



El Paso County Sheriff's Office

Summary

Print Date/Time: 11/06/2017 08:21
Login ID: shrvillamork

El Paso County Sheriff's Office
ORI Number: CO021000
0

Case

Case Number: 2014-00010133
Location: 3023 W COLORADO AVE
COLORADO SPRINGS, CO
Reporting Officer ID: 13059 - Zearing

Incident Type: EPSO Other
Occurred From: 08/01/2014 18:00
Occurred Thru: 08/01/2014 18:00
Disposition: Cleared by Arrest
Disposition Date: 08/01/2014
Reported Date: 08/01/2014 18:00 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	CO0210000	720	18-9-202 (2)	Cruelty to Animals (misdemeanor)	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Other	2	Hess, Jason Kristopher					
Other	3	Bethel, Jessica					
Other	4	Mitchell, Robert Shane					
Other	5	Gonzalez, Christopher					
Suspect	1	Kelley, Devin Patrick	3023 W COLORADO AVE APT 60 COLORADO SPRINGS, CO 80904	(210)677-9847	White	Male	[REDACTED]
Witness	6	Jones, Jennifer Michele	[REDACTED]	[REDACTED]		Female	[REDACTED]
Witness	7	Straw, Steven Keister	[REDACTED]	[REDACTED]		Male	[REDACTED]
Witness	8	Moody, Brent Alan	[REDACTED]	[REDACTED]		Male	[REDACTED]
Witness	9	Harolds, Charles Wayne	[REDACTED]	[REDACTED]		Male	[REDACTED]

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
A76833 A	Kelley, Devin Patrick	3023 W COLORADO AVE El Paso County, CO	08/01/2014 23:59	Serve and Release	23

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
08/06/2014	Non-IBR	Recorded Media			- ; PHOTOS OF DOG		1
08/06/2014	Non-IBR	Documents and Mail			- ; WITNESS STATEMENTS		2

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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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Narrative 20140801 2215 Zearing, Terrence 13059

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On 08/01/14 at approximately 2215 hours, I, Deputy Zearing EID 13059, responded to 3023 W. Colorado Avenue lot 60 for a report of an animal cruelty.

Upon arrival at approximately 2227 hours, I made contact with Jennifer Jones, DOB: [REDACTED]. Ms. Jones stated that at approximately 1800 hours, she observed a young white and brown Husky running loose near the back of her camping space. She stated a heavy set white male with shaggy dirty blonde hair ran up to the dog and jumped on top of it. She stated the white male then began punching the dog with a closed fist near the head and neck area. She stated she witnessed four to five punches and then the male suspect grabbed the dog by the neck and drug him away. She stated the suspect took the dog into a camper at lot 60.

I went to lot 60, along with Deputy Bethel and attempted to make contact. I knocked on the door and a male on the other side of the door stated he was not going to come outside and he was going to bed. I told the male that he needed to come outside and talk to me about the incident that occurred and he stated that he was not going to open the door or talk to me any further.

Sergeant Hess responded to the scene and attempted contact with the male at lot 60. The male inside the camper also refused to come out and speak to us or show us the dog without a search warrant.

I then spoke to three other witnesses to the event, the first being Brent Moody, DOB: [REDACTED]. Mr. Moody stated the following: At approximately 1800 hours, he saw the suspect chasing after the Husky and as it was running away near the back of his RV in lot 66, the suspect caught him and threw him to the ground. The suspect then started beating on the dog with both fists, punching it in the head and chest. He could hear the suspect yelling at the dog and while he was striking it, the dog was yelping and whining. The suspect then picked up the dog by the neck into the air and threw it onto the ground and then drug him away to lot 60.

I then spoke to Steven Straw, DOB: [REDACTED], who stated the following: At approximately 1800 hours, he was getting out of his truck when he saw a white male holding down a dog with his knees and hitting it in the head multiple times. The suspect then stood up and grabbed the dog by the neck. Mr. Straw stated that was all that he saw.

I then spoke with Charles Harolds, DOB: [REDACTED], who stated the following: He saw a dog running away from the suspect with the suspect yelling for the dog to come to him. When the dog didn't do so, the owner tackled the dog to the ground and while on top of the dog, punched the dog several times. The dog yelped repeatedly while being punched. Mr. Harolds stated he saw the incident from approximately 20 yards away. Mr. Harolds stated that was all that he saw.

I then went back to lot 60 where Sergeant Mitchell had arrived and was now speaking to the suspect from the outside of the closed door. Sergeant Mitchell convinced the suspect to open the door and allow us to inspect the dog. The suspect opened the door and I approached. I observed the dog while it was standing at the top of the steps to the doorway entering the camping trailer. The dog did not appear to have obvious signs of injuries. I did notice the dog appeared to be a little underweight and when I felt its sides I could feel its ribs.

I identified the suspect as Devin Kelley, DOB: 02/12/91. I asked Mr. Kelley what had happened earlier and he stated the following: The dog ran out of the camper and towards lot 66. The dog would not obey his commands to come back and he had to chase it. When he got to the dog, it was acting aggressive to another dog in the area and he had to jump on top of the dog to keep it from running any further. He stated he then walked the dog back to the trailer without any other incident. I asked if he struck the dog at any time and he stated no. I then asked if he grabbed the dog by the neck and held it in the air and he stated no. I finally asked if he threw the dog down to the ground and he stated no.

I then took Mr. Kelley into custody while he was standing just inside of his doorway of the camper. I explained that he was going to be charged with animal cruelty and that the humane society was going to impound the dog for examination. I then took Mr. Kelley to patrol vehicle and placed him in the back seat. Deputy Bethel took control of the dog at this time. I then spoke with Sergeant Mitchell and Sergeant Gonzalez who was also on scene and came to the agreement that I would issue Mr. Kelley a summons and release him at the scene.

I then took Mr. Kelley out of the back of my vehicle and removed the handcuffs and allowed him to sit at a picnic table outside of his camper while I completed the summons form. I issued Mr. Kelley summons #A76833 for Animal Cruelty and released him at the scene.

I then transported the dog to the Veterinary Specialty Center at 5520 N. Nevada Avenue per Sergeant Hess's approval, due to an extended response time from the humane society.

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I dropped off the dog at the Veterinary Specialty Center at approximately 0031 hours. I also spoke to Officer Borden with the humane society who stated he would complete the necessary paperwork for veterinary care for the dog.

At approximately 0300 hours, I met with Officer Borden at the humane society and took photographs of the dog which were later placed into evidence.

Written statements were collected from all the witnesses and were also placed into the evidence facility.

Nothing further.

Case Status: Cleared by Arrest

Typed from digital narrative/kn

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