

Incident/Investigation Report

Agency: UGA Police Department

Sol. J.P.

Case Number: 11-1160

Incident Information

Date/Time Reported 06/04/2011 03:03	Date/Time Occurred 06/04/2011 03:03	Date/Time Found 06/04/2011 03:03	Officer (810247516) HUMPHRIES, BOBBY
Incident Location 390 S Lumpkin St, Athens, GA 30609			Supervising Officer (810015565) GRAHAM, WILL

Incident Types

1	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 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		
2	Incident Type State	Description SUSPICIOUS PERSON OR VEHICLE	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		

Victims

1	Type INDIVIDUAL	Injuries None	Residency Status		Ethnicity	
Name (Last, First, M) STATE OF GEORGIA			Race	Sex	DOB	Age 0
Address					Home Phone	
Employer Name/Address					Business Phone	
Victim of Crimes 1						



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Offenders

1	Type INDIVIDUAL	Name(Last, First, M) ERSKINE, ANDREW ROSS					
AKA		Race W	Sex M	DOB	Age 19	Height 5'10"	Weight 170 lbs
Address [REDACTED]						Home Phone	
Employer Name/Address						Business Phone	
Scars, Marks, Tattoos or other distinguishing features							
Physical Characteristics							

Suspect Details

Other Persons Involved

Employer Name/Address UNIVERSITY OF GEORGIA		Business Phone
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Notes/Narratives

NARRATIVE

On 06/04/2011 at 0247 hours, I was dispatched to Morris Hall in reference to a suspicious person report. I arrived on scene and met with the reporting party, Nathan Michael Tate. Tate stated that a white male was trying to gain access into Morris Hall that did not live there. The person was identified as Andrew Ross Erskine by his name and date of birth through dispatch. Erskine did not attempt to break into Morris Hall; he was just very confused as to his location. As I was interviewing Erskine, I could smell a moderate odor commonly associated with alcoholic beverage coming from the breath and person of Erskine. Tate filled out a witness statement that indicated he as well smelled a strong odor of alcohol coming from the breath and person of Erskine. His statement is included with this report. Erskine admitted he had consumed alcohol that evening. Erskine was placed under arrest at 0303 hours for Underage Possession of Alcohol (Citation: 028381). Erskine was searched incident to arrest. There were no weapons or contraband found during the search. Erskine was placed in double-locked, behind the back, handcuffs and seat belted in the rear seat of my patrol vehicle. The only items Erskine had on his person was (1) UGA Student ID and (1) cell phone. Erskine was transported to the Clarke County Jail where he and his personal belongings were released to the custody of the jail personnel. The entire events of this incident were recorded on patrol vehicle's MVR system, which is included with this report.

CONTINUATION

[EMPTY]

 ORIGINAL

Incident/Investigation Report

Agency: UGA Police Department

Sol. | J.P.

Case Number: 11-1163

Incident Information

Date/Time Reported 06/05/2011 02:25	Date/Time Occurred 06/05/2011 02:25	Date/Time Found 06/05/2011 02:25	Officer (810248350) ROCKLEIN, DAVID
Incident Location East Campus Road, Athens, GA 30602			Supervising Officer (810015565) GRAHAM, WILL

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 HIGHWAY/ROAD/ALLEY	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 FAILURE TO MAINTAIN LANE/IMPROPER DRIVING ON ROAD	Statute 40-6-48	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 HIGHWAY/ROAD/ALLEY	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 TRAFFIC STOP	Statute NO STATUTE	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 HIGHWAY/ROAD/ALLEY	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	

Victims

1	Type SOCIETY/ PUBLIC	Injuries None	Residency Status	Ethnicity		
Name (Last, First, M) STATE OF GEORGIA			Race	Sex	DOB	Age 0
Address					Home Phone	
Employer Name/Address					Business Phone	
Victim of Crimes						

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Offenders

Seq 1	Type INDIVIDUAL	Name(Last, First, M) HALE, ANDREW						
AKA			Race W	Sex M	DOB	Age 27	Height 5'11"	Weight 140 lbs
Address							Home Phone	
Employer Name/Address							Business Phone	
Scars, Marks, Tattoos or other distinguishing features								
Physical Characteristics								

Suspect Details

Vehicles

Seq 1	Year 2004	Color BLACK / BLACK	Style	Make ACURA	Model RL
VIN		License Plate Type	License / State	License Year 2011	Owner HALE, ANDREW VIRGIL
Status		Status Date		Value	
Vehicle Notes					

Assisting Officers

(810015565) GRAHAM, WILL

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Notes/Narratives

NARRATIVE

On 060511 at 0225 hours I observed a black Acura 3.5RL displaying Ga. Tag BFS1123 travelling south on East Campus Road at the intersection with Carlton Street fail to maintain its lane. The vehicle was in the left lane travelling south when it drifted into the right lane with its passenger side tires crossing fully over the lane divider lines. The vehicle stayed like this for approximately 200 feet before re-maintaining its lane. At this time I initiated a traffic stop on the vehicle. The final for the stop was in the Intramural Field parking lot off of College Station Road.

