



Replaces cover under O.C.G.A.
 Section 17-10-71 (b) (2) (A)
 All other copies of pending
 or subsequent change under
 O.C.G.A. Section 17-10-71 (a) (1) (A)

ATHENS-CLARKE COUNTY POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 13-08-0808

Case Status/Disposition: FURTHER INVESTIGATION /

ORI GA0290100

INCIDENT INFORMATION					
Location			Zone 14		
Address			City	State	Zip
Report Date 08/12/2013	Report Time 00:09	From Date 08/11/2013	From Time 17:00	To Date 08/11/2013	To Time 22:45

INCIDENT TYPE					
Description BURGLARY - RESIDENCE - NO FORCED ENTRY		Statute 16-7-1	Location Type RESIDENCE/HOME		
Attempted <input type="checkbox"/>	Used <input type="checkbox"/>	Weapon 1		Weapon 3	
Completed <input checked="" type="checkbox"/>	<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers	Weapon 2			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
Forced Entry NO	Type of Force	Entry WINDOW REAR	Exit WINDOW REAR	Structure Occupied YES	Security LOCKED

VICTIMS					
Name (Last, First, M) [REDACTED]		DOB [REDACTED]/1994	Age 19	Sex M	Race W
Address [REDACTED]		City [REDACTED]	State	Zip	
Home Phone [REDACTED]	Student of	Hair Color BRO	Eye Color GRE	Height 5'11"	Weight 195 LBS
OLN [REDACTED]	State	Employer		Business Phone	

Name (Last, First, M) [REDACTED]		DOB [REDACTED]/1994	Age 18	Sex M	Race W
Address [REDACTED]		City [REDACTED]	State	Zip	
Home Phone [REDACTED]	Student of	Hair Color	Eye Color	Height	Weight
OLN [REDACTED]	State	Employer		Business Phone	

Reporting Officer (7690) L BECERRIL	Approving Supervisor (4708) T KINCAID
Printed By (4359) I OROURKE	Date / Time 08/12/2013
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PROPERTY						
1	Description 30" FLATSCREEN "W"			Original /Supplemental ORIGINAL		
Make/Model W / FLATSCREEN	Model W / FLATSCREEN	Serial Number	Color BLACK	Quantity 1.00	Value \$350.00	
Status STOLEN/ETC.	Status Date 08/11/2013 00:00:00	Status Officer (7690) BECERRIL, LAILA	Owner Applied Number	NIC Number		
Owner [REDACTED]	Race	Sex	Age	Home Phone		
Property Notes						
2	Description 32" FLATSCREEN			Original /Supplemental ORIGINAL		
Make/Model VIZIO / FLATSCREEN	Model VIZIO / FLATSCREEN	Serial Number	Color BLACK	Quantity 1.00	Value \$500.00	
Status STOLEN/ETC.	Status Date 08/11/2013 00:00:00	Status Officer (7690) BECERRIL, LAILA	Owner Applied Number	NIC Number		
Owner [REDACTED]	Race	Sex	Age	Home Phone		
Property Notes						

Reporting Officer (7690) L BECERRIL	Approving Supervisor (4708) T KINCAID
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Notes/Narratives

NARRATIVE

On 08/11/13 I arrived at [REDACTED] in reference to a burglary. Upon arrival, I met with the residents who stated their rear window was left open and they were missing two flat-screen televisions

[REDACTED] stated no one was home between 1700 hours and 2245 when he arrived home. When he arrived at home he realized their dog that normally stays in a cage inside a roommate's room was out, running around the house. All the doors were open in the residence. There were no signs of forced entry. Entry was made through a rear bedroom window. The resident of the room advised he did not know if the locks worked.

[REDACTED] stated his 32" inch Vizio flat-screen TV was missing from the living room. His roommate, [REDACTED] was out of town but his 30" flat-screen television was also taken from his upstairs bedroom. Neither victims had serial numbers for the stolen items.

I dusted for latent fingerprints but no usable prints were found. No suspect information was obtained.

The residents were given a case number.

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ATHENS-CLARKE COUNTY POLICE DEPARTMENT

INCIDENT REPORT

CASE NUMBER: 13-08-0812

Case Status/Disposition: CLOSED/CLEARED / CLEARED BY ARREST

ORI GA0290100

INCIDENT INFORMATION					
Location			Zone 08		
Address 559 REESE ST			City ATHENS		State Zip 30601
Report Date 08/12/2013	Report Time 02:12	From Date 08/12/2013	From Time 01:38	To Date 08/12/2013	To Time 01:38

INCIDENT TYPE					
Description 1 DUI - ALCOHOL		Statute 40-6-391		Location Type HIGHWAY/ROAD/ALLEY	
Attempted <input type="checkbox"/> Used		Weapon 1		Weapon 3	
Completed <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Weapon 2			
Bias Motivation		Bias Target		Bias Circumstances	
				Hate Group	
Forced Entry	Type of Force	Entry	Exit	Structure Occupied	Security

VICTIMS					
1 Name (Last, First, M) STATE OF GEORGIA			DOB	Age 0	Sex
Address			City	State	Zip
Home Phone	Student of		Hair Color	Eye Color	Height
Weight		Employer		Business Phone	
OLN	State				

