

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 08/30/2014 01:34		OCA 201405748						
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 4700		Residence Tract 9999		Arrest Number 106838					
A R R E S T E E	Name (Last, First, Middle) MILLER, DERRICK RAY			D.O.B. 07/06/1990		Age 24	Race W	Sex M	Place of Birth BURKE, NC	Country of Citizenship US			
	Current Address 3959 Kent St, 3, KINGSPORT, TN 37664			Phone 423-817-3094		Occupation Construction		<input type="checkbox"/> Resident <input type="checkbox"/> Unknown <input checked="" type="checkbox"/> Non-Resident					
	Employer's Name LABOR FINDERS			Address			Phone						
	Also Known As (Alias Names)			Hgt 5'07	Wgt 145	Hair BRO	Eyes BRO	Skin Tone FAIR	Consumed Drug/Alcohol <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk				
	Scars, Marks, Tattoos SCAR RGT CHEEK; TATT SHOU BACK /			Social Security #		OLN and State		Misc. # and Type					
	Nearest Relative Name CHELSEA FLANNAGAN			Address 3959 KENT ST APT 3, KINGSPORT, TN				Phone 423-817-3094					
A R R E S T	If Armed, Type of Weapon KNIFE		<input type="checkbox"/> On-View <input type="checkbox"/> Criminal Summons <input type="checkbox"/> Order for Arrest <input type="checkbox"/> Citation <input checked="" type="checkbox"/> Warrant		Place of Arrest 2012 S STERLING ST, MORGANTON								
	Charge #1 Resist, Delay Or Obstruct		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 0810	Offense Jurisdiction (if not arresting agency) BURKE		Statute # 14-223	Warr. Date 08/30/2014				
	Charge #2 Resist, Delay Or Obstruct		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 0810	Offense Jurisdiction (if not arresting agency) BURKE		Statute # 14-223	Warr. Date 08/30/2014				
	Charge #3		<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Counts	DCI Code	Offense Jurisdiction (if not arresting agency)		Statute #	Warr. Date				
V E H I C L E	VYR	Make	Model	Style	Color	Plate #/State	VIN						
	Vehicle 1. <input type="checkbox"/> Left at Scene <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time _____ 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other _____ 3. <input type="checkbox"/> Impounded <input type="checkbox"/> Place of storage _____ Inventory on File? _____												
C O N F I N E D	Date/Time Confined 08/30/2014 02:33:00		Place Confined BURKE CATAWBA DF				Committing Magistrate ERIC DUCKWORTH						
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Unsecured <input checked="" type="checkbox"/> Secured <input type="checkbox"/> No Bond <input type="checkbox"/> Other		Bond Amount \$1,000.00		Trial Date 09/23/2014 09:00		Court Of District City MORGANTON						
	Assisting Officer Name/ID # VUE, T. N. 4			Released By (Name/Department/ID #)				Date/Time Released					
Status Codes	L - Lost S - Stolen R - Recovered D - Damaged Z - Seized B - Burned C - Counterfeit / Forged F - Found												
D R U G S	DCI	Status	Quantity	Type Measure	Suspected Type			Check up to 3 types of activity for each					
								Possess	Buy	Sale	Mfg.	Importing	Operating
C O M P	Name: Complainant <input checked="" type="checkbox"/> Victim <input type="checkbox"/>				Address				Phone:				
	On 08/30/2014 at approximately 1:00 a.m. I responded to a call reference a disturbance. I arrived with PSO Huffman in the PVA of The Boat House on S. Sterling St. PSO Vue and PSO Walker were out with a person in question. The subject came to be known as Derrick Miller. As myself, PSO Huffman and Captain Christy approached, Miller began to back away from PSO Vue and PSO Walker. Captain Christy asked Miller where he was going. Miller advised that he was going to his step-father's												
S T A T U S	Arresting Officer Signature/ID # KURSCH, C. M. (K7451)				Date/Time Submitted //			Supervisor Signature LACKEY, W. D.					
	Case Status: <input type="checkbox"/> Further Inv. <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed		Case Disposition: <input checked="" type="checkbox"/> Cleared By Arrest / No Supplement Needed <input type="checkbox"/> Arrest / No Investigation			Arrestee Signature							

** Continued **

ARREST REPORT (Additional Narrative)

