

Incident/Investigation Report

Agency: UGA Police Department

Case Number: 10-1443

Sol. / J.P.

Incident Information

| | | | |
|----------------------------------------------------------|----------------------------------------|-------------------------------------|------------------------------------------------|
| Date/Time Reported 07/10/2010 02:24 | Date/Time Occurred 07/10/2010 02:24 | Date/Time Found 07/10/2010 02:24 | Officer (810126860) COOPER, JEFFERY |
| Incident Location Agriculture Drive, Athens, GA 30605 | | | Supervising Officer (810136008) FULCHER, TY |

Incident Types

| | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--|
| 1 | Incident Type State | Description DUI - ALCOHOL | Statute 40-6-391 | UCR 90D | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com | |
| Alcohol, Drugs or Computers Used <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. | |
| Entry | | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | Hate Group | |
| 2 | Incident Type State | Description UNDERAGE POSS OR CONSUMPTION OF ALCOHOL | Statute 3-3-23 | UCR 90G | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com | |
| Alcohol, Drugs or Computers Used <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. | |
| Entry | | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | Hate Group | |
| 3 | Incident Type State | Description PROCEDURE FOR PASSING STATIONARY AUTHORIZED EMERGENCY VEH | Statute 40-6-16 | UCR 9999 | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com | |
| Alcohol, Drugs or Computers Used <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. | |
| Entry | | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | Hate Group | |
| 4 | Incident Type State | Description LICENSES/PERMITS - INSTRUCTIONAL/PROVISIONAL/TEMP | Statute 40-5-24 | UCR 999 | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com | |
| Alcohol, Drugs or Computers Used <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. | |
| Entry | | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | Hate Group | |

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Incident Types

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|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 5 | Incident Type State | Description FOLLOWING TOO CLOSELY | Statute 40-6-49 | UCR 999 | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com |
| Alcohol, Drugs or Computers Used <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. |
| Entry | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | |
| 6 | Incident Type State | Description HIT AND RUN | Statute 40-6-270 | UCR 999 | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com |
| Alcohol, Drugs or Computers Used <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. |
| Entry | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | |
| 7 | Incident Type State | Description DRIVERS LICENSE-SVC OF SUSPENSION/REVOCAION/CANCELLATION | Statute NO STATUTE | UCR 999 | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com |
| Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. |
| Entry | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | |
| 8 | Incident Type State | Description TRAFFIC STOP | Statute NO STATUTE | UCR 999 | <input type="checkbox"/> Att <input checked="" type="checkbox"/> Com |
| Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers | | Location Type SCHOOL/COLLEGE | Premises Entered | Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Weapons 1. 2. 3. |
| Entry | Exit | Criminal Activity | | | |
| Bias Motivation | | Bias Target | Bias Circumstances | | |

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Victims

| | | | | | | |
|------------------------------------------|-------------------------|------------------|------------------|-----|----------------|-----|
| Seq. # 1 | Type SOCIETY/ PUBLIC | Injuries None | Residency Status | | Ethnicity | |
| Name(Last, First, M) STATE OF GEORGIA | | | Race | Sex | DOB | Age |
| Address | | | | | Home Phone | |
| Employer Name/Address | | | | | Business Phone | |
| Victim of Crimes 1,2,3,4,5,6 | | | | | | |

Offenders

| | | | | | | | |
|--------------------------------------------------------|--------------------|--------------------------------------------|----------|-----------|-----------|-----------------|-------------------|
| Seq. # 1 | Type INDIVIDUAL | Name(Last, First, M) JACKSON, DONTAVIUS | | | | | |
| AKA | | Race B | Sex M | DOB -- | Age 20 | Height 5'11" | Weight 195 lbs |
| Address | | | | | | Home Phone | |
| Employer Name/Address | | | | | | Business Phone | |
| Scars, Marks, Tattoos or other distinguishing features | | | | | | | |
| Physical Characteristics | | | | | | | |

Suspect Details

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Offenders

| | | | | | | | |
|-----------------------------------------------------------------|--------------------|---------------------------------------------------|----------|-----|-----------|----------------------------------|-------------------|
| Seq. # 2 | Type INDIVIDUAL | Name(Last, First, M) AZAR, MARYGRACE ELIZABETH | | | | | |
| AKA | | Race W | Sex F | DOB | Age 20 | Height 5'04" | Weight 113 lbs |
| Address | | | | | | Home Phone | |
| Employer Name/Address UGA ATHENS GA | | | | | | Business Phone (000) 000-0000 | |
| Scars, Marks, Tattoos or other distinguishing features | | | | | | | |
| Physical Characteristics LEFT OR RIGHT HANDED - Right Handed | | | | | | | |

Suspect Details

| | | | | | | | |
|-----------------------------------------------------------------|--------------------|-------------------------------------------------|----------|-----|-----------|----------------------------------|-------------------|
| Seq. # 3 | Type INDIVIDUAL | Name(Last, First, M) KING, TAVARRES DANTHONY | | | | | |
| AKA | | Race B | Sex M | DOB | Age 19 | Height 6'02" | Weight 185 lbs |
| Address | | | | | | Home Phone | |
| Employer Name/Address UGA ATHENS GA | | | | | | Business Phone (000) 000-0000 | |
| Scars, Marks, Tattoos or other distinguishing features | | | | | | | |
| Physical Characteristics LEFT OR RIGHT HANDED - Right Handed | | | | | | | |

