

CHEROKEE COUNTY SHERIFF'S OFFICE

2015-00008
DATE 01/26/2015

ALLEGATION / INQUIRY / COMMENDATION - REPORT FORM

Lt. [Signature]
02/2/15

I. INFORMATION SOURCE:

NAME: Denna Pitts RACE: WHITE SEX: F DATE OF BIRTH: ____
ADDRESS: 2402 Mohawk Trl CITY: Acworth ZIP: 30101
HOME PHONE: [REDACTED] BUSINESS PHONE: (____) ____

II. DEPUTY/CIVILIAN EMPLOYEE INFORMATION:

NAME: Cody Jones RANK: D/S I.D.#: ____
DIVISION: UPD UNIT #: ____
NAME: ____ RANK: ____ I.D.#: ____
DIVISION: ____ UNIT #: ____

III. LOCATION OF INCIDENT:

2402 Mohawk Trl
DATE: January 23, 2015 TIME: 17:50 CASE NUMBER: 15-14-6640

IV. DESCRIPTION OF INCIDENT: ☒ ALLEGATION ☐ INQUIRY ☐ COMMENDATION
Ms. Pitts advised D/S Jones was rude, out of control and abusing his authority. See attached.

V. WITNESS INFORMATION:

NAME: ____ ADDRESS: ____ CITY: ____
HOME PHONE: (____) ____ BUSINESS PHONE: (____) ____
NAME: ____ ADDRESS: ____ CITY: ____
HOME PHONE: (____) ____ BUSINESS PHONE: (____) ____

VI. PERSON TAKING REPORT:

NAME: JEANNETTE VETTER RANK: LIEUTENANT
DIVISION: UPD SHIFT: _ BADGE NUMBER: 290

VII. SUPERVISORS COMMENTS/RECOMMENDATIONS:

SEE ATTACHED

VIII. ALLEGATION / INQUIRY / COMMENDATION INFORMATION:

HOW A/I/C RECEIVED: ☒ TELEPHONE ☐ WRITTEN FORM ☐ PERSONAL CONTACT

A/I/C REFERRED TO: LT. DONLEY

☐ A/I/C RESOLVED ON INITIAL CONTACT ☐ ALLEGATION / INQUIRY WITHDRAWN

IX. DOCUMENTATION ATTACHED: ☒ INCIDENT REPORT ☒ WRITTEN STATEMENT ☐ OTHER

X. DIVISION COMMANDERS REVIEW:

(SIGNATURE)

(DATE)



NO FURTHER ACTION REQUIRED



REFER TO _____ FOR FURTHER INVESTIGATION



RECOMMEND FORMAL COMMENDATION

ADDITIONAL COMMENTS:

XI. INVESTIGATOR'S FINDING

(Choose the appropriate finding of fact for allegations only, as defined by GO 94-22)

- ☐ **Sustained:** The evidence is sufficient to prove the allegations.
- ☐ **Not sustained:** The evidence is insufficient to either prove or disprove the allegations.
- ☒ **Exonerated:** The evidence shows that the incident occurred and was lawful or proper.
- ☐ **Unfounded:** The evidence shows that the allegation is false or not factual.
- ☐ **Policy failure:** The evidence is sufficient to show that the incident occurred, but was a result of flawed policy or procedures.

XI. SERVICE OF EMPLOYEE

I hereby certify and affirm that the allegations have been discussed and described to me. I have received a copy of the Employee Rights Form and acknowledge that I understand these rights.

Employee Signature

Date

W. J. De #209
Witness Signature

1-25-15
Date

XXII. Notification Of Findings

I understand that the investigating officer has the duty to inform me of the outcome of this investigation (Sustained, Not Sustained, Exonerated, Unfounded, or Policy Failure) and I hereby certify and affirm that he/she has done so. I further understand that the investigating officer is merely a finder of fact and will not determine if adverse disciplinary action will be taken.

