The Grady Road Report

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Tallapoosa Judicial Circuit

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I. The Search for the Missing Juvenile

II. The Use of Force Towards the Donkey

III. The Donkey's Prior Demeanor

IV. Issues Regarding the Probable Cause Reports

V. Evidence of a Feigned Viral Photograph

The facts supporting this report are primarily those collected by Investigator Justin Cruce of the Georgia Department of Agriculture. Investigator Cruce conducted a thorough investigation, interviewing more than eleven witnesses and collecting substantial information regarding the Grady Road incident. I commend Investigator Cruce for the comprehensive work to uncover the facts surrounding this incident. I also want to thank Georgia Department of Agriculture Commissioner Tyler Harper for speaking with me on multiple occasions, both by phone and in person, to discuss my concerns regarding this case.

I am aware of multiple threats of violence and death toward individuals directly involved in this incident, individuals affiliated with agencies directly involved in this incident, and individuals with no direct involvement in the incident. All threats have been and will continue to be taken seriously. Multiple threats arising from this incident have been referred to the United States Department of Justice and the United States Attorney's Office for investigation and prosecution.

Citizens have every right to question and criticize their public officials. However, threats and violence have no place in that process. The role of a prosecutor is not to satisfy public opinion or achieve universal approval; such a goal is both unattainable and irrelevant to the proper exercise of prosecutorial discretion.

I. The Search for the Missing Juvenile

This section is primarily based on the Polk County Computer Aided Dispatch (CAD) reports from the evening of August 29, 2026, along with Investigator Cruce's report. At 10:23 p.m., Polk County 911 dispatched first responders to Coaling Road in response to a missing juvenile. The parents advised 911 the juvenile was mad, lit a book on fire, and is possibly in the woods. Off-duty Polk County Officer Thomasson, who had just ended his shift and was on his way home, was first on the scene at 10:31 p.m. Due to Officer Thomasson being off-duty, he was not wearing a body cam. Cedartown Officer Garner was second on the scene at 10:32 p.m. Officers were advised that the juvenile might be suicidal because of an argument with the parents, the burning of a book, and leaving a phone behind. The two officers, along with other first responders, immediately conducted a thorough search of the pool area and inside the home.

Thomasson and Garner requested that a drone equipped with FLIR, thermal-imaging, capabilities be dispatched to the location. Both officers are K-9 trained; however, the two officers requested the Haralson County specialized tracking bloodhound K-9 due to the woods near the home being contaminated by the scent of multiple people searching for the juvenile. The first drone, provided by the Rescue 1 unit of the Rockmart Fire Department, was on scene at 10:54 p.m. A second drone, provided by the Polk County Police Department, was on scene at 11:10 p.m.

When the Haralson County K-9 arrived, an article of clothing belonging to the juvenile was placed at the last known location of the juvenile to begin the track. The bloodhound began tracking the juvenile at 11:42 p.m. Two small shoeprints were located along the track at 11:54 p.m. The shoeprints ultimately matched the Converse shoes the juvenile was found to be wearing. The drones did not record video during the

search in an effort to preserve battery life. The Fire Department drone was used in the search until the battery life was exhausted.

At 1:39 a.m., approximately three hours and fifteen minutes after the initial 911 call and an hour and a half after the donkey incident, the father of the juvenile contacted 911 and stated that the juvenile had been found on Grady Road and was returning home with the child.

Entry into the pasture for this purpose falls within the "open fields" doctrine because the area is well outside the curtilage of any home. Even if "open fields" did not apply, the use of a K-9 bloodhound officer to track and search for a juvenile at night, who may have been in danger of self-harm and had violated a criminal statute, falls within the exceptions to Fourth Amendment protections.

II. The Use of Force Towards the Donkey

As Officers Caleb Thomasson and Trenton Garner and Haralson County K-9 Deputy Seth Entrekin tracked the juvenile through the pasture, they noticed that the horses appeared spooked and ran away from the officers toward the opposite side of the pasture. The officers initially believed they saw eyes of another horse on a hill above them. This occurred at approximately 12:10 a.m. on August 30, 2026.

The drone operator, Firefighter Cory Puckett, noticed a thermal figure moving at a high rate of speed toward the officers and said to those with him, "Oh no, something is on the PD." He attempted to contact the officers but realized that his radio was set to the fire department frequency. As stated above, the drone was not recording to preserve battery life. After Puckett heard, via radio, that a shot had been fired, he took a single thermal grayscale screenshot.

I will let the body-camera video of the incident speak for itself. However, it should only be considered in conjunction with the three officers' states of mind, as documented by Investigator Cruce in his report. It should be noted that Officer Garner's body camera was not activated at the beginning of the search. Also of importance, the camera backs up thirty seconds once it is activated. However, the 30-second backup period does not save audio. Officer Garner's body camera is activated approximately twelve seconds after the shot is fired. The eighteen seconds leading to the shot can be seen on the video without audio.

