assistant Director Harvey's** made a public statement to a newspaper in March 2022 that at the completion of an investigation that investigation then goes to the Probable Cause Committee for a determination of the issue(s). This was again supported in a 2017 POST Council prepared organization chart which supports **Assistant Directly Harvey's** statement that a completed investigation is forwarded to the PCC for a determination.

The Channel 2 news broadcast scheduled for April 28, 2022, should be interesting as to what Whitlock told the news reporter. Whitlock may have at a minimum made misleading and deceptive statements to Investigator Fleming. Whitlock told Fleming that he, Whitlock, "he would not be doing so again in the future." That is an admission (confession) of the wrongdoing. If Whitlock made contrary statements to the news reporter would both statements have been made in the practice of being a peace officer?

The appearance projected to the public is that members of law enforcement are above the law and equal justice for all does not exist in the POST Council system. Investigator Fleming told Whitlock "Perception is reality." So true!

## **INCOMPLETE INVESTIGATION (SUB-STANDARD)**

The following is my opinion based on 38 years working in the criminal justice system.

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<sup>3</sup> This is supported when during the "meeting" with Whitlock and Whitlock told Fleming the impersonator was needed for a contractual agreement with a production company. Whitlock did not have the courage to tell the production company he was shorthanded, and they could film another day. Whitlock then placed Boyd into a marked police car and wearing a uniform, badge, and gun to present Boyd so others (production company) would be tricked into believing Boyd was a certified officer. By Whitlock's own statement he was a party to the crime of 40-6-395(c) & 16-10-23.

1. An investigation case number was never obtained. When a Police Chief is alleged to have violated a felony law, a reasonable person would think all the policies and professional standards would be adhered to avoid any appearance of favoritism. Not in this situation.
2. The email(s) did not have Whitlock's name in the title bar, but a witness' name. In my opinion, any future records check (database search) was conducted regarding Whitlock, his name most likely would not show up and not reveal the information about this investigation. I do not understand why that would be done.
3. POST Council does not have a policy or directive allowing for a "meeting" in place of an investigation / interviews.
  - a. Investigator Fleming made it clear he was investigating, but when he speaks with Whitlock the entire action becomes a "meeting." There is no paper trail on how this occurred other than the appearance of favoritism. In my opinion, to sweep this under the carpet.
4. The beginning of Fleming's email summary (POST does not have a policy or directive when an email can be substituted as an investigation report). It is not accurate that I gave Fleming photos of the alleged crime.
  - a. In Fleming's email to Mr. Ayers dated March 3, 2022, Fleming admits he received the photos from former Grantville Police Officer Jon McIntyre and not me. Fleming intentionally left McIntyre's name out of his email summary.
  - b. **REMEMBER:** I am only the reporting party, and I did not witness any of these events involving the police impersonator. Mr. McIntyre is a direct witness to the incident.
  - c. **Witness McIntyre** was not mentioned one time in the final email summary provided to Mr. Ayers.
    - i. McIntyre also told Fleming about serious qualification violations occurring at the Grantville police department and names of other officers who witnessed those violations. No mention of this in any emails to Mr. Ayers.
  - d. **I am a REPORTING PARTY.** There is no legitimate reason in this situation to talk about me in so much detail and NO mention of the direct witnesses, but Fleming felt the need to copy about 250 pages of my website. I do not claim to be a witness to the police impersonator incident.

5. Investigator Fleming could have used the space on the paper to document actual witnesses. In my opinion, this investigation was incomplete and did not meet any basic investigative standards of law enforcement. Numerous direct witnesses were ignored and not interviewed. They are critical to learning the entire story. An investigation should be fair and accurate.
  - a. Assistant Chief Schriefer was named in the report as being spoken with but no documented statement. Schriefer and Whitlock spoken with together and not separated which is a fundamental mistake of interviewing.
  - b. There were six (6) on-duty Grantville Police Officers not interviewed. Fleming's own report states that they had a direct visual of the incident occurring. The officers not being interviewed is concerning to a reasonable person.
    - i. According to on-duty police officer McIntyre who was at the scene, he says Boyd was parked in an area the other officers could not see him (this is contrary to Whitlock's statement)
    - ii. Fleming did not ask Whitlock where the other officers were parked in relation to Boyd.
  - c. The two officers who allegedly called off sick which Whitlock blames for creating the incident were never interviewed to confirm Whitlock's story. What time did they call off? Who did they call?
    - i. Former Officer McIntyre states no officer(s) called off work that day(this is contrary to Whitlock's statement) .