I then made contact with the driver of the vehicle. When I approached the vehicle I could smell a slight odor commonly associated with alcoholic beverages coming from within the vehicle. I also noticed that the driver had bloodshot eyes and his speech was slightly slurred and he was having a hard time putting sentences together. The driver handed me his drivers' license. I asked the driver if he had any alcoholic beverages that night and he stated that he had not had anything to drink that night. I then asked the driver if he would step out of the vehicle. I had the driver step to the rear of the vehicle. I once again asked the driver if he had any alcoholic beverages that night and he once again stated that he had not. At this time I asked the driver if he would participate in voluntary field sobriety exercises. The driver agreed. I had the driver remove his glasses and place them on the rear of his vehicle. I asked the driver if he had any head injuries or eyesight problems that would prohibit him from tracking a stimulus with his eyes. He stated that he did not. I then asked the driver if he had any leg or back injuries that would prevent him from walking a straight line or balancing on one leg. He stated that he did not.

The following evaluations were performed in the Intramural fields parking lot off of College Station Road. The surface condition was dry, smooth and level asphalt. Lighting conditions consisted of my patrol vehicle headlights and a flashlight that I had with me. My patrol vehicles front strobe lights were turned off. Each evaluation was explained and demonstrated prior to having the driver perform. The driver provided an affirmative response that he understood each evaluation before beginning. The driver was wearing a t-shirt, shorts and tennis shoes.

HORIZONTAL GAZE NYSTAGMUS

The driver displayed equal pupil size and tracking, and I did not observe resting nystagmus prior to beginning the HGN evaluation. I checked for lack of smooth pursuit, distinct and sustained nystagmus at maximum deviation and onset of nystagmus prior to 45 degrees in both eyes. The driver displayed the following clues:

1. Lack of smooth pursuit - both eyes for a total of 2 clues.
2. Distinct and sustained nystagmus at maximum deviation - both eyes for a total of 2 clues.

The total number of clues observed was 4.

WALK AND TURN

The driver displayed the following clues:

1. Cannot keep balance during instructional phase.
2. Stepped off line on the first step out and the first step on the way back.
3. Stopped while walking.
4. Used arms to balance.
5. Improper turn.

The total number of clues observed for this evaluation was 5.

ONE LEG STAND

The driver raised his left foot for this evaluation. The driver displayed the following clues:

1. Used arms for balance.

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2. Put foot down.

I had to explain this evaluation numerous times to the driver and I had to actually stop the evaluation and restart it at one point because the driver did not understand the evaluation even after giving an affirmative response that he understood what to do.

ROMBERG BALANCE

The driver estimated the passage of 30 seconds in 33 actual seconds. I did notice that the driver did have eyelid tremors.

FINGER TO NOSE

I had the driver raise his fingers in the following order: R, R, L, L, R, L. On the first left the driver missed his nose and had to readjust his finger.

CONCLUSION

Based on my knowledge, training, experience and the totality of circumstances I placed the driver under arrest for DUI of Alcohol (citation number: 028982) and failure to maintain lane (citation number: 028983). The driver was placed in double locked handcuffs, searched incident to arrest and placed in the rear of my patrol vehicle. I then read the Georgia Implied Consent Notice for Suspects Age 21 and Over using my card (initialed D.R. and dated 01-08-2010). I had to read the Implied Consent Notice 3 times to the driver. The driver kept stating that he did not know what to do because he had drunk 2 beers in the last half hour and was worried what the breath test would show. While searching the driver before placing him in the rear of my patrol vehicle the driver stated that he had only had 1 drink that night. The driver refused to take the State's test of his breath.

The driver's vehicle was left in the parking lot at his request. The driver was then transported to the UGAPD to complete paperwork. The driver was then transported to the Athens-Clarke County Jail and released to jail personnel along with his belongings (wallet, phone, keys and glasses). A mobile video recording of the incident has been included with this report.

CONTINUATION

[EMPTY]

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UNIVERSITY OF GEORGIA
POLICE AND FIRE DEPARTMENT
POLICE TRAINING CENTER
1000 UNIVERSITY AVENUE
ATLANTA, GEORGIA 30303
PHONE: (404) 725-1234
FAX: (404) 725-1235
WWW: WWW.POLICE.GA.GOV

Agency: ACPD

Case Number: 11-06-0321

Date: 06/06/2011 07:41:24

Incident Information

Date/Time Reported 06/05/2011 21:25	Date/Time Occurred 06/05/2011 20:05	Date/Time Found 06/05/2011 20:42	Officer (6692) FRANCO
Incident Location N Thomas St / E Dougherty St, Athens, GA 30601			Supervising Officer (5680) CLARK

Charges

1	Charge Type State	Description DUI - ALCOHOL	Statute 40-6-391	UCR 90D	<input type="checkbox"/> At <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 HIGHWAY/ROAD/ALLEY	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
2	Charge Type State	Description UNDERAGE POSS OR CONSUMPTION OF ALCOHOL	Statute 3-3-23	UCR 90G	<input type="checkbox"/> At <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 HIGHWAY/ROAD/ALLEY	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
3	Charge Type State	Description FAILURE TO OBEY TRAFFIC CONTROL DEVICE	Statute 40-6-20	UCR 999	<input type="checkbox"/> At <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 HIGHWAY/ROAD/ALLEY	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Victims

