



**JOHN H. CRANFORD, JR.**  
DISTRICT ATTORNEY  
COWETA JUDICIAL CIRCUIT

JEP BENDINGER  
CHIEF ADA

ROBERT MOORADIAN  
CHIEF DEPUTY ADA

August 5, 2021

**FOR IMMEDIATE RELEASE**

**Re: DISTRICT ATTORNEY REVIEW OF NOVEMBER 7, 2020 OFFICER INVOLVED CRASH IN COWETA COUNTY**

On November 7, 2020, the Georgia State Patrol Specialized Crash Reconstruction Team for Troop D (SCRT-D) was called by the Carrollton Police Department (CPD) to conduct an investigation into an officer involved crash in which Trooper Lindsey Barber performed a precision immobilization technique maneuver (PIT maneuver) on a vehicle driven by Lawrence Tippido Nix on US 61/Carrollton Villa Rica Highway NB near Villa Rica, Georgia. Mr. Nix was pronounced dead at the scene of the crash after suffering multiple skull fractures, bleeding on the brain, lacerations to multiple internal organs including his aorta, and blunt force trauma to his torso, head, and neck.

On January 14, 2021, GSP SCRT-D provided their full investigative file to the District Attorney's Office for review. The investigative file included the SCRT-D report, incident reports from Officer Dakota Cook and Corporal Richard Cheatwood of the Carrollton Police Department, body worn camera video, dash camera video, photographs and technical sketches of the crash scene, radio traffic from the night of the incident, toxicology reports and the autopsy report of Mr. Nix. The purpose of the review was to determine whether Trooper Barber was legally justified in using deadly force against Mr. Nix by conducting the PIT maneuver. The evidence discovered by the GSP SCRT-D investigation revealed the following facts.

In the early morning hours (approximately 12:02 a.m.) of November 7, 2020, CPD Officer Dakota Cook and Corporal Richard Cheatwood were patrolling the area of the Western Inn in Carrollton when they observed a silver in color Toyota Sequoia driven by Lawrence Nix fail to maintain his lane on two occasions. This failure to maintain lane is captured on patrol car dash camera video. Suspecting that the driver may be impaired, officers initiated a traffic stop utilizing their blue lights and siren on Highway 166 in Carrollton near Horsley Mill Road. Mr. Nix failed to bring his vehicle to a stop. Instead, Mr. Nix fled from officers at a high rate of speed along the bypass and eventually onto Highway 61 north, all of which was captured on video.

As shown on video, law enforcement officers chased the vehicle for approximately 7 miles. During the chase, Mr. Nix exceeded the speed limit by 20 miles per hour on multiple occasions, overtook more than 10 civilian vehicles, and generally drove with a reckless disregard for other motorists on the road. Concerned for the safety of others on the road, law enforcement officers called for support from the Georgia State Patrol to immobilize Mr. Nix's vehicle.

Roughly a mile south of the intersection of Highway 61 and Flat Rock Road, Trooper Barber joined the pursuit and attempted to immobilize Mr. Nix's vehicle. Nix continued to drive recklessly and at one point drove onto the median of Highway 61 to avoid Barber's patrol car. Soon thereafter, Barber successfully immobilized Nix's

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vehicle utilizing a PIT maneuver, which resulted in Mr. Nix's vehicle leaving the highway and crashing into several trees in the front yard of a residence.

Officers immediately contacted EMS and the Carroll County Fire Department. Due to the damage to Mr. Nix's vehicle, officers were unable to extract him immediately from his vehicle. With the assistance of Carroll County Fire Department, Mr. Nix was cut out of the vehicle and pronounced dead on scene.

Officers located four bags of marijuana on Mr. Nix's person. A toxicology test of his blood was positive for various controlled substances. His license was also suspended. All of which may have been motives for Mr. Nix's decision to drive recklessly at high speeds rather than come to a stop.

Following a review of the GSP SCRT-D investigative file, the District Attorney's Office has concluded that Trooper Barber was justified in using deadly force to stop Mr. Nix's dangerous use of his own vehicle. According to Official Code of Georgia OCGA 16-3-21(a), a person is justified in using deadly force if he "reasonably believes that such force is necessary to prevent death or great bodily injury to . . . a third person." According to OCGA 17-4-20(b) a law enforcement officer may use deadly force to apprehend a suspected felon "when the officer reasonably believes that the suspect possesses . . . an object . . . which when used offensively against a person, is likely to . . . result in serious bodily injury" or "when the officer reasonably believes that the suspect poses an immediate threat of physical violence to the officer or others[.]"

During this chase Mr. Nix fled from law enforcement at speeds which exceeded the speed limit by more than 20 mph, in traffic conditions which placed the general public at risk of receiving serious injuries, and while being under the influence of THC, methamphetamine, and amphetamine. Mr. Nix was therefore committing the felony crime of Fleeing or Attempting to Elude Police Officer. OCGA 40-6-395.

Given that the nature of Mr. Nix's driving made him a suspected felon, officers were permitted to use deadly force to apprehend him because it was reasonable for Trooper Barber to believe that Mr. Nix posed an immediate threat of physical violence to every other person on the road. Additionally, a vehicle like Mr. Nix's vehicle is an object which when used offensively is likely to result in serious bodily injury, which provides an independent justification for the utilization of the PIT maneuver. Because of these facts, and the fact that the PIT maneuver was reasonably necessary to effectuate the apprehension of Mr. Nix, the Trooper was justified in her actions.

Because Trooper Barber was justified in using deadly force to stop Mr. Nix's dangerous use of his own vehicle, the District Attorney's Office declines to prosecute Trooper Barber for her involvement in the crash that took Mr. Nix's life. The District Attorney's Office has spoken with Mr. Nix's family to explain our analysis of this matter and we sympathize with their loss. However, Trooper Barber's actions in this case were well within the law. Consequently, the District Attorney's Office considers this matter closed.

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