#### *WHITLOCK HAS CREDIBILITY ISSUES*

- ii. Whitlock and his actions in other incidents have been mentioned in Coweta County Sheriff's report as being erroneous. Fleming knew that because that information is on my website that Fleming read and printed out.
- iii. Whitlock made claims on employment applications with Grantville and Merewether County that neither agency had any documents to back up Whitlock's claims.
- iv. When Whitlock was the Meriwether Sheriff, the animal control director was arrested by Whitlock's deputies and then Whitlock's brother-in-law was given the director's job (charges all dropped by to DA).

- v. There is evidence that Whitlock circumvented POST rules about officers qualifying that Fleming was told about.
  - vi. There are many reasons Fleming would need to confirm all answers Whitlock provided.
- d. Tommie Boyd is the civilian who was used as the police impersonator was not interviewed by Fleming.
- i. Someone showed Boyd how to operate the overhead blue emergency lights and to be dressed in a uniform as required by Code 40-1-6 & 40-1-7? Who called Boyd to come to the police department that morning?
- e. Whitlock admitted his intent was to fool the production company into believing Boyd was a certified Law enforcement officer.
- i. I provided Fleming a copy of the contract between the Till Production company and the city of Grantville and not one question about that contract was asked.
- f. In Fleming's email summary, not one mention of the video surveillance showing Whitlock furnishing Boyd the marked police car and Boyd returning the car eight plus hours later.
- i. Not one question to Whitlock about any abuse Boyd may have engaged in with access to the radio and GCIC records.
  - ii. Not one inquiry by Fleming with GBI to determine if Boyd accessed GCIC database.
- g. The evidence provided to the POST council seems to have disappeared. There is no evidence receipt issued or an evidence log entry. There are emails between Fleming and me and Jon McIntyre proving he received the evidence.
- i. Photographs of Boyd playing police officer.
  - ii. Video from the police department surveillance system
  - iii. Contract between the city and Till Production company.
  - iv. Where is the photos Fleming should have taken of the uniform and badge Boyd was wearing, and Whitlock showed Fleming at the "meeting?" That is important evidence the Probable Cause Committee would need to see to help them evaluate the allegations. Unless it was predetermined the information would never reach the Probable Cause Committee for review.
- h. In my opinion, the mention of all the evidence and who it was collected from was knowingly withheld from the summary email Fleming sent to

Mr. Ayers. This information was so important a reasonable person could not have overlooked it.

- i. There was not any mention or questions to Whitlock why he tried to silence Mr. McIntyre who was then working for the Coweta County Sheriff's office by filing a false Internal Affairs complaint (slander) against McIntyre for exposing the police impersonator incident.
6. POST Council Policy and Operations Manual / Directive # 4.0
- a. None, if any of the procedures in this directive were complied with during this investigation.
  - b. The Probable Cause Committee was never provided the facts of this incident for the committee to decide on its outcome.

The citizens of Grantville deserve better service and the citizens of this great state deserve better service from those who hold our police officers accountable. They to, must be held accountable.

If any of you need evidence, send me an email and I will provide it to you.

Respectfully submitted,

*Robert Royce*

Robert Royce

Grantville, GA 30220

robertroyce@protonmail.com

cc: Governor Brian Kemp  
Justin Gray, WSBTV Channel 2 news



4/8/22, 11:18 AM



Mike Ayers &lt;mike.ayers@gapost.org&gt;

## TJ Boyd/Grantville PD

1 message

Thu, Mar 31, 2022 at 4:52 PM

Doug Fleming <dfleming@gapost.org>  
To: Mike Ayers <mike.ayers@gapost.org>

This morning at approximately 10:00 am, I met with Chief Steve Whitlock at the Grantville Police Department. Also in attendance were: GBI ASAC Jeremy Dockins, GBI SA Adam Thompson, and Grantville PD Assistant Chief Cliff Schreifer.

I asked for the meeting, at the direction of POST Executive Director Mike Ayers, regarding a complaint received from Mr. Robert Royce. Mr. Royce is a citizen in the Grantville area. Mr. Royce claimed Pastor Boyd, a Grantville PD chaplain, was seen impersonating a Grantville PD officer and Chief Whitlock instructed him to do so. Mr. Royce provided a photograph of Pastor T.J. Boyd by a marked Grantville PD patrol vehicle, while wearing what appeared to be a police uniform. Information received from Mr. Royce also indicates Pastor Boyd is a convicted felon, who has been pardoned and had his firearms possession rights restored. Mr. Royce also maintains a website, grantvillecorruption.com, that alleges misconduct by several city of Grantville elected officials as well as claims that Pastor Boyd had been impersonating a police officer at Chief Whitlock's direction.

