



Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report



2022-1354

Officer Involved Critical Incident – 135 Old National Rd, Lore City
(L)

Investigative Activity: Telephone Interview
Involves: Officer Cody Daugherty (W)
Date of Activity: 07/13/2022
Author: SA James Poole

Narrative:

On Wednesday July 13, 2022, at 2102 hours, Ohio Bureau of Criminal Investigation (BCI) Special Agent James Poole (SA Poole) interviewed Barnesville Police (BPD) Officer Cody Daugherty #5108 (Officer Daugherty). The interview took place over the phone. Officer Daugherty was identified as being a police officer who witnessed the Officer-Involved Critical Incident (OICI) involving the now deceased Joy Graham (Graham). The purpose of the interview was to obtain all relevant information of the incident known or observed by this officer.

This interview was audio recorded, and a copy of the recording was saved electronically within the case file. Officer Daugherty also sent a written statement which is also saved electronically within the case file. Please refer to the recording and statement for specific quotes. The following is a summation of the interview.

Prior to the interview SA Poole advised Officer Daugherty that BCI was conducting a criminal investigation separate from any internal investigation and that this interview was voluntary. Officer Daugherty verbally confirmed he understood and acknowledged he would like to continue with the interview.

In Officer Cody Daugherty's statement he stated, "At approximately 9:15 p.m., I observed the driver of a gray Honda Odyssey traveling north on South Chestnut Street. As the gray Honda Odyssey passed in front of my patrol vehicle, I observed a female driver who I visually identified as Joy Graham. I was able to visually identify Joy Graham as the driver based upon prior interactions that I had with her in April of 2022. To my knowledge at the time that I observed her driving, Joy still had an active warrant out of Belmont County that was listed as assault on a paper warrant list at the Barnesville Police Department. The warrant was from a case when Lieutenant Matthew Tippie and I apprehended Joy for crimes of criminal trespass, resisting arrest, and assault on a police officer in April of 2022. I also had prior knowledge that Joy had an Odyssey based upon an interaction I had with Joy in April of 2022. I got behind the gray Honda Odyssey on South Chestnut Street, and I ran the Ohio license plate on that vehicle through Barnesville dispatch. The Ohio license plate on the gray Honda Odyssey was JEP6640.

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As I followed the gray Honda Odyssey north on South Chestnut Street, Barnesville dispatch advised me that the plate came back to Joy Graham with a warrant out of Belmont County. Having been informed by Barnesville dispatch that Joy still had a warrant out of Belmont County, I initiated my emergency overhead lights,” “but that she was not stopping.”

Officer Daugherty continued in his statement saying, “As I approached State Route 800, I observed the gray Honda Odyssey traveling north on State Route 800. Lieutenant Tippie took lead of the pursuit and I followed in behind Lieutenant Tippie. I continued to advise Belmont County 9-1-1 dispatch of road names, traffic conditions, approximate speeds, and locations. I also requested assistance from the sheriff’s office and the Ohio State Highway Patrol through Belmont County 9-1-1 dispatch.” Officer Daugherty explained the State Highway Patrol spiked Graham’s vehicle. As I continued in the pursuit, with other law enforcement personnel behind me, I observed what appeared to be pieces of tire on the roadway. The pursuit continued left onto Old National Pike, and then left onto State Route 285 North. The gray Honda Odyssey came to a stop on State Route 285 North near Old National Road.”

Once Graham’s vehicle came to stop Officer Daugherty explained, “I could hear Lieutenant Tippie giving Joy verbal commands for Joy to show her hands and verbal commands for Joy to put her hands outside the car. I could hear Joy replying by asking what she did wrong. I heard another male from within the scene of the stop give Joy verbal commands to exit the vehicle or that she would be bit by the dog. I heard another male from within the scene inform Joy that she was in Guernsey County, and I also heard that male give Joy verbal commands to step out of the car. Joy was advised that she had a warrant for her arrest.”

Officer Daugherty stated a K-9 officer from Cambridge arrived at scene stating, “While K-9 Officer Smith was around the left side of the gray Honda Odyssey, K-9 Officer Smith stated “She’s got a gun.” K-9 Officer Smith and his K-9 retreated back from the gray Honda Odyssey. I also heard K-9 Officer Smith state “She’s got a gun in her hand. She pointed it at me.””

During the phone interview SA Poole asked if Officer Daugherty witnessed who fired their weapons. Officer Daugherty stated he did not see who fired, but just heard the gunfire ring out. After the gunfire rang out, Officer Daugherty explained he could hear other Officers or Deputies shouting “Drop the gun.”

SA Poole asked Officer Daugherty if he believed Graham was on drugs or had mental issues during the time of the incident. Officer Daugherty stated, “No” to being on drugs, but believed Graham did have some mental issues due to the way she was acting. Officer Daugherty also explained from past encounters with Graham that she can be unable to comprehend the situation she is in.

SA Poole asked if Officer Daugherty saw Graham with the gun or if she pointed it at anyone. Officer Daugherty stated from his point of view he could not see Graham with the gun let alone if she pointed it at anyone.

SA Poole asked what type of gun Officer Daugherty carried at the time and if he ever fired it during the incident. Officer Daugherty stated he carried a 9mm Sig handgun and did not fire it.

The interview ended at 2120 Hours.

