

CLAYTON COUNTY SHERIFF'S OFFICE

SHERIFF VICTOR HILL



BAKER SPENCER LAVELL JR

11/9/2020 10:06:02 AM

LE# 2153465

CLAYTON COUNTY SHERIFF'S OFFICE

SHERIFF VICTOR HILL



HENRY JONATHAN RICHARD

8/17/2020 9:44:27 AM

LE# 1994496

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ROQUES PATRICK FAHNBILLEH JR

2/8/2021 4:25:08 PM

LE# 1999164

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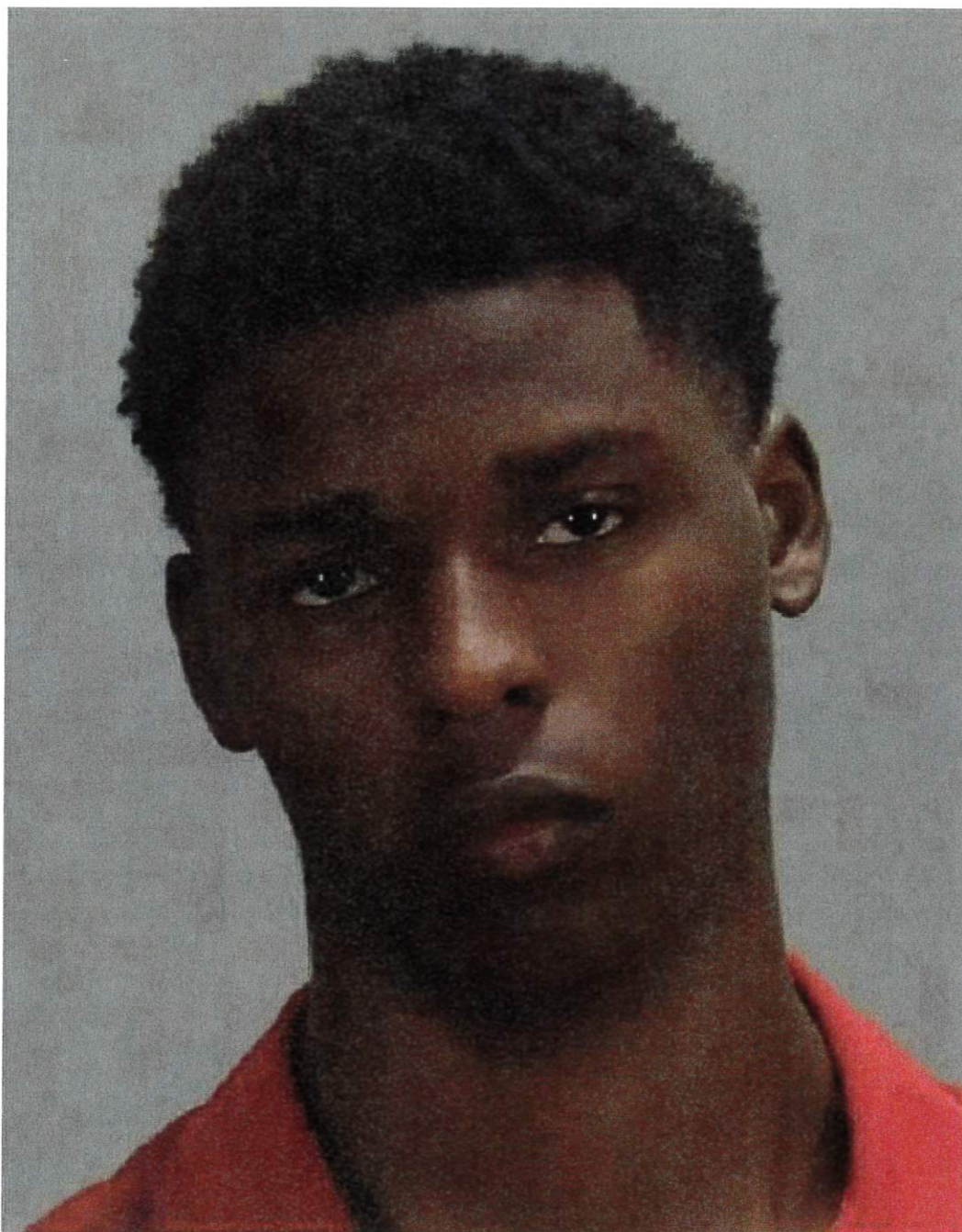
CRUZ ABRAHAM BENJAMIN

6/28/2021 9:02:34 AM

LE# 2192674

CLAYTON COUNTY SHERIFF'S OFFICE

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TYES DAIJON DION LAMAR

11/7/2019 5:36:03 AM

LE# 2104648

Clayton County Sheriff's Office

Internal Affairs



Sheriff Roland Boehrer

Case File: 2021-UF-073

Complainant: Clayton County Sheriff's Office

Complaint: USE OF FORCE (EXCESSIVE FORCE) & TRUTHFULNESS

Employees: Sergeant Spencer Baker Jr. # 29152, Sergeant Jonathan Henry # 28914
Officer Patrick Roques # 30094, Officer Abraham Cruz # 30410

Findings: Sustained

Investigator: Inv. Mitchell Brock

Reviewed By: _____

Reviewed By: _____

Reviewed By: _____



Clayton County SHERIFF'S OFFICE

Victor Hill
Sheriff

Investigation

On September 27, 2021, at approximately 10:30 a.m., I, Investigator Mitchell Brock (30145) was asked by Capt. B. Criss to investigate a Use of Force (Excessive Force) Incident involving a Clayton County Correctional Officer Sergeant Spencer Baker Jr. # 29152 and an Inmate by the name of Daijon Tyse LE # 2104648.