During our meeting, I asked Chief Whitlock what the circumstances were surrounding the photo of Pastor Boyd. Chief Whitlock articulated there was a movie camera crew filming in the area, and his officers were going to be assisting by blocking certain rural roadways during the filming. Chief Whitlock said he had his assigned posts covered until that morning when two officers called out of work. Chief Whitlock gave Pastor Boyd the keys to a marked Grantville PD patrol vehicle and advised him to block a specific road when told to do so on the radio. According to Chief Whitlock, he had no idea Pastor Boyd was in possession of a firearm during this assignment and he has had a "discussion" with Pastor Boyd about that decision to wear a firearm. In addition, Pastor Boyd's uniform and agency issued badge said "Chaplain" on them. Chief Whitlock produced a Chaplain's belt badge and showed me what Pastor Boyd would have been wearing in the photograph. Chief Whitlock also stated he had other sworn officers positioned in areas within view of Pastor Boyd's position. Chief Whitlock told me that he was faced with a dilemma on that day because he was short two officers. He said he did not believe he would be able to tell the movie crew they could not film because he was short on officers, so he decided to have Pastor Boyd take a patrol vehicle to assist by blocking a road.

I told Chief Whitlock that the photo does clearly appear that Pastor Boyd "looks" like an officer in the photograph to me, so I believed a citizen would believe he was an officer as well. I presented a fictitious scenario of a civilian trying to walk around Pastor Boyd's patrol vehicle toward the camera crew, and Pastor Boyd putting his hands on the civilian to stop him. In the scenario, Pastor Boyd was dressed similar to that of a sworn officer and he used police authority to restrict the civilian's movement. That scenario would have caused potential criminal and civil liability for Pastor Boyd and Chief Whitlock. Chief Whitlock said he did not think he did anything wrong at the time he made the decision, but after seeing the situation from another perspective, he admitted it "probably was not his best decision." I reminded Chief Whitlock that perception is reality. If Pastor Boyd looks and acts like a police officer, then that would likely produce trouble. He told me that situation was the only time he has had a non-sworn individual help with police functions such as this, and he would not be doing so again in the future. I did explain that Pastor Boyd could carry his firearm concealed if he had the appropriate carry permit, but that did not allow him to carry a firearm while in his Chaplain's uniform.

The conversation turned to other agencies that issue vehicles to Chaplains and I advised they will typically be unmarked vehicles and potentially have "Chaplain" distinctly displayed somewhere on the vehicle. I also stated they would not have a firearm on their person as well. Chief Whitlock indicated if Pastor Boyd were ever to use one of the Grantville PD vehicles, it would be one of their unmarked vehicles and he said he will be ordering magnetic "Chaplain" signs for it.

The remainder of our meeting was regarding Mr. Royce's other claims against the Chief and the city for misconduct. Those matters were primarily addressed by ASAC Dockins and SA Thompson. Chief Whitlock and Assistant Chief Schreifer spoke of many allegations by Mr. Royce against city officials and apparent political issues that are ongoing within their city's government. The Chief showed us a two inch 3-ring binder that was full of complaints from Mr. Royce against Chief Whitlock and the Chief indicated that was not even all of the complaints Mr. Royce submitted. Chief

Whitlock did indicate there may be legal action taken against Mr. Royce in the future by the city of Grantville (under HB 838) and Chief Whitlock individually in a civil action.

The meeting lasted approximately two hours and it is my assessment that Chief Whitlock and Assistant Chief Schreifer were honest during the discussion. Both answered questions quickly and without any hesitation or pauses. There was no indication they were nervous or under duress. There were times the Chief and Assistant Chief were somewhat passionate regarding Mr. Royce's claims and their own innocence. They both maintained direct eye contact with the GBI agents and myself throughout the meeting. Based on my training and experience, I saw no verbal or non-verbal indications that either individual was being untruthful when discussing the issues.

Just before leaving, Chief Whitlock asked me for a copy of any POST reports regarding today's meeting so he could include it in his case documentation.

Doug Fleming  
Georgia P.O.S.T. Council  
District #6 Investigator  
dfleming@gapost.org  
PO Box 1660  
Villa Rica, Georgia 30180  
404-558-6087 Cell  
770-732-5952 Fax

Sent from AT&T Yahoo Mail for iPhone

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

I Jon D McIntyre swear that I took the pictures and in fact that is tj-Boyd in the photos in the grantville police car on October 21 2021

**Jon McIntyre** [redacted]  
To: Doug Fleming <dflaming@gapost.org>

Thu, Mar 3, 2022 at 12:41 PM

I also wanted to say I took them while I was on duty in a grantville police car.

Sent from AT&T Yahoo Mail for iPhone

[Quoted text hidden]

**Doug Fleming** <dflaming@gapost.org>  
To: Jon McIntyre [redacted]

Thu, Mar 3, 2022 at 12:43 PM

Thank you very much!