[Signature]
Employee Signature

2/11/15
Date

W. J. De #209
Witness Signature

2-11-15
Date

DISTRIBUTION: DIVISION COMMANDER
INTERNAL AFFAIRS

SHIELDS OF SHAME

CHEROKEE SHERIFF' S OFFICE
MEMORANDUM

To: Lt. Donley
From: Lt. Vetter 
Date: January 27, 2015
RE: Complaint

I was requested to contact Denna Pitts in regards to a complaint. Ms. Pitts lives at 2402 Mohawk Trl and deputies were called to her home on Friday, January 23, 2015 at approximately 1740 hours in regards to a possible fight.

Ms. Pitts advised she was "treated like an inmate", "disrespected" and "violated". There was a fight at her residence between her 17 year old son, Darin Swagerty and her nephew that lives at her home on Mohawk Trl. Darin has moved out and is currently living with his 21 year old girlfriend.

Ms. Pitts claims deputies pointed their weapon at her neighbor walking up the street because the deputies believed the neighbor was her nephew. She advised the other deputies appeared "concerned" but described D/S Jones as, "he's a drunk." She advised D/S Jones would not allow her to go into her home or get a jacket from her house or her car. He lured her into the yard into the mud to get her shoes muddy. She advised D/S Jones was, "abusing his authority and stretching it beyond what it's supposed to be." She said he was disrespectful to her.

Ms. Pitts advised D/S Jones told her he was going to search the house. She told him she had dogs. D/S Jones mentioned the backyard and she said she was not going to put her dogs in the backyard because it was rainy and she is already on probation because of the dogs and the neighbor. D/S Jones told her he could get the landlord. When Ms. Pitts told D/S Jones the house was hers, she said he "looked at me like: You own this house, as if I couldn't own a house." I asked if he said that and she told me that he just looked at her, like that.

Ms. Pitts also advised D/S Jones admitted he was the deputy that found her son at a closed park at Centennial Lake about 5 days ago. D/S Jones kept her son out in the rain for 2 hours and he got sick from it.

Ms. Pitts advised she did not want another "Florida" incident. She said her sons are black and she is white. When I explained that I was going to refer the matter to D/S Jones' supervisor and he would look at the video, she asked if we had views of all sides. I explained the videos were from the cars and there was no possible way there could be a view from all sides, even if we wore body cameras. She then said she was "violated". She said D/S Jones and another deputy searched her house and went into her bedroom and searched her dresser drawers which included

her drawer that had her adult toys in it. She said he just glanced in the other rooms but went through the master bedroom and the drawers in her room.

Ms. Pitts was upset that the son's girlfriend went up and down the street and stopped at the deputies' cars. When she asked what the girlfriend was doing, she was told it was none of her business. Ms. Pitts claims the girlfriend was flirting, joking with the deputies and showing pictures to the deputies.

Ms. Pitts advised she was reporting this because she felt the officer needed to be "flagged" because he was abusive. I advised Ms. Pitts that I would forward this information to D/S Jones' superiors.

SHIELDS OF SHAME

15-6640 Denna Pitts complaint

I spoke with D/S Jones about the incident. He advised when he arrived he witnessed Darin Swaggerty, Denna Pitts and a third party all yelling at each other and begin walking towards him and his trainee. Jones stated they both witnessed Darin get into Denna's face and then shove her back by hitting his chest against hers.

Jones stated because of the heightened level of emotion and yelling each party was portraying, each was advised to go different ways. At this time Darin was advised to sit on the ground and he refused, taking an offensive stance towards Jones. Darin is heard on the audio screaming at Jones after being asked to keep his hands out of his pockets. Denna and the third party, Catherine Pistachio begin yelling at each other while D/S Reilly continues to try obtaining information from the parties. Darin then begins screaming at his mother, and then begins screaming vulgarities to Jones as he calmly says to calm down. Denna then yells at Pistachio and tells her and Reilly that she needs to leave. Jones then calmly tells Denna "Ma'am, Go step on your porch." The audio then only has Reilly and Pistachio speaking calmly.

Jones required the use of an Armbar technique to affect an arrest on the semi-combative Darin. Darin continues to scream as Jones can be heard speaking clearly and calmly to Denna, though inaudible.