INTERVIEW WITH INMATE DAIJON TYSE # 2104648:

At approximately 2:11p.m., I, Investigator Mitchell Brock interviewed Inmate Daijon Tyse LE # 2104648, who advised that he was an Inmate at the Clayton County Jail and was involved in a Use of Force incident involving Sergeant Spencer Baker Jr. # 29152. Inmate Tyse advised the following information regarding the incident.

TYSE advised that he was in Housing Unit # 7 Section # 2 when he asked Officer Abraham Cruz could he call the nurse staff so that he could get some ice for his injured hand. TYSE advised that he was in a prior altercation with another inmate, and he injured his hand. TYSE advised that during this time, he was the only inmate out of his cell because he wanted to go to medical and waiting on a sergeant to come take him to the Infirmary Unit. TYSE advised that Sergeant Baker, Sergeant Henry, and Officer Roques came to the Housing Unit, which Sergeant Baker came into the Unit with the less-lethal shotgun.

TYSE advised that during this time, he attempted to explain to Sergeant Baker that he had to go to medical to get ice for his swollen hand and Sergeant Baker advised him that he could not get the ice at that moment. TYSE advised that Sergeant Baker told him (Tyse) that he had to go back to his cell, and he would have to get the ice later in the day. TYSE advised that during the conversation he (Tyse) was sitting down at the table the whole time and at some point, Sergeant Baker pointed the less-lethal shotgun at him and told him to go to his cell. TYSE advised that he told Sergeant Baker that he could not shoot him with the less-lethal shotgun because he was not being aggressive.

TYSE advised that after he told Sergeant Baker that he could not shoot him this is when Sergeant Baker shot him with the less-lethal shotgun. TYSE advised that the reason why he did not go to his cell as instructed was because he wanted to go get ice for his swollen hand. Tyse advised that the other two Officers were already up the stairs dealing with another inmate. Tyse advised that after he was shot by Sergeant Baker, he went to his cell initially and then he immediately went to medical right after this incident. Tyse advised that before he went to medical Sergeant Baker attempted to explain to him that he did not shoot him, but that he (Tyse) stabbed himself. Tyse advised that at some point his family members were notified about the incident, which Officer attempted to say that nothing happened to Inmate Tyse and that he stabbed himself. TYSE



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advised that he (Tyse) agreed that Officers told him several times to go back to his cell, but they did not have to shoot him because he was not aggressive. Inmate Tyse was transported to medical without further incident.

INTERVIEW WITH SERGEANT SPENCER BAKER JR. # 29152:

At approximately 1:25 p.m., Investigator Richard Sparks # 31071 interviewed Sergeant Spencer Baker Jr. # 29152, who advised that he was one of the sergeants at the time during the Use of Force incident involving Inmate Dajon Tyse LE # 2104648. Sergeant Baker advised the following information regarding the incident.

SGT. BAKER advised that he received a telephone call from Officer Cruz regarding Inmate Tyse being not compliant and not wanting to go back to his cell. SGT. BAKER advised that himself, Sgt. Henry, and Officer Roques all went down to Housing Unit # 7 Section # 2 regarding a non-compliant inmate. SGT. BAKER advised that once Officers arrived at the Housing Unit this is when Officers observed Inmate Tyse out of his cell sitting on the table. SGT. BAKER advised that Inmate Tyse had already been in prior trouble for not being compliant with Officers and is known to other Officers for being non-compliant to include popping out of his cell.

SGT. BAKER advised that he has never saw Inmate Tyse being violent, but he is known to be non-compliant, and he (Tyse) would not follow Officers instructions. Sergeant Baker advised that when himself and other Officers arrived at the Housing Unit, he (Baker) was already in possession of the less-lethal shotgun, which he carries on duty from time to time. SGT BAKER advised that upon entering the cell he began talking to Inmate Tyse and advised him that he needed to go back to his cell, which Inmate Tyse would not comply with the verbal commands from Officers. SGT. BAKER advised that Inmate Tyse was stating to him that he needed to go to medical to receive ice for his hand and this is the reason why he would not go back to his cell.

SGT. BAKER advised that he already spoken with Inmate Tyse about a similar incident on the previous shift, which at that time he had got Inmate Tyse some ice for his hand. SGT. BAKER advised that he explained to Inmate Tyse that medical advised that they did not need him in medical for ice so he would have to go back to his cell. SGT. BAKER advised that he would verify Inmate Tyse's statement regarding the ice, but in the meantime he (Tyse) had to return to his cell. SGT. BAKER advised that after he explained to Inmate Tyse that he would have to return to his cell this is when he (Tyse) became verbally combative with Officers while still sitting down at the table. SGT. BAKER advised that there was a total of two inmates out of there cells, which Inmate Tyse was one of them.

