**STATE OF GEORGIA v. EMORY LEROY “RICK” RICKERSON**

**THE INITIAL REPORT OF CORPORAL JETER**

On October 10, 2017, the above named individual was arrested by Corporal Jeter of the Georgia State Patrol for the offense of obstruction of an officer. Essentially the facts are as follows: On October 10, Cpl. Jeter was traveling on Highway 109 Westbound in Pike County, Georgia on his way home from work when he came upon a vehicle accident. Cpl. Jeter walked over to the vehicle and observed the driver lying face down across both front seats. The driver appeared to be in very critical condition. Cpl. Jeter encountered Mr. Emory Rickerson who advised him that he was traveling behind the vehicle when the accident occurred. Mr. Rickerson also advised that he was a retired Battalion Chief with the Griffin Fire Department.

 Cpl. Jeter called 911, identified himself, and gave the status of the subject involved in the accident. Cpl. Jeter then moved his vehicle into the eastbound lane facing east behind a Toyota Tundra. Cpl. Jeter heard emergency sirens approaching the scene and asked who owned the vehicle that he was parked behind. Bystanders at the scene identified Mr. Rickerson as being the owner of the vehicle. Two people, along with Mr. Rickerson, were standing immediately around the wrecked vehicle. According to Cpl. Jeter, at this point Mr. Rickerson was not rendering aid to the accident victim. Cpl. Jeter then asked Mr. Rickerson to move his vehicle. According to Cpl. Jeter’s report, Mr. Rickerson replied that he was not going to move his vehicle at that time. Cpl. Jeter then informed Mr. Rickerson that he needed him to move his vehicle to make room for emergency vehicles to arrive on scene. Again, Mr. Rickerson refused to move his vehicle. Eventually, Mr. Rickerson’s vehicle was moved by another bystander on scene. After the accident victim had been loaded onto a helicopter, Cpl. Jeter asked Mr. Rickerson for his license so the he could retrieve his information as he was a witness to the accident. During this conversation, according to Cpl. Jeter, Mr. Rickerson became belligerent and made the statement, “If you’re going to take me to jail, go ahead and take me. I need the money anyway.” Mr. Rickerson was ultimately arrested for obstruction of an officer. It should be noted that an open container of alcohol was located in Mr. Rickerson’s truck, however, Cpl. Jeter did not issue Mr. Rickerson a citation for this.

**THE INVESTIGATION BY THE DISTRICT ATTORNEY’S OFFICE**

 The Griffin Judicial Circuit is a four county circuit comprised of Fayette, Spalding, Pike and Upson Counties. I am the District Attorney of the entire circuit. In Fayette and Spalding counties, the District Attorney’s office handles mainly felony offenses. In these counties, misdemeanor offenses are only prosecuted by the D.A.’s office when they have been charged along with felony offenses. In Pike and Upson County, the District Attorney’s office prosecutes both felony and misdemeanor cases. Misdemeanor offenses are investigated the same as felony offenses, but felony offenses often receive priority due to the seriousness of the charges. Because this case was a misdemeanor, it had not yet been investigated by my office. After receiving multiple contacts from concerned citizens, I took it upon myself to begin an investigation into the matter involving Mr. Rickerson.

 I first reviewed the report from Cpl. Jeter on Friday, February 2, 2018. On Tuesday, February 6, 2018, I reviewed dash-cam footage and spoke personally with the bystanders who were on scene. The witnesses indicated that they were all taking turns holding the accident victim. The witnesses gave varying accounts as to the actions between Mr. Rickerson and Cpl. Jeter. One witness observed Mr. Rickerson being belligerent to Cpl. Jeter, another witness did not. One witness indicated that emotions were high between everyone on scene, which is natural given the events that were taking place. All witnesses interviewed were in agreement that the actions of Mr. Rickerson helped save the accident victim’s life. When asked if Mr. Rickerson was guilty of obstruction of an officer, one witness said specifically, “Well, he was belligerent with the trooper and he didn’t move his vehicle, but I wouldn’t find him guilty because he helped save this woman’s life.” This sentiment has echoed through the general public and social media outlets. The District Attorney’s office has received no less than twenty phone calls and/or emails from citizens asking for the charges to be dismissed and criticizing our office for pursuing these charges (even though the decision to pursue the charges had not even been made). Although the will of the public is always given due deference and does not fall on deaf ears, the ultimate inquiry must be, first, whether a law was broken, second, whether the State can obtain a conviction for the offense. To prosecute a case knowing that a conviction cannot be obtained is unethical and a waste of taxpayer money. Given the varying accounts by witnesses involved at the scene and the pre-trial publicity this case has already received, a fair and impartial jury would be unascertainable and a successful prosecution for the offense of obstruction of an officer would likewise be impossible.

 That being said, the District Attorney’s Office makes the following conclusions regarding this case: Tensions, emotions, and adrenalin often run high when presented with events such as those presented on October 10, 2017. Corporal Jeter, Mr. Rickerson, and all involved parties were dealing with a situation where a person’s life was on the line. These emotions escalated on the part of both Mr. Rickerson and Corporal Jeter to the point where Mr. Rickerson was arrested. However, given the totality of the facts and circumstances and viewing the evidence as a whole, the State cannot prevail in a prosecution of Mr. Rickerson for the offense of obstruction of an officer. For the foregoing reasons this case will be dismissed.