At this time, Sgt. Brookshire arrives on scene and sees a male matching the description of the suspect who left the scene. Brookshire is clearly heard on his audio stating, "Hey bud come here." The two then have a calm conversation and at no point do voices elevate, leading one to believe a gun was pointed at the subject. The subject, identified as a neighbor and not the suspect, advises that this stuff happens at their (Denna and Darin) house all the time.

During this point in the audio, the microphone is with Reilly and Jones can be heard intermittently speaking to Denna and Darin, who have elevated voices. Darin repeatedly screams how his mom got him into handcuffs.

Jones advised Denna asked to go inside but was told not to go inside. Jones advised there was an officer safety concern since everyone had elevated emotions, and Denna's son had been placed in handcuffs. Once Jones did go to the front door with Denna, he could smell an overwhelming odor of burnt marijuana from inside of the residence. Jones stated he asked Denna to step out onto the yard, due to the situation and Denna refused because she did not want to get muddy.

Reilly then walks to Denna, and she asks to get her coat from the car and Reilly advises her they could step inside. Denna then says she just wants to get the one from her car. Denna says she is sorry for being irritable and Jones advises her she needs to calm down because they (Denna and Darin) are yelling at them (law enforcement). Denna states she knows and then calms down to give personal information to Reilly. Denna then calmly gives a description of the events in her opinion.

Denna then begins to elevate again about Pistachio talking in the distance and says she wants to press charges on her for statutory rape.

Jones advised he did speak with Denna about her son being stopped a week ago. The stop, which was done by D/S Sullivan was done under a covered awning area and Centennial Lakes recreation area since it was raining. When asked, Sullivan confirms the encounter was moved to an awning area due to the rain. Upon reviewing the CAD report from this incident on 12/27/14, the encounter begins at 2118 and ends at 2207 and Darin was never cited or charged with any crime. A copy of the CAD report for this encounter is also included with the findings.

Jones is heard on the audio asking Denna if they can step inside and Denna says no because she has dogs. Jones asks if she rents the home and Denna says she owns the home and others rent rooms from her. There is no pause in the conversation as Denna gets upset about the question of asking about putting the dogs in the yard. Jones asks if they can come into the home as it is raining. Denna says yes but she isn't putting her dogs up. Jones asks if the two can talk and she says yes. The audio is inaudible and then you can hear Denna yelling "You're going to treat me with respect." Jones advises her of pointing her finger at him and she says he is being complicated. Jones advises her he is concerned as there is a strong odor of burnt marijuana coming from the residence and she says she hasn't been there. Jones then advises her (audible from Brookshires audio) that she does not want them in the home as she has been inside and knows there is the odor and Denna says yes.

Jones and Brookshire stated Denna only gives consent to search her room, as she can't consent to the other rooms being searched. Both Jones and Brookshire advised me when they entered the house, Denna rushed ahead of them into her room. A trail of water from where Denna is in the room to the bed shows where Denna attempted to conceal a marijuana pipe. After this, Jones continues the search of the room, asking if he can search a specific drawer. Denna advises him he might be embarrassed by searching it and he says he won't. Jones advises Denna then says he can search it. This is the area in which the sex toys are located. Jones is heard on Brookshire's audio asking to search something and Denna giving consent. Jones is heard again asking and Denna is heard saying the word embarrassing. Denna remains calm during this portion of the audio, asking to turn lights of and speaking to her dog. Jones is heard intermittently with a calm voice and never demeaning.

In reference to Pistachio showing pictures from her phone, each deputy involved stated she was showing a picture of the suspect whom had not been located; not pictures of anything else.

In review, Deputy Jones was not rude, and did not abuse his power. He can repeatedly be heard giving calm, clear, and precise orders given the elevated situation in which he is the only one not screaming. Jones asks repeatedly for consent to search different things and is getting consent. At no point do voices become elevated with the neighbor, leading one to believe a gun was pointed at him. Deputy Jones is well within the scope of his responsibilities as a law enforcement officer who remains calm, even when having to use force against a resisting arrest.

The complaint is considered unfounded and does not require further review.