Seq. # 1	Type SOCIETY/ PUBLIC	Injuries None	Residency Status	Ethnicity
Name (Last, First, M) STATE OF GEORGIA			Race	Sex
			DOB	Age 0
Address				Home Phone
Employer Name/Address				Business Phone
Victim of Crimes 1,2,3				

PRINTED BY: (5554) CAMPBELL, DRENA D AT 6/6/2011 07:41

Incident/Investigation Report

Agency: ACPD

Case Number: 11-06-0321

Date: 06/06/2011 07:41:24

Offenders

Seq. # 1	Type INDIVIDUAL	Name(Last, First, M) CRAFT, KAYLA						
AKA			Race W	Sex F	DOB [REDACTED] 1990	Age 20	Height 5'04"	Weight 115 lbs
Address [REDACTED]							Home Phone	
Employer Name/Address							Business Phone	
Scars, Marks, Tattoos or other distinguishing features								
Physical Characteristics								

Suspect Details:

Other Persons Involved

[REDACTED]	
Employer Name/Address	Business Phone

Incident/Investigation Report

Agency: ACPD

Case Number: 11-06-0321

Date: 06/06/2011 07:41:24

Vehicles

Seq. # 1	Year 2008	Color BLACK / BLACK	Style 4-DOOR	Make FORD	Model ESCAPE
VIN	License Plate Type	License / State	License Year 2011	Owner CRAFT, KAYLA	
Status NONE	Status Date 06/05/2011	Value			
Vehicle Notes					

Notes/Narratives

NARRATIVE

On 6/5/2011, I was north on North Thomas Street when I observed a black Ford Escape in front of me driving down the center of the roadway. It looked to me like the driver was indecisive about which travel lane they wanted to be in.

I got stopped for a few seconds and lost sight of the vehicle. Once I started back northbound, I caught back up to the vehicle at the intersection of North Thomas and East Dougherty. I saw that this vehicle was stopped for a red light, but that the vehicle was about 3-4 feet in front of the stop bar for the red light. While the light was still red, I saw the driver turn right onto North Avenue in violation of a posted no turn on red sign at this intersection.

At that time, I caught up to the vehicle (Tag GA30DH) and made a traffic stop. The driver turned into the parking lot of an apartment complex at 86 North Avenue.

I got out and made contact with the driver and identified her as Kayla Craft using her Georgia driver's license. Immediately upon contact with her, I could smell a very strong odor of an alcoholic beverage emitting from her breath when she spoke to me. I also noted that her eyes were watery. I asked her if she had anything to drink and she told me no.

I returned to my vehicle and checked Craft's license. I then returned to Craft's vehicle and asked her to exit the vehicle. Once she was outside of her vehicle, I could still smell a very strong odor of an alcoholic beverage emitting from her breath when she spoke. I again asked her if she had been drinking and she told me no.

I asked her if she would be willing to take some tests so that I could determine if she was safe to be driving and she told me that she would.

I qualified her for the HGN Test and gave her this test. I got two of six available clues on this test.

Next, I explained the Walk and Turn Test to Craft. After she told me that she understood the instructions, she completed this test. After taking the first nine steps, she stopped completely at the turn for several seconds. Next, she used her front foot to turn toward the right instead of turning to the left as she would have if she turned as demonstrated. I got two clues on this test.

I gave her the One Leg Stand Test and I did not get any clues on this test.

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Notes/Narratives

Next, I asked her to blow into my Alco-Sensor and she did. It was positive for alcohol at .10.

At that time, I placed her under arrest for DUI and I told her that she was under arrest for DUI.

I read her the implied consent test request (under 21) from a card I keep in my wallet and she agreed to take the state's test.

She requested that her vehicle be secured and left at the scene and I did this for her. Two passengers, Karrie Lesser and Cameron Smith, were identified and released at the scene (they were both intoxicated and could not take custody of the vehicle).

Craft was transported to the Willow Street Precinct for a breath test. I showed her my certification card and administered the state's test. The first sample was taken at 2039 hours and the result was .116 grams per 210 liters of breath. The second sample was taken at 2042 hours and the result was .110 grams per 210 liters of breath.

The results were printed out and Craft was taken to CCSO.

At CCSO, Craft was given a copy of the evidence card from the intoxilyzer machine and of the three citations filled out in this incident. Craft was charged with driving under the influence, underage possession of alcohol, and failure to obey a traffic control device.

I also filled out a DDS-1205 form in this incident and gave Craft the yellow copy. After giving her the yellow copy, I signed the remaining copies in the presence of a Notary Public at CCSO. The DDS copy was turned in with Craft's license to be sent to DDS.

My audio from this incident is attached.

The status of this incident is CLEARED BY ARREST.