SGT. BAKER advised that the other inmate (unknown name) was out of his cell at the top of the tier, and this is when Sergeant Henry and Officer Roques went to go place that inmate back in his cell. SGT. BAKER advised that during this time, while the other Officers were dealing with the other inmate. Inmate Tyse and himself (Baker) were the only two people down at the bottom



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tier and this is when he gave Inmate Tyse one last final verbal command to go back to his cell. SGT. BAKER advised that Inmate Tyse made the statement "Fuck that shit send me to the hole" and this is when he (Baker) shot one distraction round from the less-lethal shotgun, which he was pointing toward the Kiosk. SGT. Baker advised that he deployed (shot) the distraction round at the Kiosk to get Inmate Tyse attention so that he would go to his cell. SGT. BAKER advised that the reason why he deployed the shotgun was because initially Inmate Tyse was passive aggressive while sitting down at the table, but once Inmate Tyse stood up from the table this is when he (Baker) chambered the shotgun and advised Inmate Tyse to go to his cell.

SGT BAKER advised that Inmate Tyse got off the table aggressively, while stating fuck that shit send me to the hole and began to come toward him (Baker) in an aggressive manner. SGT. BAKER advised that Inmate Tyse was approximately 8 to 9 feet away from him during their initial verbal encounter, but when Inmate Tyse stood up from the table and approached him in an aggressive manner this is when that gap (8 to 9 feet) was quickly closed. SGT. BAKER advised that when he deployed the less-lethal shotgun his assumption was that when Inmate Tyse came toward him (Baker), this is how he possibly was burned (injured) by the distraction round to include the fragments. SGT. BAKER advised that once he shot the distraction round inmate Tyse ran to his cell and secured his own cell door, which other Officers would come down to see what was going on.

SGT. BAKER advised that he chose to use the less-lethal shotgun because he wanted to make Inmate Tyse go back to his cell after he realized that Tyse would not follow verbal commands. SGT. BAKER advised that normally he would be able to talk to Inmate Tyse without any aggressiveness being involved, but on this day Inmate Tyse was not going for it. SGT. BAKER advised that at that time, he (Baker) did have a county issued taser on his person, but he did not use the taser because it would have required for him to put the shotgun down.

INTERVIEW WITH OFFICER PATRICK ROQUES # 30094:

At approximately 7:19 p.m., I, Investigator Mitchell Brock interviewed Officer Patrick Roques # 30094, who advised that he was one of the Officers at the time during the Use of Force incident involving Inmate Daijon Tyse LE # 2104648. Officer Roques advised the following information regarding the incident.

ROQUES advised that himself, Sgt. Baker and Sgt. Henry were responding to a non-compliant call in Housing Unit # 7 and at that time Officers begin telling everyone to return their cells. PATRICK advised that Inmate Tyse was sitting on the table, and he (Roques) went upstairs to start putting multiple inmates inside of their cells. ROQUES advised that he heard Sgt. Baker give several verbal commands to Inmate Tyse to return to his cell, but Inmate Tyse would not comply. ROQUES advised that Inmate Tyse began to respond to Sgt. Baker in an aggressive tone but could not make out what was being said at that time. ROQUES advised that he was facing the cell securing inmates during this time, but he was able Inmate Tyse get up and take steps towards Sgt. Baker.



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ROQUES advised that he heard the shotgun deploy and at that time everyone went to their cells, which moments later Inmate Tyse attempted to pop out of his cell. Inmate Tyse exited his cell and advised the Officers that he had an abrasion to his chest, which Officer took him to medical for treatment without further incident. ROQUES advised that he did not see exactly when the less-lethal shotgun went off, but he did hear the shotgun go off. However, ROQUES advised that he was too busy putting inmates up. ROQUES advised that Inmate Tyse was being very non-compliant, very verbally aggressive, and he notice Inmate Tyse taking steps toward Sgt. Baker, which Sgt. Baker told him (Tyse) to return to his cell several times.

ROQUES advised that Inmate Tyse popped out of his cell on his own after the deploying of the shotgun by using a piece of paper to jam the door lock. Once this occurred Inmate Tyse advised that he needed medical attention, which Officer took him to medical for further assessment.

INTERVIEW WITH SERGEANT JONATHAN HENRY # 28914:

At approximately 8:23 p.m., I, Investigator interviewed Sergeant Jonathan Henry# 28914, who advised that he was one of the sergeants at the time during the Use of Force incident involving Inmate Daijon Tyse LE # 2104648. Sergeant Henry advised the following information regarding the incident.

SGT. HENRY advise that himself, Sgt. Baker, and Officers Roques were all present in Housing unit # 7 because Officers had received a call regarding an unknown inmate who had grabbed some jumpsuits and stashed them in his room. SGT. HENRY advised that was the reason why he was present, but Sgt. Baker had also received a call regarding Inmate Tyse being non-compliant, so they all went to the Housing Unit together. SGT. HENRY advised that when Officers arrived at Housing Unit # 7 section # 2 himself, Sgt. Baker, and Officer Roques were instructed Inmate Tyse that he needed to lock down.