Agency Name	ORI	Date/Time Arrested	OCA
Morganton Department Public Safety	0120100 B0003	08/30/2014 01:34	201405748
Arrestee Name			Arrest Number
MILLER, DERRICK RAY			106838

home on Shadyrest Rd. Captain Christy asked if he had been at the Wilco Hess Station prior to our encounter with him. Miller began to get agitated and yelled that yes he had been there and that it was not any of our business. Captain Christy informed Miller that we had received a call about a man urinating on the side of the Wilco Hess building, and that he fit the description that the store clerk had given. The clerk stated that a white male who looked to be in his early twenties wearing brown shorts and a brown shirt was intoxicated and urinating on the side of the building. Miller began to yell that we could go pull the tapes from Wilco Hess and we would see that he did not do anything. He also stated that we should not listen to hearsay. At this point Miller was highly agitated and had been smoking a cigarette. Captain Christy told him to put the cigarette out. Miller told him no. PSO Huffman also gave Miller the command to put the cigarette out. Miller replied with "No, fuck you" and took a step toward PSO Huffman. Captain Christy drew his taser and gave Miller the command to stand still and put out the cigarette. Miller again yelled no, and reached toward his pockets. PSO Huffman and PSO Walker grabbed Miller by his arms and lowered him to the ground. PSO Huffman and I commanded Miller to place his arms behind his back. Miller resisted by twisting his torso in attempt to get onto his back and was also trying to remove his hands from our grasp. PSO Huffman and I commanded him again to place his hands behind his back. Miller continued to twist and try to move away from us. PSO Huffman and I assisted Miller in placing his hands behind his back. I immediately placed handcuffs onto Miller and took him into custody. I conducted a search of Miller's clothes to ensure that he did not have anything in his possession that would jeopardize the safety of myself, the other officers, or to himself. Miller became combative and started yelling. He stated very loudly that he had told PSO Vue about the knife in his pocket and that he had wanted to retrieve the knife from his pocket and place it on the ground. PSO Vue stated that he had informed Miller to keep his hands out of his pockets, and that he would retrieve the knife from Miller's pocket. Miller began to yell that everything would have been fine if PSO Vue did not call "his posse" out to assist him.

At this point PSO Huffman and I walked Miller over to our patrol vehicle and informed him that he was under arrest and going to Burke Catawba. Miller continued to display combative behavior and yelled "Fuck you, you motherfuckers! I'll have all ya'lls badges just like I do with Beaver and Kinard!" We placed Miller in the vehicle and transported him to the Magistrate's Office. While enroute to the Magistrates Office Miller stated several degrading and derogatory actions that PSO Huffman and I should partake in. He also stated that we were both "bitches" and "cunts" and that "he had someone who would take care of us if we would step out of our badges". Once we arrived at the Magistrate's Office, I escorted Miller inside. He was combative during the walk in and tried to resist forward movement. Once inside I told him to sit down until the paperwork was completed. PSO Huffman and PSO Vue were also present. Miller continuously made remarks about law enforcement, his lawsuit, the lawsuit he was going to bring against the city, and how we should do our jobs. After several warnings about his behavior and language from myself, PSO Huffman and Magistrate Duckworth, Miller stated that he hoped when PSO Huffman and I transported him to Burke Catawba we would get into a vehicle accident and die. He continued on with this for several minutes until Magistrate Duckworth finished the warrants for arrest. I served each of the warrants to Miller, advising him of his charges and court dates and bonds. Magistrate Duckworth called him forward to speak with him. He advised Miller to listen to the commands that would be given to him, or more charges would be brought about. Miller began to get combative once again and told Duckworth that he "had to piss because he had surgery and couldn't hold his shit". Duckworth informed him that once at Burke Catawba and in their custody he would be able to use the restroom. This angered Miller and he slammed his own head on the counter in front of the Magistrate's window and stated "this is some bullshit" and that he would "just piss in the car". PSO Huffman informed Miller that if he relieved himself in the vehicle, that he would also be charged with damage to city property.

PSO Huffman and I then escorted Miller outside by walking on either side of him and holding his arms. As we were walking toward the patrol vehicle, Miller began to resist forward movement again, and tried to twist his torso in the attempt to get away from us. As we stepped off of the curb onto the asphalt Miller attempted to jump, twist his body and move away from us. He also gave indication of kicking. PSO Huffman, PSO Vue and I briskly walked Miller toward PSO Vue's vehicle and leaned him onto the vehicle's hood. PSO Huffman radioed for shackles to be brought to our location. Sergeant Lackey responded with the shackles which were placed onto Miller. PSO Huffman and I stood him upright and walked him to our patrol vehicle. Once Miller was seated inside, he began to beat his head against the window on the door. PSO Huffman commanded him to stop this behavior and that he would hurt himself. Miller continued this behavior for several more minutes.

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Miller was quiet on the way to Burke Catawba Detention Facility.

Once at the Detention facility, I assisted Miller out of the vehicle and escorted him inside. He began to drag his feet, resist forward movement and informed me that he was not going to walk at my pace because he did not have too. PSO Huffman then assisted me in escorting him to a padded cell. Once inside the cell, I turned custody of Miller over to Burke Catawba. Miller was booked and remains in the custody of the Burke Catawba.

Miller was served two warrants for arrest. The first with charges of resisting public officer with a court date of 11/12/2014 at 09:00 and a \$1,000 secured bond. The second with charges of resisting public officer with a court date of 09/23/2014 at 09:00 and a \$1,000 secured bond.