CONTINUATION

[EMPTY]

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POLICE OFFICER: [Redacted]
 DATE: 06/05/2011 08:19:49
 OFFICER: [Redacted]
 SUPERVISING OFFICER: [Redacted]

Agency: ACPD

Case Number: 11-06-0291

Date: 06/05/2011 08:19:49

Incident Information

Date/Time Reported 06/05/2011 06:06	Date/Time Occurred 06/05/2011 06:00	Date/Time Found 06/05/2011 06:00	Officer (6849) CARRION
Incident Location 220 Tara Way, Athens 30606			Supervising Officer (4310) WATKINS

Charges

1	Charge Type State	Description CRIMINAL TRESPASS INTRUSION UPON PROPERTY	Statute 16-7-21	UCR 90Z	<input type="checkbox"/> Alt <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			Hate Group
Bias Motivation		Bias Target	Bias Circumstances		

Victims

Seq # 1	Type INDIVIDUAL	Injuries None	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) [Redacted]				
Race Sex DOB Age [Redacted]				
Victim of Crimes 1				

Seq # 2	Type INDIVIDUAL	Injuries None	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) [Redacted]				
Race Sex DOB Age [Redacted]				
Victim of Crimes 1				

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Agency: ACPD

Case Number: 11-06-0291

Date: 06/05/2011 08:19:49

Offenders

Seq. # 1	Type INDIVIDUAL	Name (Last, First, M) WAINRIGHT, REEVE JOSEPH					
AKA	Race W	Sex M	DOB [REDACTED] 1985	Age 25	Height 6'01"	Weight 175 lbs	
Address [REDACTED]					Home Phone [REDACTED]		
Employer Name/Address [REDACTED]					Business Phone [REDACTED]		
Scars, Marks, Tattoos or other distinguishing features							
Physical Characteristics							

Suspect Details:

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Agency: ACPD

Case Number: 11-06-0291

Date: 06/05/2011 08:19:49

Notes/Narratives

NARRATIVE

On 06-05-2011 0526 hours, units responded to 220 Tara Way in reference to a possible burglary in progress. The residents, [REDACTED] advised Central that they heard the front door opening, and someone walking inside the house. The residents of the house climbed out the house through the bathroom window and went to the neighbor's yard to wait for Police Units. The residents were holding a rifle with them. On arrival, we surrounded the perimeter of the house, and some units made entry to the residence. Mr. Reeve Wainright was found inside the house sleeping on the living room couch with no shoes. Wainright seemed to be very intoxicated, to the point that he did not know where he was, and when he was asked if he knows where he is, he responded that he was over a friend's house on the East side. The smell of alcohol beverage coming from Wainright's breath was very strong, and he kept asking for his shoes. I went inside the house to look for his shoes, but I could not find any shoes in the area where Wainright was found. Wainright was placed under arrest for Criminal Trespass and transported to ACC Jail. A written statement was taken from the victims.

CONTINUATION

[EMPTY]

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PROTECTED BY FOIA EXEMPTIONS
 5 U.S.C. 552 (b) (7) - (C)
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 06/05/2011 BY 60322

Agency: ACPD

Case Number: 11-06-0281

Date: 06/05/2011 11:11:39

Incident Information

Date/Time Reported 06/05/2011 04:14	Date/Time Occurred 06/05/2011 02:10	Date/Time Found 06/05/2011 02:10	Officer (5676) PETRON
Incident Location 361 E Clayton St, Athens 30601			Supervising Officer (5642) SCOTT

Charges

1	Charge Type Municipal	Description PUBLIC INTOXICATION	Statute 3-5-4	UCR 90E	<input type="checkbox"/> At <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 CONVENIENCE STORE	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1.
Entry	Exit	Criminal Activity			2.
Bias Motivation		Bias Target	Bias Circumstances		3.
					Hate Group

Victims

Seq #	Type SOCIETY/ PUBLIC	Injuries None	Residency Status		Ethnicity
Name (Last, First, M) ATHENS-CLARKE COUNTY UNIFIED GOVERNMENT			Race	Sex	DOB
					Age (0)
Address					Home Phone
Employer Name/Address					Business Phone
Victim of Crimes 1					

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Agency: ACPD

Case Number: 11-06-0281

Date: 06/05/2011 11:11:39

Offenders

Seq. #	Type	Name (Last, First, M)					
1	INDIVIDUAL	SMITHER, ERIK JONES					
AKA	Race	Sex	DOB	Age	Height	Weight	
	W	M	1989	21	5'11"	145 lbs	
Address					Home Phone		
Employer Name/Address					Business Phone		
Scars, Marks, Tattoos or other distinguishing features							
Physical Characteristics							

Suspect Details :

PRINTED ON 06/05/2011 11:11:39

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Agency: ACPD

Case Number: 11-06-0281

Date: 06/05/2011 11:11:39

Notes/Narratives

NARRATIVE

On 06/05/11 at 0210 hours, I had contact with the store manager of the Lay-Z-Shopper convenience store regarding a white female acting disorderly at his store. I had contact with the white female, who was still on the premises and while I was talking to the white female, I was interrupted by an intoxicated (strong odor of an alcoholic beverage coming from his breath, blood shot eyes, and loud boisterous behavior) white male. The white male was identified Erik Smither. I asked Smither to leave, but he continued to interrupt my conversation with the white female, stating that was his friend. I ordered Smither once again to leave, at which time he responded to my verbal command by walking away.

As Smither walked away, he started yelling out loud "You're fucking stupid!" I re-established contact with Smither and placed him under arrest.

Smither was charged accordingly, then transported to the Clarke County Jail.