Suspect Details

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Offenders

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|-----------------------------------------------------------------|--------------------|-------------------------------------------------|-----------|----------|-----|-----------|----------------------------------|-------------------|
| Seq. # 4 | Type INDIVIDUAL | Name (Last, First, M) WHATLEY, DARREN BROOKS | | | | | | |
| AKA | | | Race W | Sex M | DOB | Age 18 | Height 6'02" | Weight 195 lbs |
| Address | | | | | | | Home Phone | |
| Employer Name/Address BIBB CO HIGH | | | | | | | Business Phone (000) 000-0000 | |
| Scars, Marks, Tattoos or other distinguishing features | | | | | | | | |
| Physical Characteristics LEFT OR RIGHT HANDED - Right Handed | | | | | | | | |

Suspect Details

Other Persons Involved

| | | | | | | | |
|------------------------------|--------------------|-----------------------------------------|--|--|--|----------------|----------|
| Name Code Involved, Other | Seq. # 1 | Name (Last, First, M) SMITH, BRANDEN | | | | Race B | Sex M |
| Address | | | | | | Home Phone | |
| Employer Name/Address | | | | | | Business Phone | |

Property

| | | | | | | | |
|----------------------------|------------------------------------|---------------------------------------------------------------------------------|--------|------------------|------------------|-----------------------------------------------------------------------------------|-----------|
| Seq. # 1 | Description IDENTIFICATION CARD | | | Serial Number | | Make/Model | |
| Owner CUFF, VANCE ERVIN | | | | License / State | | Color | |
| Status EVIDENCE | | Status Officer (810216631) ROBINSON, SETH | | Quantity 1.00 | Units of Measure | | Value |
| Gun Type | | Caliber | Finish | | Grip | | Gun Stock |
| Condition | | Gun Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | Test Type | | Sight Test <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| | | | | | | Sight Type | |

Property Notes
ISSUED TO VANCE CUFF

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Vehicles

| | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------------|--------------------------------|----------------------|----------------------------------|
| Seq.# 1 | Year 2003 | Color WHITE / WHITE | Style | Make CHEVROLET | Model AVALANCHE |
| VIN 3GNEC13T33G236271 | | License Plate Type | License / State 280AHG / GA | License Year 2010 | Owner KING, TAVARRES DANTHONY |
| Status | Status Date | | Value | | |
| Vehicle Notes VEHICLE WAS REMOVED BY TRAVIS WITH BARRETTS TOWING COMPANY. THERE WAS FRONT END DAMAGE TO THE DRIVERS SIDE FRONT BUMPER. NO OTHER VISIBLE DAMAGE WAS NOTICED. | | | | | |

Assisting Officers

(810216631) ROBINSON, SETH

Notes/Narratives

NARRATIVE

On 071010 I was backing up SPO Robinson on a traffic stop. The final for SPO Robinson's stop was in the roadway on East Campus Road at Building L of Family Housing. Both of our patrol vehicles were facing south in the far right lane. As we sat there, a white 2003 Chevrolet Avalanche (GA Tag 280AHG) drove past us in the left southbound lane. The vehicle did not slow down as it passed. At 0224 hours I initiated a traffic stop on the vehicle for failing to comply with the Georgia Move Over Law. The final location for the traffic stop was at the corner of Agriculture Drive and East Campus Road.

Vehicle in motion:

I first observed the vehicle while backing up SPO Robinson on a traffic stop. I noticed the vehicle traveling southbound on East Campus Road. The vehicle traveled past me at a high rate of speed while never attempting to slow down. I pulled out and attempted to catch up to the vehicle to initiate a traffic stop. The driver made a right turn to travel west on to College Station Road and then made a left turn to travel south on Agriculture Drive before attempting to turn back southbound on East Campus Road. I initiated my emergency lights and affected a traffic stop on the vehicle. The final location for the traffic stop was at the corner of Agriculture Drive and East Campus Road.

Driver Contact:

The driver side window was down when I approached the vehicle. Upon making contact with the driver (Jackson) I could smell a strong odor commonly associated with an alcoholic beverage coming from the vehicle. I also noticed that the driver's eyes were glassy and bloodshot. I asked the driver for his license and he retrieved it from his wallet without a problem. I asked the driver where he was coming from and he stated that he was coming from downtown. I explained to the driver the reason for the stop and he stated that he was unaware that he needed to slow down and be prepared to stop. I then asked the driver to exit the vehicle and he readily complied. I did not notice any difficulty by the driver when exiting the vehicle.

Upon making contact with the driver outside of the vehicle I could smell a strong odor commonly associated with an alcoholic beverage coming from the driver's breath as he spoke. I asked the driver if he had consumed any alcoholic beverages and he stated that he had not consumed any alcohol. I asked the driver if he was aware that he had a Class D license and he stated that he was aware and that he had not had a chance to renew

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it yet. I then asked the driver if he was aware that he was not supposed to be driving at this time of night on a Class D license and he stated that he was aware. I asked the driver if he would perform some voluntary field sobriety evaluations and he stated he would.