Doug Fleming  
Georgia P.O.S.T. Council  
District #6 Investigator  
dflaming@gapost.org  
PO Box 1660  
Villa Rica, Georgia 30180  
404-558-6087 Cell  
770-732-5952 Fax

[Quoted text hidden]

**Doug Fleming** <dflaming@gapost.org>  
To: Mike Ayers <mike.ayers@gapost.org>  
Cc: Ralph Rogers <rhrogers@gapost.org>

Thu, Mar 3, 2022 at 1:01 PM

These additional photos are from my witness who took them of TJ Boyd, because he knew it was not right for Mr. Boyd to pose as an officer. Mr. McIntyre indicated Mr. Boyd has a firearm tucked in his belt on his right hip without a holster. A search of the PDG indicates TJ Boyd does not possess any POST certifications, nor has he been employed by a law enforcement agency according to our records. I compared these photos to Mr. Boyd's DOC inmate photo to independently confirm his identity, and they appear to be a visual match. Mr. Boyd was convicted of two VGCSA felony offenses in 2006, and he was sentenced to serve five years in custody. Mr. Boyd has since received a pardon.

I believe there is enough information that I have obtained to ask the GBI to initiate a criminal investigation regarding Mr. Boyd impersonating a police officer. I believe other individuals with the Grantville Police Department knew, or should have known, Mr. Boyd was not authorized to present himself as a police officer, when he was permitted to possess a Grantville Police Department badge, uniform, firearm, and police vehicle in view of the public.

Doug Fleming  
Georgia P.O.S.T. Council  
District #6 Investigator  
dflaming@gapost.org  
PO Box 1660  
Villa Rica, Georgia 30180  
404-558-6087 Cell  
770-732-5952 Fax

3/3/22, 1:01 PM

GEORGIA POST COUNCIL Mail - TJ Boyd

[Quoted text hidden]

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**Doug Fleming** <dfleming@gapost.org>

Thu, Mar 3, 2022 at 1:01 PM

To: Jon McIntyre [REDACTED]

Ok, thank you.

Doug Fleming  
Georgia P.O.S.T. Council  
District #6 Investigator  
dfleming@gapost.org  
PO Box 1660  
Villa Rica, Georgia 30180  
404-558-6087 Cell  
770-732-5952 Fax

[Quoted text hidden]

# Georgia Peace Officer Standards and Training Council

P.O.Box 349  
Clarkdale, Georgia 30111-0349



Mike Ayers  
Executive Director

Telephone: (678) 838-6311  
Fax: (770) 732-5952

April 18, 2022

Robert Royce:

RE: Open Records Request

Dear Robert Royce,


Please see below regarding your open records requests.

1. Investigation documents on the most recent investigation conducted on Grantville Police Chief Steve Whitlock.—No responsive Documents.
  2. Copy of the referral from the investigation division to the probable cause committee.—No responsive documents.
  3. Copy of the documents stating there was no wrongdoing by Chief Whitlock for allowing a citizen to dress up like a law enforcement officer and play policeman.—No responsive documents
  4. Copy of policies or procedures when a decision about the investigative facts and determination of how the POST Council investigators proceeds outside of the required committee are authorized to make a final determination.—No responsive documents.
    - A. Deputy Director Chris Harvey's public statement in the Augusta Chronicle newspaper stating investigations "An investigation is presented to the probable cause committee" and that committee will make a recommendation.I need a copy of that recommendation that Whitlock did nothing wrong and no integrity issues were violated.—No responsive documents.
  5. Copy of any documents which clarify the deputy director Harvey's public statements and the fact that procedure described by Mr. Harvey did not occur with the Whitlock investigation.—No responsive documents.
- 
1. Copy of the POST council investigation case numbers issued list from January 1 2022 to present and the case number assigned to the Whitlock investigation.—See attached list of case numbers from January 1<sup>st</sup>, 2022 until present.
- 
1. Copy of post council policy, procedures and directives on when to conduct an investigation and the manner in which the investigation is conducted, including but not limited to the procedure used to forward the investigation results to the probable cause committee.—See attached.
  2. Copy the policy and directives defining what an investigation consists of.—See attached.
  3. Copy of the audio recording of the interview the post council investigator(s) conducted with Grantville Police Chief Steve Whitlock.—No responsive documents.