CONTINUATION

[EMPTY]

Incident/Investigation Report

Revisions made under OCGA Section 10-10-72(a)(1), (1)(A), (1)(B), (1)(C), (1)(D), (1)(E), (1)(F), (1)(G), (1)(H), (1)(I), (1)(J), (1)(K), (1)(L), (1)(M), (1)(N), (1)(O), (1)(P), (1)(Q), (1)(R), (1)(S), (1)(T), (1)(U), (1)(V), (1)(W), (1)(X), (1)(Y), (1)(Z), (1)(AA), (1)(AB), (1)(AC), (1)(AD), (1)(AE), (1)(AF), (1)(AG), (1)(AH), (1)(AI), (1)(AJ), (1)(AK), (1)(AL), (1)(AM), (1)(AN), (1)(AO), (1)(AP), (1)(AQ), (1)(AR), (1)(AS), (1)(AT), (1)(AU), (1)(AV), (1)(AW), (1)(AX), (1)(AY), (1)(AZ), (1)(BA), (1)(BB), (1)(BC), (1)(BD), (1)(BE), (1)(BF), (1)(BG), (1)(BH), (1)(BI), (1)(BJ), (1)(BK), (1)(BL), (1)(BM), (1)(BN), (1)(BO), (1)(BP), (1)(BQ), (1)(BR), (1)(BS), (1)(BT), (1)(BU), (1)(BV), (1)(BW), (1)(BX), (1)(BY), (1)(BZ), (1)(CA), (1)(CB), (1)(CC), (1)(CD), (1)(CE), (1)(CF), (1)(CG), (1)(CH), (1)(CI), (1)(CJ), (1)(CK), (1)(CL), (1)(CM), (1)(CN), (1)(CO), (1)(CP), (1)(CQ), (1)(CR), (1)(CS), (1)(CT), (1)(CU), (1)(CV), (1)(CW), (1)(CX), (1)(CY), (1)(CZ), (1)(DA), (1)(DB), (1)(DC), (1)(DD), (1)(DE), (1)(DF), (1)(DG), (1)(DH), (1)(DI), (1)(DJ), (1)(DK), (1)(DL), (1)(DM), (1)(DN), (1)(DO), (1)(DP), (1)(DQ), (1)(DR), (1)(DS), (1)(DT), (1)(DU), (1)(DV), (1)(DW), (1)(DX), (1)(DY), (1)(DZ), (1)(EA), (1)(EB), (1)(EC), (1)(ED), (1)(EE), (1)(EF), (1)(EG), (1)(EH), (1)(EI), (1)(EJ), (1)(EK), (1)(EL), (1)(EM), (1)(EN), (1)(EO), (1)(EP), (1)(EQ), (1)(ER), (1)(ES), (1)(ET), (1)(EU), (1)(EV), (1)(EW), (1)(EX), (1)(EY), (1)(EZ), (1)(FA), (1)(FB), (1)(FC), (1)(FD), (1)(FE), (1)(FF), (1)(FG), (1)(FH), (1)(FI), (1)(FJ), (1)(FK), (1)(FL), (1)(FM), (1)(FN), (1)(FO), (1)(FP), (1)(FQ), (1)(FR), (1)(FS), (1)(FT), (1)(FU), (1)(FV), (1)(FW), (1)(FX), (1)(FY), (1)(FZ), (1)(GA), (1)(GB), (1)(GC), (1)(GD), (1)(GE), (1)(GF), (1)(GG), (1)(GH), (1)(GI), (1)(GJ), (1)(GK), (1)(GL), (1)(GM), (1)(GN), (1)(GO), (1)(GP), (1)(GQ), (1)(GR), (1)(GS), (1)(GT), (1)(GU), (1)(GV), (1)(GW), (1)(GX), (1)(GY), (1)(GZ), (1)(HA), (1)(HB), (1)(HC), (1)(HD), (1)(HE), (1)(HF), (1)(HG), (1)(HH), (1)(HI), (1)(HJ), (1)(HK), (1)(HL), (1)(HM), (1)(HN), (1)(HO), (1)(HP), (1)(HQ), (1)(HR), (1)(HS), (1)(HT), (1)(HU), (1)(HV), (1)(HW), (1)(HX), (1)(HY), (1)(HZ), (1)(IA), (1)(IB), (1)(IC), (1)(ID), (1)(IE), (1)(IF), (1)(IG), (1)(IH), (1)(II), (1)(IJ), (1)(IK), (1)(IL), (1)(IM), (1)(IN), (1)(IO), (1)(IP), (1)(IQ), (1)(IR), (1)(IS), (1)(IT), (1)(IU), (1)(IV), (1)(IW), (1)(IX), (1)(IY), (1)(IZ), (1)(JA), (1)(JB), (1)(JC), (1)(JD), (1)(JE), (1)(JF), (1)(JG), (1)(JH), (1)(JI), (1)(JJ), (1)(JK), (1)(JL), (1)(JM), (1)(JN), (1)(JO), (1)(JP), (1)(JQ), (1)(JR), (1)(JS), (1)(JT), (1)(JU), (1)(JV), (1)(JW), (1)(JX), (1)(JY), (1)(JZ), (1)(KA), (1)(KB), (1)(KC), (1)(KD), (1)(KE), (1)(KF), (1)(KG), (1)(KH), (1)(KI), (1)(KJ), (1)(KK), (1)(KL), (1)(KM), (1)(KN), (1)(KO), (1)(KP), (1)(KQ), (1)(KR), (1)(KS), (1)(KT), (1)(KU), (1)(KV), (1)(KW), (1)(KX), (1)(KY), (1)(KZ), (1)(LA), (1)(LB), (1)(LC), (1)(LD), (1)(LE), (1)(LF), (1)(LG), (1)(LH), (1)(LI), (1)(LJ), (1)(LK), (1)(LL), (1)(LM), (1)(LN), (1)(LO), (1)(LP), (1)(LQ), (1)(LR), (1)(LS), (1)(LT), (1)(LU), (1)(LV), (1)(LW), (1)(LX), (1)(LY), (1)(LZ), (1)(MA), (1)(MB), (1)(MC), (1)(MD), (1)(ME), (