SGT. HENRY advised that it was approximately 5:00 a.m., and no inmates should be out around that time. SGT. HENRY advised that Sgt. Baker took the lead on speaking to Inmate Tyse and other Officers went to the 2nd tier to retrieve the jumpsuits from the other inmate. SGT. HENRY advised that he did hear Inmate Tyse and Sgt. Baker speaking to one another. However, Sgt. Henry was attempting to open a cell door on trier two, when he heard the less-lethal shotgun deploy. SGT. HEBRY advise that he did not see the deployment, but he did hear the shotgun go off.

SGT. HENRY advised that he did not see Inmate Tyse stand up and could not remember if Inmate Tyse stood up. SGT HENRY advised that while he was on the second tier, he did glance back one time, but was focusing on opening a cell door and when he was facing the cell door this is when he heard the shotgun go off. SGT. HENRY advised that he could not say for sure if Inmate Tyse stood up from the table, but he did observe Inmate Tyse initially being non-compliant. SGT. HENRY advised that immediate upon discovery that Inmate Tyse was injured



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they took him to medical without further incident. SGT. HENRY advised that Inmate Tyse is a more verbal non-complaint inmate, but he (Henry) could not confirm if he got physically aggressive. However, Sgt. Henry does recall Sgt. Baker giving Inmate Tyse verbal commands to return to his cell.

INTERVIEW WITH OFFICER ABRAHAM CRUZ # 30410:

At approximately 2:03 p.m., I, Investigator Mitchell Brock interviewed Officer Abraham Cruz # 30410, who advised that he was one of the Officers at the time during the Use of Force incident involving Inmate Daijon Tyse LE # 2104648. Officer Cruz advised the following information regarding the incident.

CRUZ advised that he was one of the Officers on scene during the Use of Force incident, but he was not a Officer on the floor. CRUZ advised that at that time, he was on light duty, so he worked the tower, which he monitors the inmates among other tasks. CRUZ advised that the situation started with Inmate Tyse requesting to go to sick call for ice because he had a previous injury to his arm/hand. CRUZ advised that sick call was over with, which Inmate Tyse missed his opportunity to go, and this is when he (Tyse) advised Officer Cruz to notify as Sergeant because he was "bucking". CRUZ advised that during this time, Inmate Tyse began standing on the table, which Officer Cruz notified his Sergeant about the incident.

CRUZ advised that at some point Sgt. Baker, Sgt. Henry, and Officers Roques arrived at the Housing Unit to address the situation because he (Cruz) had two non-compliant inmates. CRUZ advised that Sgt. Baker gave multiple verbal commands to Inmate Tyse to lock down, Inmate Tyse would not comply, and this is when Sgt. Baker deployed the less-lethal shotgun. CRUZ advised that he did see Sgt. Baker deploy the less-lethal shotgun toward the low abdominal area of Inmate Tyse. CRUZ advised that Inmate Tyse was being very non-compliant and was not listening to verbal commands from the Officers. During this time, CRUZ advised that after Sgt. Baker deployed his less-lethal shotgun there was a loud bang and Inmate Tyse put his hand up into the air.

CRUZ advised that at that time, Inmate Tyse went to his cell and at some point, began banging on the door because he was bleeding. CRUZ advised that after this incident Inmate Tyse was immediately taken to medical for further assessment of his injuries. CRUZ advised that he did observe some type of Movement being made by Inmate Tyse

PLEASE SEE ALL DOCUMENTATION AND EVIDENCE RELATED TO THIS CASE.



Clayton County
SHERIFF'S OFFICE

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 - c. Patrick Roques**
 - d. Abraham Cruz**
 - e. Dajon Tyes**



Clayton County SHERIFF'S OFFICE

Victor Hill
Georgia

GARRITY WARNING

ADVICE OF GARRITY WARNING AND NOTIFICATION OF REQUEST FOR INTERVIEW PURSUANT TO ADMINISTRATIVE INVESTIGATION

You are hereby advised that you are being interviewed pursuant to an administrative investigation by members of the Clayton County Sheriff's Office. You will be asked questions related to the performance of your duties with the Clayton County Sheriff's Office or directed towards a determination of your fitness to perform those duties and/or hold office with this organization.

You are requested to provide both written and verbal statements in cooperation with this investigation. You remain entitled to all rights and privileges guaranteed under The Constitution of the United States, The Constitution of the State of Georgia, and all applicable Federal/State statutes under the United States Code and Official Code of Georgia. Chief among those is the right not to be compelled to incriminate yourself in connection with any criminal prosecution.