1. Copy of notice of the initiation of an investigation sent to any member of the government or police department in Grantville.—No responsive records.
2. Copy of the notice of the termination of such investigation which shall have been provided to the head of the employing agency.—No responsive records.
3. Copy of policy which exempts number 1 and number 2 when the person being investigated is the head of the employing agency.—No responsive records.
4. Copy of policy which after learning that a certified law enforcement officer lied / misled post investigator(s) during an official interview about that person's conduct cannot be disciplined.—No responsive records.
5. Copy of policy which states when and under what circumstances an investigation case number shall be issued.—See attached.
6. Copy of any information which states the flow chart published in 2017 by the post council and deputy director Harvey's March 2022 statements that all determinations of wrongdoing are to be done by the probable cause committee.—See attached.
7. Names and email addresses of all the members of the probable cause committee.—See attached.
8. Post council advisory members names and email addresses.—See attached.
9. When my ORR was returned stating post had no records about a Whitlock investigation, copy of the documents which changed investigator Doug Flemming's labeling the action as an investigation as opposed to something else and a copy of my recorded statement.—No responsive documents.
10. Copy of the evidence received document by investigator Doug Flemming for the photos, video recordings and the written contract between Grantville and Till Production company provided to him and evidence booking number.—No responsive documents.

If you have any additional questions, please feel free to contact me.

Sincerely,  
Jill Perry  
Georgia P.O.S.T Council  
Open Records Analyst  
jperry@gapost.org

 <p>The Georgia Peace Officer Standards and Training Council</p> <p><b>POLICY AND OPERATIONS MANUAL</b></p>	POLICY / DIRECTIVE NO. <b>4.0</b>	DATE <b>12/01/21</b>
	NUMBER OF PAGES: <b>3</b>	
REFERENCE <b>Investigative Reports and Case Files</b>	AMENDS /RESCINDS	AUTHORITY <b>EXECUTIVE DIRECTOR</b>

**PURPOSE:**

It is the purpose of this directive to establish minimum requirements and guidelines for investigative reports to be submitted to POST Council.

**POLICY:**

It is the policy of the Peace Officer Standards and Training Council to establish and maintain minimum requirements for members of staff regarding form, content, and context of all investigative reports submitted to POST Council. Employees are required to adhere to the requirements identified in this policy.

**DEFINITIONS:**

**Investigative Report:** An investigative report is a written summary of the course of an investigation containing a detailed description of the allegations, witness accounts, evidence, response(s) of the subject, other pertinent information and a conclusion that evaluates all these listed factors in determining whether an allegation is substantiated.

**Case File:** A case file is an official and permanent government document and is a compilation of all investigative summaries, documents, photographs, other digital data (CDs, thumb drives, etc.) and other material gathered during the course of each investigation. Case files shall be maintained in POST-issued folders when possible, however, larger containers such as file boxes or crates may be used for large case files.

**PROCEDURE:**

Every case assigned to an investigator shall result in a comprehensive written report at the conclusion of the investigation. The written report shall be in the form designated by the Executive Director and shall address all areas listed in the **Critical Areas of Investigation** listed in the policy.

Critical Areas of Investigation:

Each Investigative Report will consist of the following sections:

1. Case Number and Reporting Investigator
2. Officer Data
3. Investigative Assignment
4. Case Summary
5. Mitigating and Aggravating Factors
6. Disciplinary History
7. Criminal History
8. Conclusion
9. Signature Section

1. Case Number and Reporting Investigator

The Case Number and POST Investigator submitting the report should appear at the top of the report

2. Officer Data

The Officer Data section should be numbered points identifying:

- a. the subject of the report by name and certification/application status(es)
- b. Employment information of the subject
- c. Whether subject is currently employed as a peace officer
- d. Whether the subject responded to the investigation
- e. Description of the allegation prompting the investigation

3. Investigative Assignment

The specific allegations/circumstances that prompted the POST investigation (i.e. Officer Harris terminated for Falsifying Time Sheets)

4. The Case Summary

- This section shall be a comprehensive and comprehensible report of the allegation(s), witness accounts, description of evidence, and responses made by the subject.
- Summaries shall be written so that a reader who is unfamiliar with the investigation can understand events or investigative actions as they occurred. Summaries shall be factually accurate, complete, concise, and objective.
- Summaries shall list the results and details if a polygraph or similar instrument was used in any investigation of the allegation(s).
- Summaries shall lead to a written conclusion that list violations or unsustainability of allegations, within the context of the report.
- Summaries shall indicate whether an officer responded to the investigation, and, if not, what attempts were made to contact the officer.

5. Aggravating and Mitigating Factors

This section may contain any relevant facts that may or not be present in the case summary, but which would be reasonable for POST Council to consider in



adjudicating a case.

Examples of *mitigating factors* might include facts such as: 20-year career without any POST sanctions, self-reported behavior, acting under extreme conditions, etc.