1)(MF), (1)(MG), (1)(MH), (1)(MI), (1)(MJ), (1)(MK), (1)(ML), (1)(MM), (1)(MN), (1)(MO), (1)(MP), (1)(MQ), (1)(MR), (1)(MS), (1)(MT), (1)(MU), (1)(MV), (1)(MW), (1)(MX), (1)(MY), (1)(MZ), (1)(NA), (1)(NB), (1)(NC), (1)(ND), (1)(NE), (1)(NF), (1)(NG), (1)(NH), (1)(NI), (1)(NJ), (1)(NK), (1)(NL), (1)(NM), (1)(NO), (1)(NP), (1)(NQ), (1)(NR), (1)(NS), (1)(NT), (1)(NU), (1)(NV), (1)(NW), (1)(NX), (1)(NY), (1)(NZ), (1)(OA), (1)(OB), (1)(OC), (1)(OD), (1)(OE), (1)(OF), (1)(OG), (1)(OH), (1)(OI), (1)(OJ), (1)(OK), (1)(OL), (1)(OM), (1)(ON), (1)(OO), (1)(OP), (1)(OQ), (1)(OR), (1)(OS), (1)(OT), (1)(OU), (1)(OV), (1)(OW), (1)(OX), (1)(OY), (1)(OZ), (1)(PA), (1)(PB), (1)(PC), (1)(PD), (1)(PE), (1)(PF), (1)(PG), (1)(PH), (1)(PI), (1)(PJ), (1)(PK), (1)(PL), (1)(PM), (1)(PN), (1)(PO), (1)(PP), (1)(PQ), (1)(PR), (1)(PS), (1)(PT), (1)(PU), (1)(PV), (1)(PW), (1)(PX), (1)(PY), (1)(PZ), (1)(QA), (1)(QB), (1)(QC), (1)(QD), (1)(QE), (1)(QF), (1)(QG), (1)(QH), (1)(QI), (1)(QJ), (1)(QK), (1)(QL), (1)(QM), (1)(QN), (1)(QO), (1)(QP), (1)(QQ), (1)(QR), (1)(QS), (1)(QT), (1)(QU), (1)(QV), (1)(QW), (1)(QX), (1)(QY), (1)(QZ), (1)(RA), (1)(RB), (1)(RC), (1)(RD), (1)(RE), (1)(RF), (1)(RG), (1)(RH), (1)(RI), (1)(RJ), (1)(RK), (1)(RL), (1)(RM), (1)(RN), (1)(RO), (1)(RP), (1)(RQ), (1)(RR), (1)(RS), (1)(RT), (1)(RU), (1)(RV), (1)(RW), (1)(RX), (1)(RY), (1)(RZ), (1)(SA), (1)(SB), (1)(SC), (1)(SD), (1)(SE), (1)(SF), (1)(SG), (1)(SH), (1)(SI), (1)(SJ), (1)(SK), (1)(SL), (1)(SM), (1)(SN), (1)(SO), (1)(SP), (1)(SQ), (1)(SR), (1)(SS), (1)(ST), (1)(SU), (1)(SV), (1)(SW), (1)(SX), (1)(SY), (1)(SZ), (1)(TA), (1)(TB), (1)(TC), (1)(TD), (1)(TE), (1)(TF), (1)(TG), (1)(TH), (1)(TI), (1)(TJ), (1)(TK), (1)(TL), (1)(TM), (1)(TN), (1)(TO), (1)(TP), (1)(TQ), (1)(TR), (1)(TS), (1)(TT), (1)(TU), (1)(TV), (1)(TW), (1)(TX), (1)(TY), (1)(TZ), (1)(UA), (1)(UB), (1)(UC), (1)(UD), (1)(UE), (1)(UF), (1)(UG), (1)(UH), (1)(UI), (1)(UJ), (1)(UK), (1)(UL), (1)(UM), (1)(UN), (1)(UO), (1)(UP), (1)(UQ), (1)(UR), (1)(US), (1)(UT), (1)(UU), (1)(UV), (1)(UW), (1)(UX), (1)(UY), (1)(UZ), (1)(VA), (1)(VB), (1)(VC), (1)(VD), (1)(VE), (1)(VF), (1)(VG), (1)(VH), (1)(VI), (1)(VJ), (1)(VK), (1)(VL), (1)(VM), (1)(VN), (1)(VO), (1)(VP), (1)(VQ), (1)(VR), (1)(VS), (1)(VT), (1)(VU), (1)(VV), (1)(VW), (1)(VX), (1)(VY), (1)(VZ), (1)(WA), (1)(WB), (1)(WC), (1)(WD), (1)(WE), (1)(WF), (1)(WG), (1)(WH), (1)(WI), (1)(WJ), (1)(WK), (1)(WL), (1)(WM), (1)(WN), (1)(WO), (1)(WP), (1)(WQ), (1)(WR), (1)(WS), (1)(WT), (1)(WU), (1)(WV), (1)(WW), (1)(WX), (1)(WY), (1)(WZ), (1)(XA), (1)(XB), (1)(XC), (1)(XD), (1)(XE), (1)(XF), (1)(XG), (1)(XH), (1)(XI), (1)(XJ), (1)(XK), (1)(XL), (1)(XM), (1)(XN), (1)(XO), (1)(XP), (1)(XQ), (1)(XR), (1)(XS), (1)(XT), (1)(XU), (1)(XV), (1)(XW), (1)(XZ), (1)(YA), (1)(YB), (1)(YC), (1)(YD), (1)(YE), (1)(YF), (1)(YG), (1)(YH), (1)(YI), (1)(YJ), (1)(YK), (1)(YL), (1)(YM), (1)(YN), (1)(YO), (1)(YP), (1)(YQ), (1)(YR), (1)(YS), (1)(YT), (1)(YU), (1)(YV), (1)(YW), (1)(YZ), (1)(ZA), (1)(ZB), (1)(ZC), (1)(ZD), (1)(ZE), (1)(ZF), (1)(ZG), (1)(ZH), (1)(ZI), (1)(ZJ), (1)(ZK), (1)(ZL), (1)(ZM), (1)(ZN), (1)(ZO), (1)(ZP), (1)(ZQ), (1)(ZR), (1)(ZS), (1)(ZT), (1)(ZU), (1)(ZV), (1)(ZW), (1)(ZZ)