CHEROKEE COUNTY SHERIFF'S OFFICE



498 CHATTIN DRIVE
CANTON GA 30115

Phone
(678) 493-4200
Fax

15-6640

Supplement No
ORIG

Reported Date
01/23/2015
Rpt/Incident Typ
16-11-39
Member #
REILLY, ROBERT

Administrative Information

Agency CHEROKEE COUNTY SHERIFF'S OFFICE		Incident No 15-6640		Supplement No ORIG		Reported Date 01/23/2015		Reported Time 17:28	
CAD Call No 150011360		Status INVESTIGATE		Rpt/Incident Typ DISORDERLY CONDUCT					
Location 2402 MOHAWK TRL								City CH	
Area 2101	Zone C	Beat 21	From Date 01/23/2015	From Time 17:28	Member # 000770/REILLY, ROBERT				
Division UNIFORM PATROL OAK GROVE			Entered By 000770		RMS Transfer Successful		Prop Trans Stat Successful		
Approving Officer 000189			Approval Date 01/26/2015		Approval Time 05:53:19				
# Offenses 1	Offense 16-10-24 (MISDEMEANOR)			Description OBSTRUCTION OF AN OF			Complaint Type		
# Offenses 2	Offense 16-11-39			Description DISORDERLY CONDUCT			Complaint Type		
# Offenses 3	Offense 16-13-30			Description Poss. Marijuana Less			Complaint Type		

Person Summary

Invl ARR	Invl No 1	Name See Confidential Page						
Invl ARR	Invl No 2	Type I	Name WILLIAMS, LEON					MNI 566862
Race B	Sex M	DOB 1978						
Invl PER	Invl No 1	Type I	Name PITTS, DENNA RENEE					MNI 158866
Race W	Sex F	DOB 1975						
Invl PER	Invl No 2	Type I	Name PISTACCHIO, CATHERINE					MNI 389832
Race W	Sex F	DOB 1994						
Invl PER	Invl No 3	Type I	Name ALLEN, JOSHUA					MNI 566861
Race B	Sex M	DOB						

Summary Narrative

Disorderly Conduct
Arrest x2

CHEROKEE COUNTY SHERIFF'S OFFICE

ARRESTEE 1: Confidential

Involvement	Invl No	Name
ARR	1	See Confidential Page

ARRESTEE 2: WILLIAMS, LEON

Involvement	Invl No	Type
ARRESTEE	2	Individual
Name		MNI
WILLIAMS, LEON		566862
DOB		Race
1978		BLACK
Age		Sex
36		MALE
Juvenile?		PRN
No		486873
Type	Address	
RESIDENTIAL	2402 MOHAWK TR	
City	State	ZIP Code
ACWORTH	GEORGIA	30102
Date	01/23/2015	
Phone Type	Phone No	Date
PRIMARY		01/23/2015
Involvement	Arrest Type	Arrest Date
ARR	A	01/23/2015
Arrest Time	Book Date	Book Time
17:28:00	01/23/2015	17:28:00
Status	ARRESTED	
Dispo		
RELEASED ON COPY		
Arrest Location		City
2402 MOHAWK TRL		ACWORTH
Citation No		
202788		
Charge	Level	Charge Literal
16-13-2	M	POSSESSION OF MARIJU
Warrant No	Warrant ORI	
202788	GA0280000	

PERSON 1: PITTS, DENNA RENEE

Involvement	Invl No	Type	Name
PERSON	1	Individual	PITTS, DENNA RENEE
MNI	Race	Sex	DOB
158866	WHITE	FEMALE	1975
Age	Juvenile?	Height	Weight
39	No	5'06"	140#
Hair Color	BLONDE/STRAWBERRY		
Eye Color	PRN		
HAZEL	486874		
Type	Address		
HOME	2402 MOHAWK TR		
City	State	ZIP Code	Date
ACWORTH	GEORGIA	30102	01/23/2015
Type	ID No	OLS	
STATE OPERATOR LICENSE	050919389	GEORGIA	
Type	ID No	OLS	
STATE OPERATOR LICENSE	267897163	GEORGIA	
Type	ID No		
SOCIAL SECURITY NUMBER			
Phone Type	Phone No	Date	
PRIMARY		01/23/2015	