Examples of *aggravating factors* might include: previous POST actions, previous similar violations/actions, evidence of premeditation, collateral impact of officer behavior on others, etc.

There is no expectation that every case will have either or both mitigating and/or aggravating factors, however, if the investigator is aware of the existence of either, those factors should be included in the report. If no mitigating or aggravating factors exist, each section should be noted with "None known."

6. Disciplinary History

This section shall list known disciplinary actions involving the subject of the report

7. Criminal History

This section shall list known criminal history of the subject of the report.

8. Conclusion

This section shall list conclusion(s) of the investigation and shall specify any and all violations substantiated in the course of the investigation (i.e. "Officer X made false and misleading statements in an internal affairs investigation and used excessive force during an arrest." or "Officer Y was determined to intoxicated while on duty.")

9. Signatures for Probable Cause Committee Recommendations

The final part of the investigative report shall contain the established wording and spaces for signatures to allow the Probable Cause Committee to present the findings to the full POST Council.

# Official Code of Georgia, Annotated

## TITLE 35 - CHAPTER 8 "EMPLOYMENT AND TRAINING OF PEACE OFFICERS "

[Back to Section Menu](#)

### **35-8-7.1. Authority of council to refuse certificate to applicant or to discipline certified peace officer or exempt peace officer; grounds; restoration of certificate; emergency suspension of certification; notice of investigation.**

(a) The council shall have authority to refuse to grant a certificate to an applicant or to discipline a council certified officer or exempt officer under this chapter or any antecedent law upon a determination by the council that the applicant, council certified officer, or exempt officer has:

(1) Failed to demonstrate the qualifications or standards for a certificate provided in this chapter or in the rules and regulations of the council. It shall be incumbent upon the applicant to demonstrate to the satisfaction of the council that he or she meets all requirements for the issuance of a certificate;

(2) Knowingly made misleading, deceptive, untrue, or fraudulent representations in the practice of being an officer or in any document connected therewith or practiced fraud or deceit or intentionally made any false statement in obtaining a certificate to practice as an officer;

(3) Been convicted of a felony in the courts of this state or any other state, territory, country, or of the United States. As used in this paragraph, the term "conviction of a felony" shall include a conviction of an offense which if committed in this state would be deemed a felony under either state or federal law without regard to its designation elsewhere. As used in this paragraph, the term "conviction" shall include a finding or a verdict of guilt, a plea of guilty, or a plea of nolo contendere in a criminal proceeding, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. However, the council may not deny a certificate to an applicant with a conviction if the adjudication of guilt or sentence is withheld or not entered thereon;

(4) Committed a crime involving moral turpitude, without regard to conviction. The conviction of a crime involving moral turpitude shall be conclusive of the commission of such crime. As used in this paragraph, the term "conviction" shall have the meaning prescribed in paragraph (3) of this subsection;

(5) Had his or her certificate or license to practice as an officer revoked, suspended, or annulled by any lawful certifying or licensing authority; had other disciplinary action taken against him or her by any lawful certifying or licensing authority; or was denied a certificate or license by any lawful certifying or licensing authority;

(6) Engaged in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public; such conduct or practice need not have resulted in actual injury to any person. As used in this paragraph, the term "unprofessional conduct" shall include any departure from, or failure to conform to, the minimal standards of acceptable and prevailing practice of an officer;

(7) Violated or attempted to violate a law, rule, or regulation of this state, any other state, the council, the United States, or any other lawful authority without regard to whether the violation is criminally punishable, so long as such law, rule, or regulation relates to or in part regulates the practice of an officer;

(8) Committed any act or omission which is indicative of bad moral character or untrustworthiness;

(9) Been adjudged mentally incompetent by a court of competent jurisdiction, within or outside this state;

(10) Become unable to perform as an officer with reasonable skill and safety to citizens by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition; or

(11) Been suspended or discharged by the officer's employing law enforcement unit for disciplinary reasons.

(b) (1) When the council finds that any person is unqualified to be granted a certificate or finds that any person should be disciplined pursuant to subsection (a) of this Code section, the council may take any one or more of the following actions:

(A) Refuse to grant a certificate to an applicant;

(B) Administer a public or private reprimand, provided that a private reprimand shall not be disclosed to any person except the officer;

(C) Suspend any certificate for a definite period;

(D) Limit or restrict any certificate;

(E) Revoke any certificate; or

(F) Condition the penalty, or withhold formal disposition, upon the officer's completing such care, counseling, or treatment, as directed by the council.

(2) In addition to and in conjunction with the foregoing actions, the council may make a finding adverse to the applicant or officer but withhold imposition of judgment and penalty or it may impose the judgment and penalty but suspend enforcement thereof and place the officer on probation, which may be vacated upon noncompliance with such reasonable terms as the council may impose.