Conditions for Standardized Field Sobriety Evaluations:

Evaluations were performed on a dry blacktop surface. The area was level and lighting was provided by the street lights, my duty flashlight, vehicle headlights, and vehicle auxiliary lights. The front strobes of my vehicle were turned off during the Field Sobriety Evaluations. I explained and demonstrated each evaluation to the driver and asked him after each demonstration if he had any questions. The driver stated that he understood each evaluation before beginning. He also stated that he had a left knee injury that affected his balance.

Standardized Field Sobriety Evaluations:

-Horizontal Gaze Nystagmus: The driver stated he was not wearing contacts. The driver displayed equal pupil size and equal tracking and had no resting nystagmus. The driver displayed a lack of smooth pursuit in both eyes and distinct and sustained nystagmus at maximum deviation in both eyes. I did not observe onset of nystagmus prior to 45 degrees in either eye. The driver did not display vertical nystagmus. There were a total of 4 clues observed for this exercise.

-Walk and Turn: For this evaluation, the driver used an imaginary line as a reference. I demonstrated to the driver with my hands how wide of a line to imagine. The driver was wearing tennis shoes, khaki shorts, and a white tee shirt. The driver could not hold the starting position and stepped off the line as I explained and demonstrated the evaluation. The driver stopped while walking at the end of step nine on the first pass. The driver then turned to his right side and took his lead foot off of the line as he returned for his second pass. A total of 3 clues were observed for this exercise.

-One Leg Stand: The driver raised his right foot. The driver put his foot down once during the exercise and I had to instruct him to lift it up again. The driver continuously swayed throughout the exercise. He attributed the swaying to his bad left knee. A total of 2 clues were observed during this exercise.

Non-Standardized Field Sobriety Evaluations:

-Romberg Balance: I did not notice any observations on this exercise.

-Finger to Nose: I did not notice any observations on this exercise.

While conducting the Standardized Field Sobriety exercises SPO Martin and Sergeant Fulcher noticed a vehicle sitting in the roadway at East Campus Road and Cedar Street with its flashers on. UGAPD Dispatch advised that the driver of the same vehicle had called to report a hit and run accident it was involved in as SPO Martin and Sergeant Fulcher were pulling up. The vehicle that struck it was a white Chevrolet Avalanche that continued traveling southbound on East Campus Road. After completing the Standardized Field Sobriety exercises I asked Jackson if he had any information that he wished to tell me. He stated that he did not. I asked him a second time if anything had happened prior to him passing my patrol car and he stated that he had rear ended another vehicle but that he and the driver of that vehicle had settled on scene. SPO Martin and Sergeant Fulcher advised that the driver and a passenger of the other vehicle stated Jackson did not stop after the accident. I then asked Jackson again if he had anything to drink. He then admitted to having consumed 2 shots while downtown.

While dealing with Jackson, SPO Robinson arrived on scene and began identifying the passengers in the vehicle. A check with GCIC confirmed that all of the passengers were under the age of 21. SPO Robinson arrested three of the passengers (Azar, Marygrace; Whatley, Darren; King, Tavarres) for underage possession of alcohol after detecting the odor of an alcoholic beverage on their breath and person. The fourth passenger (Smith, Branden) was determined to have not been drinking and was served a license suspension notice on scene by Officer Humphries.

Based on my training, knowledge, experience, and the totality of the circumstances I determined Jackson was a less safe driver. He was pulled over.

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under arrest for the Move Over Law violation (Citation # 025327), DUI Alcohol (Citation # 025328), Underage Possession of Alcohol (Citation # 025329), and Driving in Violation of License Class (Citation # 025330). Concerning the accident, Jackson was also charged with Following Too Closely (Citation # 025331) and Leaving the Scene of an Accident (Citation # 025332). He was placed in double locked handcuffs and seat belted in the back seat of SPO Robinson's patrol car. Jackson was read the Georgia Implied Consent Notice for suspects under the age of 21 and agreed to give me a breath sample. Jackson was then transported to the UGA Police Department where he provided an insufficient sample on the Intoxilyzer 5000 (Serial Number: 68-011710). I administered the breath test (Permit # 38071). Jackson appeared to not be trying to provide a sufficient sample by not placing a firm seal around the mouthpiece and not blowing to keep the tone sounding on the machine. I explained the instructions again and told him how to blow into the machine. I then gave him a second opportunity to provide a sufficient sample and he failed to do so again. I recorded that as a refusal for the state administered breath test. Jackson was then transported to the Clarke County Jail. At the Clarke County Jail, Jackson and his belongings, which consisted of one wallet and one cell phone, were turned over to Deputy Cash.

The vehicle was registered to King, Tavarres and was removed from the scene by Travis with Barrett's Towing. Photos were taken of the vehicle.

A license found on Azar was taken into evidence and placed in locker 014.

CONTINUATION

[EMPTY]

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