PERSON 2: PISTACCHIO, CATHERINE

Involvement	Invl No	Type	Name
PERSON	2	Individual	PISTACCHIO, CATHERINE
MNI	Race	Sex	DOB
389832	WHITE	FEMALE	1994
Age	Juvenile?	Height	Weight
20	No	5'09"	139#
Hair Color	Eye Color	PRN	
BROWN	BROWN	486875	
Type	Address		
RESIDENTIAL	302 PARK SQUARE		
City	State	ZIP Code	Date
WOODSTOCK	GEORGIA	30189	01/23/2015
Type	ID No	OLS	
STATE OPERATOR LICENSE	056156455	GEORGIA	
Type	ID No		
SOCIAL SECURITY NUMBER			
Phone Type	Phone No	Date	
PRIMARY		01/23/2015	

CHEROKEE COUNTY SHERIFF'S OFFICE

PERSON 3: ALLEN, JOSHUA

Involvement PERSON	Invl No 3	Type Individual	Name ALLEN, JOSHUA
MNI 566861	Race BLACK	Sex MALE	PRN 486876
Type HOME	Address 2402 MOHAWK TR		
City ACWORTH	State GEORGIA	ZIP Code 30102	Date 01/23/2015
Phone Type PRIMARY	Phone No [REDACTED]	Date 01/23/2015	

Modus Operandi

Premise Type RESIDENTIAL-HOUSE	Crime Code(s) DOMESTIC DISPUTE
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Narrative

On the above date and time I responded to a domestic dispute at 2402 Mohawk Trl. When I arrived, I saw 3 individuals outside screaming at each other.

Catherine Pistacchio-Darin Swagerty's girlfriend.
Darin Swagerty-Son of Denna Pitts.
Denna Pitts-owner of property.

I walked up to them and asked them to quiet down so I could get everyone's side of the story. All three of them were yelling at each other and also yelling to get my attention to hear their side of the story first. I asked Catherine to have a seat in her car and Denna to stand by her porch. Darin was screaming at his mother and I saw him run up to his mother and chest bump her. Deputy Jones then attempted to get Darin to calm down and Darin got into a fighting stance. Deputy Jones escorted him to the ground and was able to handcuff Darin. While I was talking with Catherine, Darin kept screaming and yelling, so Deputy Jones secured him in the rear of my patrol car.

I asked Catherine what happened and she stated that she and Darin moved out 2 weeks ago and they came back to this address to pick up Darin's clothes. She stated Denna did not like her dating Darin and made threats to beat her up. Catherine said when they arrived at the above address, Josh was waiting on the front porch and came running up to Darin and started hitting him repeatedly. I asked her if she got involved and she said no.

I asked Denna why she was so irate and screaming and she said because she was hurt. I asked her where she was hurt and she said because her son moved out and Catherine was feeding him illegal drugs. Denna stated she did not want her son being with Catherine and he has changed so much since being with her. While I was talking with Denna, her demeanor and attitude changed multiple times.

While I was talking with Denna, a silver Chevrolet Impala parked outside the driveway and the driver (later identified as Leon Williams) got out of his vehicle. I asked him to stay in his vehicle and he complied.

When I made contact with Leon, he stated he just got home from work. I asked him what happened tonight and he said Josh Allen was on the front porch when Catherine pulled up in the driveway and Darin jumped out of the car while the car was still moving. Leon said Darin ran up to Josh and started hitting him. Leon said while Darin was on top of Josh, Catherine came over and hit Josh on the head.

Josh fled the scene on foot and was not found for his side of the story.

Deputy Jones asked Denna if he could enter the house since it was raining and cold outside. She immediately became defensive and held her hands out in the air as if she was hiding the house from us and she stated she had mean and vicious dogs. When she opened the door to have her son come outside I could smell and overwhelming odor of burnt marijuana emitting from the front door. I also noticed a yellow lab wagging its tail when she shut the door.

Deputy Jones talked to her outside and she gave us consent to enter the residence. I stayed outside with Leon and Catherine. While I was talking with Leon, I asked him if he had any marijuana on him. Leon immediately let out a heavy breath and looked towards the ground. He said he had some weed in his car. I asked him how much and his response was "less than an ounce". I asked him if he would retrieve the marijuana and he agreed. He went into his trunk and pulled out a bag of marijuana from his gym bag in the trunk of his car. Upon further search of his

CHEROKEE COUNTY SHERIFF'S OFFICE**Narrative**

gym bag I found a pouch with a rolled up marijuana cigarette. I issued Leon a citation (#202788) for possession of marijuana less than an ounce.