Attachments:

Attachment # 01: Officer Cody Daugherty Statement

Attachment # 02: Officer Cody Daugherty Interview 7.13.22

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Barnesville Police Department

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Statement of: Officer Cody Daugherty
Badge #5108

On June 24, 2022, at approximately 9:15 p.m., I, Officer Cody Daugherty, was stationary in my patrol vehicle off of South Chestnut Street near Flag Floors in Barnesville, Ohio. My patrol vehicle was positioned perpendicular towards the roadway. At approximately 9:15 p.m., I observed the driver of a gray Honda Odyssey traveling north on South Chestnut Street. As the gray Honda Odyssey passed in front of my patrol vehicle, I observed a female driver who I visually identified as Joy Graham. I was able to visually identify Joy Graham as the driver based upon prior interactions that I had with her in April of 2022. To my knowledge at the time that I observed her driving, Joy still had an active warrant out of Belmont County that was listed as assault on a paper warrant list at the Barnesville Police Department. The warrant was from a case, when Lieutenant Matthew Tippie and I apprehended Joy for crimes of criminal trespass, resisting arrest, and assault on a police officer in April of 2022. I also had prior knowledge that Joy had an Odyssey based upon an interaction that I had with Joy in April of 2022. I got behind the gray Honda Odyssey on South Chestnut Street, and I ran the Ohio license plate on that vehicle through Barnesville dispatch. The Ohio license plate on the gray Honda Odyssey was JEP6640. As I followed the gray Honda Odyssey north on South Chestnut Street, Barnesville dispatch advised me that the plate came back to Joy Graham with a warrant out of Belmont County. Having been informed by Barnesville dispatch that Joy still had a warrant out of Belmont County, I initiated my emergency overhead lights as I entered the intersection of South Chestnut Street and East Main Street to initiate a traffic stop with the gray Honda Odyssey on North Chestnut Street. Joy drove up to and stopped at a red light at the intersection of North Chestnut Street and East Church Street. As I came to a stop behind the gray Honda Odyssey in the northbound lane of traffic on North Chestnut Street, the traffic light turned green, and Joy continued driving north on North Chestnut Street. I advised Barnesville dispatch that I was attempting to stop her, or the vehicle, on North Chestnut Street, but that she was not stopping. With my emergency lights and siren activated, I continued to pursue the gray Honda Odyssey on North Chestnut Street towards Bond Avenue.

I continued to pursue the gray Honda Odyssey north from North Chestnut Street onto Bond Avenue. As I continued to pursue the gray Honda Odyssey north on Bond Avenue, Joy made a right turn onto Hillcrest Road. I continued to pursue the gray Honda Odyssey on Hillcrest Road. Using my cruiser's speaker system, I ordered the driver to stop the vehicle. I continued to pursue the gray Honda Odyssey north onto a graveled road towards State Route 800. I maintained radio communication with Belmont County 9-1-1 dispatch from approximately the graveled road area until the end of the pursuit. While pursuing the gray Honda Odyssey towards State Route 800, Lieutenant Matthew Tippie advised that he had the north bound lane of traffic blocked on State Route 800. As I approached State Route 800, I observed the gray Honda Odyssey traveling north on State Route 800. Lieutenant Tippie took lead of the pursuit and I followed in behind Lieutenant Tippie. I continued to advise Belmont County 9-1-1 dispatch of road names, traffic conditions, approximate speeds, and locations. I also requested assistance from the Sheriff's Office and the Ohio State Highway Patrol through Belmont County 9-1-1 dispatch. Lieutenant Tippie and I continued to pursue the gray Honda Odyssey north on State Route 800. The

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pursuit continued north on State Route 800 across the overpass of Interstate 70. The pursuit continued on State Route North 800 towards Fairview. I advised Belmont County 9-1-1 dispatch to notify Guernsey County.

The pursuit continued on State Route North 800 in Belmont County and then entered Guernsey County on State Route North 800. The pursuit continued from State Route North 800 onto U.S. 22 West. While on U.S. 22 West, the pursuit continued through Londonderry, Antrim and Winterset. I drove into the eastbound lane of traffic on U.S. 22 to avoid possible stop sticks that had possibly been deployed by another law enforcement agency approximately between Antrim and Winterset. Those stop sticks were reportedly not effective. As the pursuit continued past Winterset on U.S. 22 West, I observed an Ohio State Highway Patrol vehicle positioned to my left on the side of the road on U.S. 22 near the Salt Fork State Park entrance. As the pursuit continued on U.S. 22 West, I observed smoke in front of me. The pursuit continued left onto Beeham Run Road. Lieutenant Tippie advised Belmont County 9-1-1 dispatch that pieces of her tires were starting to come off. As I continued in the pursuit, with other law enforcement personnel behind me, I observed what appeared to be pieces of tire on the roadway. The pursuit continued left onto Old National Pike, and then left onto State Route 285 North. The gray Honda Odyssey came to a stop on State Route 285 North near Old National Road.

After I exited my patrol vehicle, I drew my firearm and aimed it at the gray Honda Odyssey. I could hear Lieutenant Tippie giving Joy verbal commands for Joy to show her hands and verbal commands for Joy to put her hands outside the car. I could hear Joy replying by asking what she did wrong. I heard another male from within the scene of the stop give Joy verbal commands to exit the vehicle or that she would be bit by the dog. I heard another male from within the scene inform Joy that she was in Guernsey County, and I also heard that male give Joy verbal commands to step out of the car. Joy was advised that she had a warrant for her arrest. Cambridge Police K-9 Officer Zach Smith and his K-9 approached the gray Honda Odyssey. While K-9 Officer Smith was around the left side of the gray Honda Odyssey, K-9 Officer Smith stated "She's got a gun." K-9 Officer Smith and his K-9 retreated back from the gray Honda Odyssey. I also heard K-9 Officer Smith state "She's got a gun in her hand. She pointed it at me." Guernsey County Sheriff Jeff Paden communicated with Joy. At that moment, it appeared that the Guernsey County Sheriff's Office had taken control of the scene.