This is not an investigation pursuant to a criminal prosecution, but rather pursuant to an administrative proceeding of the Clayton County Sheriff's Office. You are compelled to cooperate fully and truthfully with this investigation under *Garrity v. New Jersey*. Pursuant to the Oath of Office for Sworn personnel and the Rules and Regulations of the Clayton County Sheriff's Office, refusal to cooperate fully and truthfully will result in disciplinary action, up to and including termination. Consistent with *Garrity*, however, any truthful answers you provide or evidence gained from your cooperation with this investigation cannot be used in any subsequent criminal prosecution against you. Such statements/evidence can and will be used by the Clayton County Sheriff's Office in the pending administrative proceeding. This Garrity Warning does not protect against prosecution of false statements/writings.

I acknowledge that I have read and fully understand the above statement of my rights and responsibilities in connection with this administrative proceeding of the Clayton County Sheriff's Office.

Spencer Baker
Employee

09/29/21
Date

[Signature] 30171
Investigator

09/29/21
Date

Phone Interview @ 1:25pm



Clayton County
SHERIFF'S OFFICE

Victor Hill
Sheriff

Synopsis

On September 27, 2021, at approximately 10:30 a.m., I, Investigator Mitchell Brock (30145) was asked by Capt. B. Criss to investigate a Use of Force (Excessive Force) Incident involving a Clayton County Correctional Officer Sergeant Spencer Baker Jr. # 29152 and an Inmate by the name of Daijon Tyse LE # 2104648.



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Sheriff

Findings

05.03: USE OF FORCE: SUSTAINED.

07.02: TRUTHFULNESS: SUSTAINED.

On September 27, 2021, at approximately 10:30 a.m., I, Investigator Mitchell Brock (30145) was asked by Capt. B. Criss to investigate a Use of Force (Excessive Force) Incident involving a Clayton County Correctional Officer Sergeant Spencer Baker Jr. # 29152 and an Inmate by the name of Dajon Tyse LE # 2104648.

During my investigation, I discovered that Inmate Tyse was being non-compliant and was not listening to verbal commands from Correctional Officers. Inmate Tyse admitted to me that he was being non-compliant because he wanted to go to medical so that he could receive ice for his injured hand from a prior altercation that he had with another inmate. Furthermore, Inmate Tyse would not go back to his cell as instructed by Officers, which Officers gave Inmate Tyse several verbal commands to return to his cell.

Sergeant Baker, Sergeant Henry, and Officer Roques were the Officers that were present at the time of the incident. Sergeant Baker during this time had in his possession a less-lethal shotgun (orange in color). Sergeant Baker advised that he deployed the less-lethal shotgun, firing one round toward the Kiosk and not toward inmate Tyse. Sergeant Baker also advised that Inmate Tyse was initially sitting down at the table but stood up in an aggressive manner and began to come toward him in an aggressive manner. Sergeant Baker advised that this is the reason why he deployed the less-lethal shotgun.

Officer Roques confirmed Sergeant Baker's statement and Sergeant Henry did not confirm Sergeant Baker's statement, but he did confirm that Inmate Tyse was being non-compliant with Officers by not going to his cell. In addition, Sergeant Baker used excessive force by deploying (shooting) the less-lethal shotgun at Inmate Tyse, which one round struck the inmate's right side chest area close to the armpit.

Furthermore, it was discovered that Sergeant Baker's statements were untruthful because he stated that he fired at the Kiosk, which evidence revealed that he fired directly at the inmate. Sergeant Baker also advised that Inmate Tyse stood up and approached him in an aggressive manner, which evidence revealed that Inmate Tyse remained sitting down at the table during the incident.

It must be noted that because of Sergeant Baker's actions, Inmate Tyse sustained an injury to the right-side chest area close to his armpit causing bodily harm to the inmate. Furthermore, there were a total of 3 Officers present during this time, which Officers could have at least



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attempted to use a reasonable amount of force to gain compliance over Inmate Tyse before deploying the less-lethal shotgun.

VIDEO FOOTAGE:

During my investigation, I, Investigator Mitchell Brock was able to retrieve video footage of the Use of Force (excessive force) incident involving Correctional Officer Sergeant Spencer Baker Jr. and Inmate Daijon Tyse. The video footage provides the following information:

The jail video footage depicts that Sergeant Spencer Baker Jr, Sergeant Jonathan Henry, and Officer Patrick Roques all arrived at Housing Unit # 7 Section # 2 at the same time. During this time, all Officers encountered Inmate Daijon Tyse who was sitting on a table and would not comply with Officers verbal commands to return to his cell. The video depicts (no audio) the Officers standing around speaking to Inmate Tyse and at some point, Sergeant Henry and Officer Roques walk up the stairs to tier # 2 to handle another inmate that was already locked down in his cell. During this time, Sergeant Baker, and Inmate Tyse continued to have a brief conversation and at some point, Inmate Tyse opened his arms to his side in a horizontal manner.

SGT. BAKER advised that used excessive force by deploying (shooting) the less-lethal shotgun at Inmate Tyse, which one round struck the inmate's right side chest area close to the armpit. SGT. BAKER advised that he was pointing the shotgun toward the Kiosk when he fired one distraction round, which video footage shows Baker pointed the shotgun at Inmate Tyse and then deployed the shotgun. SGT. BAKERD advised that Inmate Tyse stood up from the table aggressively and approached him in an aggressive manner, which the video footage shows that Inmate Tyse remained sitting on the table the entire time. SGT BAKER advised that because of Inmate Tyse aggressiveness this would be the reason why he deployed the less-lethal shotgun.