I told Catherine she was not welcome on the property and she left. I gave Denna a case card and informed her on how to obtain a report. She stated the only report she wanted to make was one to press charges on Catherine.

I then transported Darin to the ADC and handed him over to jail deputies with the proper paperwork. I read Darin miranda and he said he did not want to talk.

Warrants will be secured in a timely manner. I then returned to service.
Reilly#820

SHIELDS OF SHAME

15-6640

Supplement No
ORIG

CHEROKEE COUNTY SHERIFF'S OFFICE

Confidential Section

Do not distribute

ARRESTEE 1: SWAGERTY, DARIN

Involvement	Invl No	Type																
ARRESTEE	1	Individual																
Name	SWAGERTY, DARIN						MNI	232368		Race	BLACK	Sex	MALE					
DOB	1997	Age	17	Ethnicity	NOT OF HISPANIC ORIGIN		Juvenile?	Yes	Height	6'00"	Weight	175#	Hair Color	BROWN	Eye Color	BROWN	Confidential	Juvenile
PRN	486872																	
Type	OTHER 3993 RECREATION LN																	
City	ACWORTH		State	GEORGIA		ZIP Code	30102		Date	03/06/2005								
Type	OTHER 2402 MOHAWK TRAIL																	
City	ACWORTH		State	GEORGIA		ZIP Code	30102		Date	03/19/2013								
Type	OTHER 2402 MOHAWK TR																	
City	CH		State	GEORGIA		ZIP Code	30102		Date	04/18/2013								
Type	OTHER 2402 MOHAWK TRL																	
City	ACWORTH		State	GEORGIA		ZIP Code	30102		Date	10/31/2013								
Type	OTHER 2402 MOHAWK TRL																	
City	ACWORTH		State	GEORGIA		ZIP Code	30102		Date	01/23/2015								
Type	STATE OPERATOR LICENSE				ID No	058183580				OLS	GEORGIA							
Type	SOCIAL SECURITY NUMBER				ID No													
Type	SOCIAL SECURITY NUMBER				ID No													
Phone Type	CELL		Phone No			Date	03/19/2013		Phone Type	OTHER FAMILY MEMBER								
Phone No			Date	03/19/2013		Phone Type	OTHER		Phone No			Date	04/18/2013					
Phone Type	PRIMARY		Phone No			Date	05/09/2013		Phone Type	OTHER		Phone No						
Date	05/09/2013		Phone Type	PRIMARY		Phone No			Date	11/04/2013		Phone Type	PRIMARY					
Phone No			Date	01/23/2015		Phone Type	CELL		Phone No			Date	01/23/2015					
Alias Name	SWAG, BIG										Race	BLACK	Sex	MALE	DOB	1997		
Alias Name	SWAG, LIL										Race	BLACK	Sex	MALE	DOB	1997		
Alias Name	SWAGERTY, D										Race	BLACK	Sex	MALE	DOB	1997		
Mark Type	ARM, RIGHT, NONSPECIFIC						-SCAR	Mark Code	SCARS									
Description	4" SCAR ON RIGHT FOREARM																	
Mark Type	FINGER(S), RIGHT HAND						-SCAR	Mark Code	SCARS									
Description	1" SMALL FINGER RIGHT HAND																	
Employer/School	WILSON LEATHER										Position/Grade	SALES						

15-6640

Supplement No
ORIG**CHEROKEE COUNTY SHERIFF'S OFFICE**

Involvement ARR	Arrest Type T	Arrest Date 01/23/2015	Arrest Time 18:49:00	Booking No 15-1277	Book Date 01/23/2015	Book Time 19:35:00	Status ARRESTED
Dispo ARRESTED	Arrest Location 2402 MOHAWK TRAIL						
City ACWORTH		Place of Birth TENNESSEE	City of Birth BEDFORD CTY				
Charge 16-10-24 (MISDEMEANOR)			Level M	Charge Literal OBSTRUCTION OF AN OF			
Warrant No TBT			Warrant ORI GA0280000				
Charge 16-11-39			Level M	Charge Literal DISORDERLY CONDUCT			
Warrant No TBT			Warrant ORI GA0280000				