Reporting Officer (4462) A EPPS	Approving Supervisor (4462) A EPPS	
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OFFENDERS						
1	Name (Last, First, M) FONGER, JAMES		DOB [REDACTED] 1990	Age 22	Sex M	Race W
Address			City	State	Zip	
Home Phone	Student of		Hair Color	Eye Color	Height	Weight
[REDACTED]	UNIVERSITY OF GEORGIA		BRO	BRO	5'09"	180 LBS
OLN	State	Employer			Business Phone	
[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	

PROPERTY						
1	Description HALF XANAX PILL (1)			Original / Supplemental ORIGINAL		
Make/Model		Model	Serial Number	Color	Quantity	Value
					1.00	\$1.00
Status		Status Date	Status Officer	Owner Applied Number		NIC Number
EVIDENCE		08/12/2013 05:21:03	(4462) EPPS, AUBREY L			
Owner			Race	Sex	Age	Home Phone
STATE OF GEORGIA						
Property Notes						
2	Description EMPTY PILL BOTTLE			Original / Supplemental ORIGINAL		
Make/Model		Model	Serial Number	Color	Quantity	Value
					1.00	\$1.00
Status		Status Date	Status Officer	Owner Applied Number		NIC Number
EVIDENCE		08/12/2013 05:21:03	(4462) EPPS, AUBREY L			
Owner			Race	Sex	Age	Home Phone
STATE OF GEORGIA						
Property Notes						

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VEHICLE INFORMATION					
1	Tag Number [REDACTED]	Tag County FULTON	State GA	Tag Year 2013	VIN [REDACTED]
Make BMW	Model 745I	Year 2002	Color BLACK	Owner FONGER, JAMES	
Vehicle Notes					
Status NONE	Status Date 08/12/2013	Value	NIC Number		

Notes/Narratives

NARRATIVE

On this date this officer was parked in the rear lot of the First Baptist Church at the corner of Pulaski Street and West Hancock Avenue. As I was checking reports my attention was drawn to the sound of a motor vehicle revving as if accelerating aggressively. As I looked up I observed a black BMW speed past my location on West Hancock Avenue headed westbound. There were pedestrians in the area exiting downtown and walking to a fraternity house nearby. The speed the vehicle was traveling was based on my experience unsafe for the roadway and well in excess of the posted limit of 30 mph. I pulled my vehicle onto West Hancock and pursued. By the time I made it the short distance to the intersection of Hancock and Finley the vehicle had already cleared the intersection and was topping the hill on West Hancock near the intersection of North Church Street. I accelerated to approx. 70 mph to catch up with the vehicle and as I crested the hill noticed that the vehicle had turned left onto Harris Street. My initial thought was that the vehicle was attempting to elude me. I turned onto Harris as the vehicle crossed Reese Street and activated my emergency equipment. I observed the vehicle turn into a driveway just past Reese Street. I caught up as the vehicle stopped in a rear parking area of 559 Reese Street. As I entered the driveway I observed a white male wearing a orange city bar t-shirt exit the drivers door of the vehicle. I stopped behind the vehicle as the driver started walking away from the vehicle. I exited and asked to driver to remain and talk to me. He stopped and as I approached him I immediately detected a strong odor of an alcoholic beverage. I moved closer to him and asked for his drivers license and stated that the reason I was out with him was due to the aggressive acceleration on Hancock Avenue. He admitted that he had accelerated and apologized for not watching his speedometer. As I spoke to him at a shorter distance the odor of an alcoholic beverage became even more pronounced and was obvious to me that the odor was coming from the driver now identified as James Fonger. I suspected that he was intoxicated and had been less safe to operate a motor vehicle. As I spoke to him I noticed the driver to be unsteady on his feet as he was swaying from side to side slightly. I told him to

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wait a minute as I called for another officer who was current on his field sobriety training. He protested slightly by saying that he was home in his driveway. I instructed him to remain at the rear of his vehicle.

SPO Carroll arrived and I briefed him on my observations and asked him to conduct field sobriety for me. He agreed. Carroll approached the driver and conducted standardized field sobriety. As Fonger submitted to the evaluation I noticed that he failed to meet heel to toe on several steps and raised his foot about four inches on the one leg stand and swayed somewhat. Carroll stepped away and Fonger and I talked briefly. I told him that I was more concerned if he was impaired and if SPO Carroll determined that he was safe to operate a motor vehicle that I would warn him on the reckless driving but if he were impaired then there would be other issues at hand. Carroll placed Fonger in handcuffs. See SPO Carroll's supplemental for his observations during the field sobriety evaluation. As Carroll searched Fonger after arrest, he located a portion of a white pill with the imprint "A X" visible on the portion recovered. He claimed to have a prescription for the pill. I spoke to a roommate at the residence and requested that he retrieve Fonger's pill bottle to allow me to verify the prescription. He returned with an empty prescription bottle for [REDACTED]. I knew from my previous assignment with the drug task force that the portion of pill recovered was XANAX which is alprazolam. Carroll had read Miranda to Fonger by this point and agreed to talk. I asked him to tell me the truth about the pill. He advised that he had run out of his prescription and a friend had given him the XANAX and he had taken half of the pill earlier this date and only the half recovered remained. I did not charge him with the pill and seized the pill and empty bottle and placed both into evidence.

Fonger's vehicle was secured at his residence at his request.

Audio is attached to this report.

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