Video footage shows that Inmate Tyse was being non-compliant because he would not listen to the verbal commands from Officers to return to his cell. Video footage shows that he (Tyse) did not become aggressive, he did not stand up from the table, and he did not walk toward Sgt. Baker in an aggressive manner. Video footage shows that Inmate Tyse was the only Inmate out of his cell during this incident, but Sgt. Baker advised that there were two inmates out, which Inmate Tyse was one of the inmates.

Officer Roques twice confirmed Sgt. Baker's statement when he (Roques) advised that Inmate Tyse stood up from the table aggressively and approached him (Baker) in an aggressive manner, which the video footage shows that Inmate Tyse remained sitting on the table the entire time (non-aggressive). Officer Roques advised that there were other inmates out of their cells, which video footage shows that Inmate Tyse was the only Inmate out of his cell during this incident. Sergeant Henry did not confirm Sergeant Baker's statement, but he did confirm that Inmate Tyse was being non-compliant with Officers by not going to his cell.



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Based on Case Facts:

- Sergeant Spencer Baker – Termination / Use of Force and Untruthfulness
- Officer Patrick Roques – Termination / Untruthfulness
- Sergeant Jonathan Henry – Letter of Reprimand / Neglect of duty

In this case, it has been determined that this case is **Sustained**.

CLAYTON COUNTY SHERIFF'S OFFICE RULES AND REGULATIONS

SECTION 7.00 CONDUCT

07.00 (A) GENERAL (ON/OFF DUTY)

07.01

POLITENESS

When dealing with the public, personnel shall proceed in a polite, courteous, fair, firm, impartial, and businesslike manner. They shall scrupulously avoid any display of officious or overbearing attitude and shall not use any language designed to belittle, ridicule, or embarrass the public.

07.02

TRUTHFULNESS

The personnel of the Sheriff's Office shall be truthful at all times both on and off-duty, under oath or otherwise. Anyone who does willfully depart from the truth shall be considered unfit for service and subject to disciplinary action. Truthfulness not only applies to written and verbal statements, but includes the omission(s) or incompleteness of facts in a case or incident.

07.03

COURTESY

- A. Personnel shall not intentionally antagonize any person with whom they come in contact and shall treat all persons in a respectful, courteous, and civil manner. Any officer using his office with malice to oppress or persecute or annoy any person or persons may be subject to disciplinary action.
- B. Supervisors are responsible for, in addition to the above, instilling an attitude of public service in subordinate personnel, as manifested through their dealing with the public in a courteous and respectful manner.

07.04

FINANCIAL RESPONSIBILITY

- A. Personnel of the Sheriff's Office are expected to pay all just debts to promote a good and honorable reputation for the Clayton County Sheriff's Office. Anyone continually neglecting or refusing to pay a just debt and/or contracting a debt under false pretenses will be subject to

CLAYTON COUNTY SHERIFF'S OFFICE RULES AND REGULATIONS
SECTION 5.00 Weapons

1. At no time will any Sheriff's Office firearm be left in the interior cabin area of any vehicle. This will include personally owned or used vehicles. Exception being Sheriff's Office SUV vehicles with secondary securing devices for securing firearms ie, lockable racks, vaults etc.
2. No Sheriff's Office firearm shall be stored/left in the trunk of any vehicle without a secondary securing device ie, trunk locking system, vault, lockable rack (exception would be transporting officers who need to secure their weapon in the vehicle when dropping off, or picking up inmates from any facility that has a secured intake area).

Nothing in this General Order changes or diminishes every officer's responsibility to ensure Sheriff's Office weapons of all types are to be safely and securely stored when kept at the

05.03

USE OF FORCE

Personnel shall not use unnecessary force in the execution of their duties, whether handling prisoners, serving warrants, dealing with the public, or otherwise exercising the authority of their position. Personnel must be firm, resolute, and energetic in exercising the means necessary to properly perform his/her duties.

1. Excessive force is any force used in excess of the amount of force reasonably required to establish control over or to prevent or terminate an unlawful act of violence.
2. Reasonable force is the force needed, superior to that force used by a subject, which will enable the officer to establish control over or to prevent or terminate an unlawful act.

05.04

USE OF FORCE CONTINUUM

The Clayton County Sheriff's Office recognizes and respects the value of human life. The use of force is inherent to the performance of duties expected of both sworn law enforcement and corrections. Therefore, it is the policy of the Clayton County Sheriff's Office that the use of force (both lethal and non-lethal) be guided by an interest to preserve and protect the lives of employee(s) and other person alike. In furtherance of that interest, a use of force continuum, as prescribed within this policy, shall be used to guide any forcible response to be made by any employee.

Fw: Notification: Use Of Force



Ronnae Tolbert <Ronnae.Tolbert@claytoncountyga.gov>

Reply all |

Today, 10:31 AM

Mitchell Brock; Richard Sparks; Justin Robinson

Inbox



Phish Alert



This email originated from inside your organization; however, email links or attachments could still be unsafe – exercise caution. If you are concerned about any email contact the IT Service Desk at x83728.