SHIELDS OF SHAME

15-6640

CHEROKEE COUNTY SHERIFF'S OFFICE

498 CHATTIN DRIVE
CANTON GA 30115Phone
(678) 493-4200
FaxReported Date
01/23/2015
Rpt/Incident Typ
16-11-39
Member #
JONES, CODY

Administrative Information

Agency CHEROKEE COUNTY SHERIFF'S OFFICE		Incident No 15-6640		Supplement No 0001		Reported Date 01/23/2015		Reported Time 17:28	
CAD Call No 150011360		Status INVESTIGATE		Rpt/Incident Typ DISORDERLY CONDUCT					
Location 2402 MOHAWK TRL								City ACWORTH	
ZIP Code 30102		Area 2101	Zone C	Beat 21	From Date 01/23/2015	From Time 17:26	To Date 01/23/2015	To Time 19:16	
Member # 000714/JONES, CODY					Division UNIFORM PATROL OAK GROVE				
2nd Member # REILLY, ROBERT		Entered By 000714		Division UNIFORM PATROL OAK GROVE		RMS Transfer Successful		Prop Trans Stat Successful	
Approving Officer 000189		Approval Date 01/26/2015			Approval Time 06:03:22				

Summary Narrative

Supplemental-Arrest Made

Use of Force

Modus Operandi

Crime Code(s)
ALL OTHERS

Narrative

On the above date and time, Deputy Reilly and I were dispatched to 2402 Mohawk Trail in reference to a domestic dispute.

When I arrived on scene, I was met by two females and one male in the driveway of the residence. Before I could exit my patrol vehicle, the group of individuals approached my patrol vehicle from the rear, and all of them were screaming and appeared disgruntled. The two females were identified as Denna Pitts and Catherine Pistachio and the male as Darin Swagerty. It was apparent there was some sort of feud between the parties as they were yelling at each other, and trying to overtake one another to tell their side of their story to me first.

Deputy Reilly and I approached the three parties and attempted to separate them and restore order in their crisis. As we approached them, Darin got into Denna's face [his mother] began pointing his finger and bumped her in the chest with his chest. The entire time both parties were cursing and yelling at one another. I ordered the parties to separate and Denna attempted to walk away and Darin followed her pointing his finger and cursing at her.

I approached the two and ordered Denna to the front porch of the residence, while I asked Darin to sit on the ground. Darin turned in my direction, started staring at me while he stood in a crouching position with his hands up. I believed at this time, Darin was showing an act of aggression towards me and I again asked him to sit on the ground. He refused to comply, so I grabbed his left arm with my left hand and I placed my right hand on his back [arm bar]. I walked him over to a nearby vehicle and I had him place his head on the rear of the vehicle. As we walked toward the vehicle, Darin attempted to pull away from my grasp by spinning his body in the opposite way I was trying to get him to walk.

Once he placed his head on the patrol vehicle I attempted to place handcuffs on Darin. Again, as he heard my handcuffs coming out of their pouch he began to pull away causing my thumb to get caught in the chain on the handcuffs. I was able to get one of his hands in handcuffs, but as I attempted to apply the other one he began forcefully pulling away. I had to place my hand on his back and push him into the vehicle to regain control so could apply the other cuff. After Darin was handcuffed I placed him in my patrol vehicle.

CHEROKEE COUNTY SHERIFF'S OFFICE**Narrative**

It took two deputies to escort Darin to my patrol vehicle due to his aggressive nature. Deputy Reilly then investigated the alleged domestic dispute and obtained information needed for his report. Illegal drugs were seized from the residence and it was apparent the drugs were a factor in Darin's behavior.