Using only flashlight illumination, an officer identifies the animal as a donkey at the 00:05 mark (five seconds into the video). Per Cruce's interview, Entrekin hears one of the other officers say, "Oh God Seth, there's a donkey." All three officers immediately begin to back up. The donkey began approaching the officers at the 00:09 mark (nine seconds into the video). The video shows Officer Thomasson begin to back up. Entrekin pulls the K-9 away and appears to be behind Garner by the 00:13 mark (thirteen seconds into the video). Per the interview, the K-9 gets scared and tries to slip out of the leash. The light on Thomasson's taser can also be seen at the 00:13 mark. The donkey appears to increase its pace from a walk to a trot toward Thomasson's chest. Thomasson appears to be arching his taser for the next five seconds. Thomasson took approximately 21 steps backward without turning his back to the donkey. As the donkey trots faster, it closes in to approximately arms-length from Thomasson with its head raised and mouth open. Garner discharged one shot at the donkey at the 00:18 mark (18 seconds into the video). The donkey turns away and trots back up the hill and collapses at the 00:28 mark (28 seconds into the video). Garner radios that he had to shoot a donkey at the 00:38 mark (38 seconds into the video). Garner advises the dispatch operator that the donkey "was trying to attack us" at the 00:47 mark (47 seconds into the video). The officers end the K-9 track and turn around.

At the 01:25 mark (one minute and 25 seconds into the video), Entrekin appears to turn around and say, "I thought that donkey was going to kill us." It appears Thomasson responds, "I know." Over the next four minutes, the officers walk out of the pasture, traversing two gates. At the 05:30 mark (five minutes and 30 seconds into the video), a roadway can be seen. Thomasson asked Garner, "You good?" at the 05:36 mark (five minutes and 36 seconds into the video). Garner replies, "God, I hate that I had to do that." At the 06:04 mark (six minutes and four seconds into the video), Thomasson says, "That thing was about to eat me up. That donkey was about to eat me up." Entrekin responded, "I was trying to get my hands on [the K-9]. I had [the K-9] …That got chaotic quick!"

The standard for a defense of using force to protect oneself or others is that of an objectively reasonable person. Regardless of public opinion, all three officers in the pasture developed an immediate perception of danger. Officers Thomasson and Deputy Entrekin made statements of sensing potential immediate bodily harm or death by the donkey within a minute of the shooting. The drone operator also had an immediate sense of danger toward the officers.

To prove a criminal charge of aggravated cruelty to animals, malice must exist without a statutory defense. Based on Thomasson's and Entrekin's immediate sense of serious bodily harm, Garner's actions can be considered reasonable to protect others. After a review of Investigator Cruce's entire investigation and all evidence, Garner's actions do not sustain criminal liability.

III. The Donkey's Prior Demeanor

Ms. Israel, the owner of the donkey, was interviewed with her civil attorney present. While describing the officers' statements, Ms. Israel's attorney told her to explain why the donkey runs up to people. Ms. Israel stated the donkey would bray and stick his

nose under people's arms. She said the donkey loved people. She said she had never seen the donkey behave aggressively and that it would run toward people because it was happy to see them. She described the donkey as 3 feet tall and 100 pounds.

A neighbor of Ms. Israel stated that he had helped bottle-feed the donkey when it was young. The neighbor stated that he felt devastated by the donkey's death. He also stated he would stand at the fence and pet the donkey. However, the donkey had been turned out to pasture about six months before the incident because it had a history of attacking people. The donkey had previously attacked this neighbor. This incident happened during the day, and he stated it was all he could do to keep the donkey away and jump a fence to get away from the donkey. The neighbor stated, "I couldn't imagine doing it at night."

The neighbor stated that the donkey had not been in petting zoos since it was very young because it attacked people, jumped on them, and bit them. He said the donkey attacked a small child on July 15, 2026, at a camp. He said the attack lasted two minutes and the donkey bit the child. He said the donkey would run up to strangers, screaming and biting them, and described it as an "aggressive little thing." When news of the shooting began to spread, he stated he sent a text to Ms. Israel to be truthful.

Another witness who had worked on equipment multiple times at the location where the donkey was kept was also interviewed. The witness stated Ms. Israel informed them the donkey "will kick you." Ms. Israel also told the witness the donkey "didn't like people to be over there when she wasn't there."

The witness said the donkey would jump, bite, and was aggressive. On one occasion, this witness had to forcefully keep the donkey at bay while Ms. Israel sent helpers to come and tie up the donkey. This witness also said they attempted to put the donkey in a headlock to prevent it from kicking, and that it took everything they had to keep the donkey off their person. The witness said they could walk away from the

donkey, but it would run or trot toward them with its head raised and braying, "raising Cain." The witness thought the donkey was going to run over them. The witness described the donkey as about four feet tall, heavy and not a baby.

According to the necropsy report, the donkey weighed 150 pounds. The necropsy cited "early to advanced" decomposition. I asked Veterinary Pathologist Dr. Doris Miller how the decomposition level would affect weight. She estimated decomposition could be attributed to a loss of ten percent or less of the original live weight.