This email is from an internal sender



Ronnae Tolbert

Lieutenant – Criminal Investigation Division

Clayton County Sheriff's Office

Office of Sheriff Victor Hill

770.471.1122
404.456.5302



Ronnae.Tolbert@claytoncountyga.gov
770.477.4596



9157 Tara Boulevard
Jonesboro, GA 30236

ClaytonSheriff.com | ClaytonCountyGA.gov



From: Spencer Baker <Spencer.Baker@claytoncountyga.gov>

Sent: Monday, September 20, 2021 4:04 PM

To: Ronnae Tolbert <Ronnae.Tolbert@claytoncountyga.gov>; Roland Boehrer <Roland.Boehrer@claytoncountyga.gov>

Cc: Jason Martin <Jason.Martin@claytoncountyga.gov>; Keith Greenwood

<Keith.Greenwood@claytoncountyga.gov>; Alvin Jones Jr <Alvin.Jones2@claytoncountyga.gov>; ~Sheriff - JOD

Subject: Re: Notification: Use Of Force

This email is from an internal sender

Good evening,

Yes, I'm clear.

Respectfully,



Spencer Baker

Correctional Sergeant

Clayton County Sheriff's Office

Office of Sheriff Victor Hill

678.479.5300

404.456.4908



Spencer.Baker@claytoncountyga.gov

678.479.5371



9157 Tara Blvd
Jonesboro, GA, 30236

ClaytonSheriff.com | ClaytonCountyGA.gov



From: Ronnae Tolbert <Ronnae.Tolbert@claytoncountyga.gov>
Sent: Monday, September 20, 2021 2:34:55 PM
To: Spencer Baker <Spencer.Baker@claytoncountyga.gov>; Roland Boehrer <Roland.Boehrer@claytoncountyga.gov>
Cc: Jason Martin <Jason.Martin@claytoncountyga.gov>; Keith Greenwood <Keith.Greenwood@claytoncountyga.gov>; Alvin Jones Jr <Alvin.Jones2@claytoncountyga.gov>; ~Sheriff - JOD Supervisors <Sheriff.JODSupervisors@claytoncountyga.gov>; ~Sheriff - Command <Sheriff.Command@claytoncountyga.gov>
Subject: Re: Notification: Use Of Force

This email is from an internal sender

Greeting,

The UF number generated for this Use of Force is 2021UF073.
Please ensure that Internal Affairs gets a copy of the report.

Respectfully,

Ronnae Tolbert



Office of Sheriff Victor Hill

770.471.1122
404.456.5302



Ronnae.Tolbert@claytoncountyga.gov
770.477.4596



9157 Tara Boulevard, Jonesboro, GA, 30236

ClaytonSheriff.com | ClaytonCountyGA.gov



From: Spencer Baker <Spencer.Baker@claytoncountyga.gov>

Sent: Sunday, September 19, 2021 9:18 AM

To: Roland Boehrer <Roland.Boehrer@claytoncountyga.gov>

Cc: Jason Martin <Jason.Martin@claytoncountyga.gov>; Keith Greenwood <Keith.Greenwood@claytoncountyga.gov>; Alvin Jones Jr <Alvin.Jones2@claytoncountyga.gov>; ~Sheriff - JOD Supervisors <Sheriff.JODSupervisors@claytoncountyga.gov>; ~Sheriff - Command <Sheriff.Command@claytoncountyga.gov>; Ronnae Tolbert <Ronnae.Tolbert@claytoncountyga.gov>

Subject: Re: Notification: Use Of Force

This email is from an internal sender

Yes sir, I'm clear the shot gun will remain in the S.R.T ready room.

Respectfully,



Spencer Baker

Correctional Sergeant

Clayton County Sheriff's Office
Office of Sheriff Victor Hill

678.479.5300
404.456.4908



Spencer.Baker@claytoncountyga.gov
678.479.5371





From: Roland Boehrer <Roland.Boehrer@claytoncountyga.gov>
Sent: Sunday, September 19, 2021 9:15:54 AM
To: Spencer Baker <Spencer.Baker@claytoncountyga.gov>
Cc: Jason Martin <Jason.Martin@claytoncountyga.gov>; Keith Greenwood <Keith.Greenwood@claytoncountyga.gov>; Alvin Jones Jr <Alvin.Jones2@claytoncountyga.gov>; ~Sheriff - JOD Supervisors <Sheriff.JODSupervisors@claytoncountyga.gov>; ~Sheriff - Command <Sheriff.Command@claytoncountyga.gov>; Ronnae Tolbert <Ronnae.Tolbert@claytoncountyga.gov>
Subject: Re: Notification: Use Of Force

This email is from an internal sender

Secure means put the shotgun in a place wear it is locked and secure from inmates or other persons and being misplaced. Use the Taser from this point forward.