C-25

SHIELDS OF SHAME

Detailed History for Police Event #P140199189 As of 1/29/2015
05:00:11

Output for: 000320

Priority:1 Type:SS - SUBJECT STOP

Location:CENTENNIAL LAKES POOL

Created:	12/27/2014 21:18:00	OP6	400166
Entered:	12/27/2014 21:18:00	OP6	400166
Dispatch:	12/27/2014 21:18:00	OP6	400166
Enroute:	12/27/2014 21:18:00	OP6	400166
Onscene:	12/27/2014 21:18:00	OP6	400166
Control:	12/27/2014 21:19:32	OP6	400166
Closed:	12/27/2014 22:07:24	OP6	400166

ICUnit: PrimeUnit:C29 Dispo:15

Type:SS - SUBJECT STOP

Agency:SO Position:P1(n/a)

Zone:(n/a) Block:

Case #:SO140118615 ☐ Detail

21:18:00est	CREATE	Location:CENTENNIAL LAKES POOL Type:SS TypeDesc:SUBJECT STOP Priority:1 Response:POL1 Agency:SO LocType:O
21:18:00	ENTRY	Position:None-->P1 Comment:OCC X4
21:18:00	DISPOS	C29 Location:CENTENNIAL LAKES POOL Operator:000636 OperNames:SULLIVAN,JOSEPH
21:18:00	-PRIU	C29
21:18:00	-CASE	C29 Case#:SO140118615 Comment:OCC X4
21:18:00	-NPREMS	Comment:(none)
21:19:32	OK	C29

21:22:58	OK	<u>C29</u>
21:23:06	MISC	<u>C29</u> Comment:C7 C3
21:23:11	BACKER	<u>C25</u> UnitID:C29 Location:CENTENNIAL LAKES POOL Operator:000714 OperNames:JONES,CODY
21:26:52	OK	<u>C29</u>
21:29:54	ONSCN	<u>C25</u>
21:29:57	OK	<u>C29</u> <u>C25</u>
21:36:24	OK	<u>C29</u> <u>C25</u>
21:41:40	OK	<u>C29</u> <u>C25</u>
21:46:41	OK	<u>C29</u> <u>C25</u>
21:50:30	LOGM	<u>C29</u> Message:011412280250000827 MessageType:Text Received:12/27/2014 21:50:28 Comment:LOGM
21:50:41	LOGM	<u>C29</u> Message:011412280250000828 MessageType:Text Received:12/27/2014 21:50:36 Comment:LOGM
21:50:45	LOGM	<u>C29</u> Message:011412280250000829 MessageType:Text Received:12/27/2014 21:50:34 Comment:LOGM
21:51:09	OK	<u>C29</u> <u>C25</u>
21:56:20	OK	<u>C29</u> <u>C25</u>
22:00:50	OK	<u>C29</u> <u>C25</u>
22:07:21	OK	<u>C29</u> <u>C25</u>
22:07:24	CLEAR	<u>C29</u> <u>C25</u> Dispo:15
22:07:24	-CLEAR	
22:07:24	CLOSE	

CHEROKEE COUNTY SHERIFF' S OFFICE
MEMORANDUM

To: Capt. Satterfield
From: Lt. Jason Donley *JAD*
Date: 30-Jan-2015
RE: AIC Findings: D/S C. Jones, case 15-6640

1. Attached to this memorandum you will find Cpl. Strong's findings of his investigation into the allegation made by Ms. Pitts; I agree with his findings.
2. I would add that Deputy Jones maintained an extremely calm demeanor during a situation that involved very upset people who had occasional emotional outbursts.
3. The arrested subject was charged with disorderly conduct and misdemeanor obstruction; but could have been charged with simple battery FVA for hitting his mother with his chest.
4. Given the demeanor of the parties involved, finding marijuana in one of the vehicles at the scene, and having "plain smell" evidence of recently burned marijuana coming from inside the house it is likely the members of this household were making efforts to conceal that criminal behavior and were not happy with the avenues the investigation took as a result.
5. I telephoned Ms. Pitts and advised her of the findings and how to obtain a copy of this AIC from Internal Affairs. She maintained Deputy Jones had overstepped his authority when in fact it appears he simply followed the information uncovered through the course of the investigation.
6. I believe Deputy Jones should be exonerated in this matter.
7. End.