(c) In its discretion, the council may restore and reissue a certificate issued under this chapter or any antecedent law to an officer and, as a condition thereof, may impose any disciplinary or corrective measure provided in this chapter.

(d) Upon arrest or indictment of an officer for any crime which is punishable as a felony, the executive director of the council shall order the emergency suspension of such officer's certification upon the executive director's determination that the suspension is in the best interest of the health, safety, or welfare of the public. The order of emergency suspension shall be made in writing and shall specify the basis for the executive director's determination. Following the issuance of an emergency suspension order, proceedings of the council in the exercise of its authority to discipline any officer shall be promptly scheduled as provided for in Code Section 35-8-7.2. The emergency suspension order of the executive director shall continue in effect until issuance of the final decision of the council or such order is withdrawn by the executive director.

(e) Upon initiating an investigation of an officer for possible disciplinary action or upon disciplining an officer pursuant to this Code section, the council shall notify the head of the law enforcement agency that employs such officer of the investigation or disciplinary action. In the case of an investigation, it shall be sufficient to identify the officer and state that a disciplinary investigation has been opened. Notice of the initiation of an investigation shall be sent by priority mail. If the investigation is completed without any further action, notice of the termination of such investigation shall also be provided to the head of the employing agency. In the case of disciplinary action, the notice shall identify the officer and state the nature of the disciplinary action taken. The notice of disposition shall be sent only after the action of the council is deemed final. Such notice shall be sent by priority mail.

(f) If the certification of an officer is suspended or revoked by either the executive director or council, then the council shall notify the head of the law enforcement agency that employs the officer; the district attorney of the judicial circuit in which such law enforcement agency is located; and the solicitor of the state court, if any, of the county in which such law enforcement agency is located. It shall be sufficient for this notice to identify the officer and state the length of time, if known, that the officer will not have powers of arrest. Such notice shall be sent by priority mail.

(g) Notwithstanding Article 5 of Chapter 18 of Title 50, records of an investigation of an officer by the council, including, but not limited to, records used to investigate complaints against an officer and polygraph case files containing official polygraph reports, shall be retained for 30 years following the date that such investigation is deemed concluded by the council and then such records may be destroyed; provided, however, that the council shall have the authority to destroy such records prior to such 30 years where such officer is deceased and no action upon the complaint was taken by the council beyond the council's initial intake of such complaint.

HISTORY: Code 1981, § 35-8-7.1, enacted by Ga. L. 1985, p. 539, § 2; Ga. L. 1987, p. 3, § 35; Ga. L. 1993, p. 91, § 35; Ga. L. 2008, p. 237, § 1/SB 373; Ga. L. 2011, p. 506, § 1/HB 203; Ga. L. 2013, p. 864, § 1/HB 366.

## Re: Grantville video

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From: Doug Fleming <[dfleming@gapost.org](mailto:dfleming@gapost.org)>

To: robertroyce <[robertroyce@protonmail.com](mailto:robertroyce@protonmail.com)>

Date: Wednesday, March 16th, 2022 at 1:24 PM

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Good afternoon,

I did receive the email, but I have not accessed the videos yet.

Doug Fleming  
Georgia P.O.S.T. Council  
District #6 Investigator  
[dfleming@gapost.org](mailto:dfleming@gapost.org)  
PO Box 1660  
Villa Rica, Georgia 30180  
404-558-6087 Cell  
770-732-5952 Fax

On Thu, Mar 10, 2022 at 9:16 PM Robert Royce <[robertroyce@protonmail.com](mailto:robertroyce@protonmail.com)> wrote:

Mr. Fleming,

Did you get the two video recordings i sent to in Dropbox?

Robert Royce

Sent from ProtonMail mobile

## Re: Grantville

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From: Doug Fleming <dfleming@gapost.org>

To: robertroyce<robertroyce@protonmail.com>

Date: Thursday, March 3rd, 2022 at 12:39 PM

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I did receive them, thank you!

Doug Fleming  
Georgia P.O.S.T. Council  
District #6 Investigator  
[dfleming@gapost.org](mailto:dfleming@gapost.org)  
PO Box 1660  
Villa Rica, Georgia 30180  
404-558-6087 Cell  
770-732-5952 Fax

On Thu, Mar 3, 2022 at 8:19 AM Robert Royce <[robertroyce@protonmail.com](mailto:robertroyce@protonmail.com)> wrote:

Mr. Fleming,

I was checking to confirm you received the documents i sent you yesterday?