Sent from my iPhone



Roland Boehrer

Chief Deputy – Interim Sheriff

*Clayton County Sheriff's Office
Office of Sheriff Victor Hill*

678.479.5193



Roland.Boehrer@claytoncountyga.gov
678.479.5358



9157 Tara Blvd
, Jonesboro, GA, 30236

ClaytonSheriff.com | ClaytonCountyGA.gov



On Sep 19, 2021, at 9:12 AM, Roland Boehrer <Roland.Boehrer@claytoncountyga.gov> wrote:

Sent from my iPhone

Roland Boehrer

Chief Deputy – Interim Sheriff
Clayton County Sheriff's Office
Office of Sheriff Victor Hill
678.479.5193
Roland.Boehrer@claytoncountyga.gov
678.479.5358
[9157 Tara Blvd](#)
[, Jonesboro, GA, 30236](#)
ClaytonSheriff.com | ClaytonCountyGA.gov

On Sep 19, 2021, at 8:40 AM, Spencer Baker
<Spencer.Baker@claytoncountyga.gov> wrote:

This email is from an internal sender

Good morning,
Yes sir, I'm clear. The taser was not a option at the time, due to me already having
the less than lethal shotgun in hand.

Respectfully,

Spencer Baker
Correctional Sergeant
Clayton County Sheriff's Office
Office of Sheriff Victor Hill
678.479.5300
404.456.4908
Spencer.Baker@claytoncountyga.gov
678.479.5371
[9157 Tara Blvd](#)
[, Jonesboro, GA, 30236](#)
ClaytonSheriff.com | ClaytonCountyGA.gov

From: Roland Boehrer <Roland.Boehrer@claytoncountyga.gov>
Sent: Sunday, September 19, 2021 8:29:46 AM
To: Jason Martin <Jason.Martin@claytoncountyga.gov>; Keith Greenwood
<Keith.Greenwood@claytoncountyga.gov>; Alvin Jones Jr
<Alvin.Jones2@claytoncountyga.gov>
Cc: ~Sheriff - JOD Supervisors <Sheriff.JODSupervisors@claytoncountyga.gov>; ~Sheriff -
Command <Sheriff.Command@claytoncountyga.gov>; Ronnae Tolbert
<Ronnae.Tolbert@claytoncountyga.gov>
Subject: Re: Notification: Use Of Force

This email is from an internal sender
Good morning,

Why wasn't a Taser used?

Respectfully,

Sent from my iPhone

Roland Boehrer

Chief Deputy – Interim Sheriff

Clayton County Sheriff's Office

Office of Sheriff Victor Hill

678.479.5193

Roland.Boehrer@claytoncountyga.gov

678.479.5358

9157 Tara Blvd

, Jonesboro, GA, 30236

ClaytonSheriff.com | ClaytonCountyGA.gov

On Sep 19, 2021, at 7:49 AM, Spencer Baker
<Spencer.Baker@claytoncountyga.gov> wrote:

****This email is from an internal sender****

Good morning,

I'm requesting Inmate Tyse be placed back in Security with the permission of Major Martin, due to Inmate Tyse constantly popping out of his cell. Inmate Tyse was on a probationary period from security pending his behavior in General Population.

Respectfully,

Get [Outlook for iOS](#)

Spencer Baker

Correctional Sergeant

Clayton County Sheriff's Office

Office of Sheriff Victor Hill

678.479.5300

404.456.4908

Spencer.Baker@claytoncountyga.gov

678.479.5371

9157 Tara Blvd

, Jonesboro, GA, 30236

ClaytonSheriff.com | ClaytonCountyGA.gov

From: Spencer Baker
Sent: Sunday, September 19, 2021 6:46:51 AM
To: ~Sheriff - JOD Supervisors

Subject: Notification: Use Of Force

On September 19, 2021, I Sergeant S. Baker was assigned as Housing unit supervisor. At approximately 0515 Hours Officer Cruz contacted me in reference to a non-complaint Inmate. Sergeant Henry, Officer Roques and I responded. Once we arrived, I observed an Unidentified Inmate later Identified as inmate Tyse, Daijon Dion Lamar le# 2104648 seating on the table. I started to question Inmate Tyse as to why he was out, he stated " my hand fucked up, I need to see medical". I then asked what happened to his hand he Stated " I'm supposed to go down with diabetic to get ice. I advised Inmate Tyse to return to his cell while I verified his statement. I gave Inmate Tyse multiple verbal commands to return to his cell. I then cambered my Less- lethal shot gun, with one distraction round. I then gave one final verbal command tell him to return to his cell. He said "fuck that shit send me to the hole" I let off one distraction round towards Inmate Tyse. He immediately ran to his cell securing his door. Cell 2202 started to bang on the door, stating my roommate his bleeding. I immediately hand the control tower to open the door, Inmate Tyse then came out stating you shoot me, I need medical. Officer Roques and I escorted him to medical to be seen. Inmate Tyse was seen and cleared by Nurse Practitioner Ecohlston.

My conclusion is that when I shot the distraction round It burned him, due to Inmate Tyse walking closer to me.

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<thumbnail_Image (2).jpg>

<thumbnail_Image (3).jpg>

<thumbnail_Image (1).jpg>

<thumbnail_Image.jpg>

Respectfully,