Agency: ACPD

Case Number: 11-06-0217

Date: 06/04/2011 10:16:00

Incident Information

Date/Time Reported 06/04/2011 03:41	Date/Time Occurred 06/04/2011 02:45	Date/Time Found 06/04/2011 03:20	Officer (117) JENNINGS
Incident Location 171 College Ave, Athens, GA 30601			Supervising Officer (1690) GABRIEL

Charges

1	Charge Type Municipal	Description PUBLIC INTOXICATION	Statute 3-5-4	UCR 90E	<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 RESTAURANT	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
2	Charge Type Municipal	Description DISORDERLY CONDUCT	Statute 3-5-1	UCR 90C	<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 RESTAURANT	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Victims

1	Type SOCIETY/ PUBLIC	Injuries None	Residency Status	Ethnicity
Name (Last, First, M) ATHENS-CLARKE COUNTY UNIFIED GOVERNMENT			Race	Sex
			DOB	Age 00
Address				Home Phone
Employer Name/Address				Business Phone
Victim of Crimes 1				

2	Type INDIVIDUAL	Injuries None	Residency Status Unknown	Ethnicity Non-Hispanic
Name (Last, First, M)			Race	Sex
			DOB	Age
[REDACTED]				
Victim of Crimes 2				

Incident/Investigation Report

Agency: ACPD

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Date: 06/04/2011 10:16:00

Offenders

Seq #	Type	Name (Last, First, M)					
1	INDIVIDUAL	RICKETTS, JESSICA MARIE					
AKA	Race	Sex	DOB	Age	Height	Weight	
	W	F	1987	24			
Address					Home Phone		
Employer Name/Address					Business Phone		
Scars, Marks, Tattoos or other distinguishing features							
Physical Characteristics							

Suspect Details

Other Persons Involved

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Notes/Narratives

NARRATIVE

ON 6-4-11 UNITS WERE DISPATCHED TO THE GRILL REFERENCE TO A DISORDERLY SUBJECT REFUSING TO LEAVE.

I MET WITH MANAGER, BRYAN GARRETT, WHO SAID TWO FEMALES SHUT THE HALLWAY LIGHTS OFF AT THE ENTRANCE TO THE BATHROOM AND SO HE WENT TO THEIR LOCATION TO SEE WHAT WAS GOING ON; ONE SUBJECT, ALLISON POINDEXTER, STARTED THROWING UP ALL OVER THE FLOOR OUTSIDE THE BATHROOM (THERE WAS ANOTHER PERSON ALREADY IN IT) SO HE TOLD THEM THEY NEEDED TO LEAVE THE RESTUARANT.

HE SAID THE SECOND SUBJECT, JESSICA RICKETTS, STARTED ARGUING WITH HIM AND SAID NO, IM NOT GOING TO LEAVE. IM GOING TO EAT MY FOOD BEFORE I LEAVE. HE SAID HE TOLD HER SHE WAS NOT GOING TO BE SERVED FOOD BUT THEN JESSICA THREATENED TO BEAT HIS A-S, PULLS HER HAIR UP INTO A BOW AND SAID YOU DONT KNOW WHO I AM! HE SAID IT DOESNT MATTER WHO YOU ARE, YOU NEED TO LEAVE THE RESTAURANT NOW TO WHICH SHE REPLIED DO YOU WANT ME TO HIT YOU?