Robert Royce

Sent from ProtonMail mobile

## Fwd: Re: OPEN RECORDS ACT REQUEST

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From: Jill Perry <jperry@gapost.org>

To: robertroyce<robertroyce@protonmail.com>

Date: Monday, April 25th, 2022 at 1:21 PM

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Please see responses below.

Thank you,

Jill Dalon

On 4/21/2022 10:57 AM, Robert Royce wrote:

> Pursuant to the open records act, please provide the following

>

> - Copy of any policy or directive which allows any member / employee of the POST Council to conduct a "meeting" and not an interview with a police officer who has allegedly engaged in felony violation of law which includes allegations of violations of 35-8-7.1 (6). POST has no responsive records to this request.

> - Copy of all the authorized "meetings" (not authorized investigations) held with any or all police officers who had been accused of any crime from Jan 1, 2022 to April 21, 2022. -- POST has no responsive records to this request.

>

> - Copy of POST council policy or directive which states the definition of a reporting party. -- POST has no responsive records to this request.

>

> - Copy of POST Council policy of the definition of a "meeting" compared to an "investigation". -- POST has no responsive records to this request.

>

> - On my previous records request, I asked for the specific POST investigation case number assigned to the Steve Whitlock investigation and none was provided. Please provide that case number. -- If you are referring to George S. Whitlock POST has no investigative

> case number assigned to this officer. - Copy of any and all communications between any employee of POST Council and the GBI regarding an investigation request, assistance with the POST investigator Doug Flemming's interview "meeting" of Steve Whitlock. -- POST has no responsive records to this request. The only reports POST

> has in its possession were mailed to you on April 18th, 2022.

>

>

> - Copy of the individual interview reports of witnesses Jon McIntyre, Cliff Schriefer and the SIX on duty Grantville police officers who witnessed the activity, the two officers who called off work that day and Tommie Boyd. -- The only reports POST has in its possession were mailed to you on April

> 18th, 2022.

> - Copy of the following evidence which had to have been collected, schedule of the

assignments Whitlock produced and the officers names who Whitlock states called off of work and time they called off which created the "emergency" situation of staff shortage.--POST

has no responsive records to this request. The only reports POST

> has in its possession were mailed to you on April 18th, 2022.

>

>

> - Copy of policy or state law which allows for a police officer to violate the law in order to save a private company money and possible civil litigation against the city by telling that company to reschedule their activities.--POST has no responsive records to this

request.

>

>

> - Copy of the following evidence which had to have been collected, copy of Tommie Boyd's state issued security guard card.--POST has no responsive records to this request.

>

>

> - Copy of the following evidence which had to have been collected, the document which allows Whitlock to violate city ordinance which required a "traffic control" person to possess the required certificates.--POST has no responsive records to this request.

>

> - Copy of statements addressing how being a party of the violation of GA Code 40-6-395 (c) and how that violation is not a violation of 35.8.7.1(6).--POST can not decipher what records you are requesting. Please clarify

> what you mean by "statements addressing how being a party of the

> violation...POST does not appear to have any records responsive to

> this request but upon clarification, POST will look further.

> - Copy of policy or directives when an investigation and / or "meeting" is not required to be submitted to the Probable Cause Committee.--POST has no responsive records to this request.

>

> - Copy of any statement by Tommie Boyd or any member of the police department which addressed the issues surrounding how Boyd knew to comply with section 40-1-7 and section 40-1-6 to complete the act of fooling / tricking others to believe he was acting in the capacity of a police officer.(Investigator Fleming expressed his concerns with the same issue, so I am sure the questions were asked of somebody)--POST has no further records responsive to this request. The only

> reports POST has in its possession were mailed to you on April 18th, 2022.

>

>

> Thank you,

>

> Robert Royce

> 404 / 645-9251

--

Jill Dalon, Records Custodian

Georgia P.O.S.T. Council

P.O. Box 349

Clarkdale, GA 30111

(470) 707-2462 Office

(678) 605-6909 Fax

## Re: Records Request

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From: Jill Perry <jperry@gapost.org>

To: robertroyce<robertroyce@protonmail.com>

Date: Monday, April 25th, 2022 at 1:22 PM

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POST has no responsive records to this request.

Thank you  
Jill Dalon

On 4/21/2022 1:23 PM, Robert Royce wrote:

Sorry, i notice this was not on my earlier request

1. Copy of the policy, memos and or directive which states there are two standards used by POST council when a complaint is lodged against a POST certified police administrator and a POST certified non police administrator.

Thank you  
Robert Royce

--

Jill Dalon, Records Custodian  
Georgia P.O.S.T. Council  
P.O. Box 349  
Clarkdale, GA 30111  
(470) 707-2462 Office  
(678) 605-6909 Fax