

ARREST REPORT

A G E N C Y	Agency Name Morganton Department Public Safety		ORI 0120100 B0003		Date/Time Arrested 06/19/2014 19:58		OCA 201403903		
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract 2600		Residence Tract 2700		Arrest Number 105020	
A R R E S T E E	Name (Last, First, Middle) BENNETT, JAVAIRIUS DEVANTE			D.O.B. 10/25/1994	Age 19	Race B	Sex M	Place of Birth CATAWBA CO, NC	Country of Citizenship US
	Current Address 228 Branch St, MORGANTON, NC 28655			Phone 828-413-3628		Occupation Unemployed		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident	
	Employer's Name			Address			Phone		
	Also Known As (Alias Names)			Hgt 6'00	Wgt 205	Hair BLK	Eyes BRO	Skin Tone MED	Consumed Drug/Alcohol <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk
	Scars, Marks, Tattoos TATT ARM ARM / LOYALTY			Social Security #		OLN and State		Misc. # and Type	
	Nearest Relative Name JOHNSON, JACKIE			Address 228 BRANCH ST, MORGANTON, NC 28655			Phone 828-413-1810		
A R R E S T	If Armed, Type of Weapon NOT APPLICABLE/NONE		<input checked="" type="checkbox"/> On-View <input type="checkbox"/> Criminal Summons <input type="checkbox"/> Order for Arrest <input type="checkbox"/> Citation <input type="checkbox"/> Warrant		Place of Arrest TATE ST & SHERWOOD PL, 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)		Statute # 14-223	Warr. Date 06/19/2014
	Charge #2 Simple Possession Of Schedule Vi		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts 1	DCI Code 1810	Offense Jurisdiction (if not arresting agency)		Statute # 90-95(A)(3)	Warr. Date 06/19/2014
	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 2000	Make FORD	Model RANGER	Style TK	Color WHI	Plate #/State ZYS6429 NC 2014	VIN 1FTYR10C5YPA09675		
	Vehicle 1. <input checked="" type="checkbox"/> Left at Scene <input checked="" type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time 06/19/2014 00:00 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 06/19/2014 20:45:00		Place Confined BURKE CATAWBA			Committing Magistrate R.A. CLARK			
	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 07/08/2014 09:00		Court Of District			
	Assisting Officer Name/ID # 0		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		
	E	Z	1.00	GM	MARIJUANA		Possess Y	Buy	
							Sale	Mfg.	
							Importing	Operating	
C O M P	Name: Complainant <input checked="" type="checkbox"/> Victim <input type="checkbox"/>			Address			Phone:		
	I had noticed that the defendants tag was expired (04/15/2014 and inspection expired 03/2014) as I drove through the PVA of Holiday To Go. I watched as he pulled out of the PVA and crossed Lenoir Rd to get to Tate St. He accelerated quickly and I pulled out after him. I stopped him on Tate St near Sherwood Pl and approached the passenger side of the truck. I <div style="text-align: right;">** Continued **</div>								
S T A T U S	Arresting Officer Signature/ID # GILLSTRAP, J. L. (G3628)			Date/Time Submitted 06/19/2014 21:51		Supervisor Signature FERRARO, M. J.			
	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			

ARREST REPORT (Additional Narrative)

Agency Name	ORI	Date/Time Arrested	OCA
Morganton Department Public Safety	0120100 B0003	06/19/2014 19:58	201403903
Arrestee Name			Arrest Number
BENNETT, JAVAIRIUS DEVANTE			105020

explained to him why I had stopped him. He gave me a 10 day travel permit and told me he was still ok to drive. I checked the dates of the permit and it had expired on 06/18/2014 (the previous day).

As I spoke to him I noticed the odor of Marijuana coming from inside the vehicle. I told the defendant to give me the keys to his truck. I did this to prevent him from driving off as I started the investigation of the Marijuana odor. He asked me why I needed the keys and I had to tell him at least 2 more times to give them to me before he did comply.

I then asked the defendant if he had any Marijuana since I smelled some. He told me that he had smoked it all earlier. He started to get nervous and I told him to keep his hands on the wheel where I could see them. He instead put them in his lap out of my sight. This is a safety issue since some people who have ill intent towards law enforcement conceal weapons in the their lap or under their leg. I repeated my instruction to keep his hands where I could see them. He put them on the wheel then picked up his cell phone and started touching the screen. This is also a safety concern. Subjects who have ill intent towards law enforcement have been known to text or call "friends" to come help them on traffic stops. This has resulted in officers being assaulted. There are also some firearms that have been disguised as cell phones. I told the defendant at least 2 more times to put the phone down and keep his hands where I could see them.

He did not comply with any of my instructions and I told him that he was under arrest. I had him step out of the vehicle just as my back up arrived. I took the defendant into custody and searched him. In his shorts pocket was a small amount of Marijuana.

The defendant asked me several times to let him go and apologized for his actions. He stated he was going into the military and this could hurt his chances. I did check the defendant for impairment and did not notice any indicators of impairment during his SFST performance.

I took the defendant before the magistrate and he was placed in jail under a secured bond. The Marijuana was placed into evidence under tag # 21197.