HE SAID THEY BOTH ENTERED THE BATHROOM BUT HE HELD THE DOOR OPEN TELLING THEM THEY NEEDED TO LEAVE BUT THEY REFUSED SO THEY SHUT THE DOOR AND HE ALLOWED THEM TO USE IT FOR ABOUT 10 MINUTES TO CLEAN UP BUT THEN STARTED KNOCKING ON THE DOOR TELLING THEM THEY NEEDED TO LEAVE AGAIN SO AS THEY EXITED, MS RICKETTS SLAPPED HIM ACROSS THE FACE THEN WENT AND SAT DOWN AT THE TABLE STILL REFUSING TO LEAVE(EVEN THOUGH NONE HAD BEEN SERVED YET) SO HE CALLED 911.

HE SAID HE WANTED THEM BARRED FOR 2 YEARS AND TO PRESS CHARGES FOR BEING SLAPPED IN THE FACE SO HE BARRED THEM BOTH IN MY PRESENCE. THEY BOTH SAID THEY UNDERSTOOD.

I THEN SPOKE WITH JESSICA RICKETTS, WHO WAS SITTING AT THE TABLE ON THE INSIDE WITH MS POINDEXTER SITTING ON THE OUTSIDE; I ASKED HER TO COME OUTSIDE SO I COULD SPEAK WITH HER AND SHE YELLED "IM TRYING!" THEN CAME OUTSIDE. I ASKED HER IF SHE HAD BEEN DRINKING AND SHE STARTED ASKING ME IF I KNEW ANOTHER POLICE OFFICER FRIEND OF HERS BUT ONCE REDIRECTED, ADMITTED TO DRINKING ALCOHOL THIS EVENING. SHE HAD THE ODOR OF ALCOHOLIC BEVERAGE ON HER BREATH WITH RED GLASSY EYES. SHE ALSO REGISTERED POSITIVE FOR BREATH ALCOHOL ON THE PORTABLE ALCO-SENSOR (.153)

I ASKED HER WHAT HER VERSION OF THE STORY WAS; SHE SAID MS POINDEXTER WENT TO THE BATHROOM BUT DUE TO SOMEONE BEING INSIDE SHE COULD NOT GET IN AND ENDED UP THROWING UP OUTSIDE IT. SHE SAID THE MANAGER THEN CAME OVER AND SAID Y'ALL NEED TO LEAVE MULTIPLE TIMES BUT SHE REPLIED IM SORRY SHE JUST NEEDS TO GO TO THE BATHROOM. SO THEY WENT INTO THE BATHROOM BUT THEN THE MANAGER STARTED BANGING ON THE DOOR TELLING THEM THEY NEEDED TO LEAVE. SHE THEN SAID SHE NEVER TOUCHED HIM AFTER HE TOLD HER, YOU HIT ME NOW IM CALLING THE POLICE. SO I ASKED HER IF SHE HIT HIM BUT SHE DENIED IT. SHE SAID HE WAS BEING A D--K AND HE

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Notes/Narratives

WAS AN A-HOLE AFTER I TOLD HER I BELIEVE SHE DID HIT HIM. SHE THEN SAT DOWN IN THE AREA AS I TOLD HER TO SO THAT I COULD SPEAK WITH MS POINDEXTER. SHE SAT OUTSIDE AMONG OTHER PEOPLE LOUDLY CURSING WHILE SHE WAS ON THE PHONE TRYING TO CALL HER POLICE OFFICER FRIEND AS I WAS INTERVIEWING THE OTHERS. AT ONE TIME SHE YELLED "THIS IS F'N BS!" WHILE SHE WAS TALKING ON THE PHONE

I THEN SPOKE WIT MS POINDEXTER ASKING HER WHY JESSICA SLAPPED MR GARRETT AND SHE SAID, "BECAUSE HE WAS BEING A JERK TO US." SHE SAID MULTIPLE TIMES HE WAS BEING A JERK BEFORE WE GOT INTO THE BATHROOM AND SHE WASNT EVEN SURE WHAT HE SAID BUT THAT THEY WERE WAITING IN LINE TO GET INTO THE BATHROOM AND HE WAS SAYING SOMETHING TO THEM. SHE SAID THEY GOT INTO THE BATHROOM BUT THAT THEY COULD NOT SHUT THE DOOR DUE TO HIS HOLDING IT OPEN AND STANDING INSIDE THE WOMENS BATHROOM WHERE HE SHOULD HAVE NEVER BEEN (AS SHE LAUGHED). SHE ALSO HAD THE ODOR OF ALCOHOLIC BEVERAGE ON HER BREATH WITH RED GLASSY EYES. (SHE THEN SAID SHE BELIEVED HE HAD BEEN DRINKING ALCOHOL BUT HE HAD NOT). SHE ALSO ADMITTED TO THROWING UP OUTSIDE THE BATHROOM. SHE SAID MR GARRETT GOT INTO THEIR FACES AND WAS NOT BEING NICE TO THEM.

I MS RICKETTS WAS ARRESTED AND TURNED OVER TO THE TRANSPORT UNIT FOR PROCESSING AND RELEASE TO THE JAIL.

AUDIO IS AVAILABLE:

CONTINUATION

[EMPTY]