Investigator Cruce was also provided with a Facebook post regarding the donkey's demeanor. A witness informed Cruce that the post had been edited after the incident went viral.

The May 1 post appears to have originally read:

"HeeHaw is a year old. To know him is to run for your life cause he's gonna jump you. If donkeys go to heaven he ain't going. But hey he sure was cute as a baby. [smiling emoji] His mama bailed on him the moment he was born... she musta known something"

The post appears to have been edited later to read:

"HeeHaw is a year old. To know him is to run for your life cause he's gonna jump you to give you lots of love. If donkeys go to heaven he ain't going. But hey he sure was cute as a baby. [smiling emoji] His mama bailed on him the moment he was born and I've raised him ever since! He is my son!"

Although the officers were unaware of the donkey's prior interactions with other individuals, the reasonableness of officers' perception of immediate danger is further supported by statements from other individuals who had previously encountered the donkey.

IV. Issues Regarding the Probable Cause Reports

I met with the Department of Agriculture investigators on September 15, 2026. During the meeting, I expressed concerns about agreeing to seek arrest warrants based solely on limited information provided during the meeting. Before the meeting ended, Department of Agriculture Inspector General Harlan Proveaux stated that the investigation was completed and closed. The following day, Proveaux typed a probable cause report. Proveaux believed Officer Garner had violated criminal statutes; however, arrest warrants were not sought. At Proveaux's request, portions of his probable cause report were copied and pasted into Cruce's separate report.

The probable cause reports fail to address the state of mind of any of the officers. The reports also do not reference the statements or state of mind of the drone operator. These factors are essential to determining whether the actions met the statutory requirements of the objective-reasonableness defense standard.

The probable cause reports do not reference the statements of the two other witnesses concerning their familiarity with how the donkey approached people or its general demeanor toward people in the pasture. The probable cause report states that the investigation established the donkey's conduct to be "friendly." This statement is purely an opinion.

The probable cause reports cited "forensic" and "physical" evidence. The Department of Agriculture investigative reports did not cite any forensic or physical evidence collected other than the donkey itself, which was taken for the necropsy. It should be noted that the necropsy was not complete at the time the reports were written. Only two evidence sheets were produced by the Department of Agriculture. One evidence sheet listed two USB thumb drives. The other evidence sheet listed the donkey and a tarp, which were taken to the necropsy.

During a September 23, 2026, telephone conversation with Cruce, I asked about what "forensic" or "physical" evidence was used by Proveaux to make his determination. Cruce stated, "I don't know." Later that day, I spoke with Proveaux and he stated the "forensic" and "physical" evidence in the report was mistakenly cited. He stated he would edit the report to correct that error.

Cruce sent me a statement on October 6, 2026, in which he stated, "I sent you the forensic reports last week. One is the necropsy and the other is a rabies test report. I apologize that the rabies report was not in the case file when I submitted it to you. I forgot to add it to the file. I know you had questions on the forensics that was in our probable cause report, we were referring to the rabies test as we had it available. After our call, I looked through the case file again and noticed I had not put the rabies test in the file."

The probable cause reports state that drone footage was used in the determination. The drones used did not record any video footage. A single grayscale thermal image was captured by the drone after the shooting. The image has little to no evidentiary value as to the details of the investigation.

The probable cause reports state "Officer Thomasson can be seen slowly backing up." In the body-camera video, the donkey begins trotting toward Thomasson as he takes approximately 21 steps backward, with his steps becoming progressively faster while he raises his Taser. Before Officer Garner fired, Thomasson had accelerated backward, while the donkey continued closing the distance faster than Thomasson was moving. The reports state that the officers had the ability to increase their distance from the donkey. In the video, the donkey clearly closes in on Thomasson very quickly with its head raised and mouth open.

After carefully reviewing Investigator Cruce's *entire* report, his interviews, the computer assisted dispatch sheets, and every other aspect of the case, my view of this case has only strengthened.

V. Evidence of a Feigned Viral Photograph

The night the donkey was shot, a neighbor of Ms. Israel was informed about the incident. The neighbor got on an ATV and helped Ms. Israel search for the donkey in the pasture. The neighbor ultimately found the donkey and called Ms. Israel. Ms. Israel arrived with a juvenile who lives at her residence. The neighbor stated that Ms. Israel told the juvenile to kneel down beside the donkey and look sad so she could take a picture. The neighbor stated the juvenile did not seem sad prior to kneeling and covering her face for the photograph.

Multiple local citizens have contacted me regarding the possible prosecution of Ms. Israel in connection with the photograph and her use of it to raise over $160,000 on an internet-based fundraising site for legal and business expenses.

Although the photograph was initially used, in part, to raise funds for legal expenses, the fundraising purpose was later amended to support the farm. The donkey was, in fact, shot and killed. Sufficient evidence has not been provided to establish Ms. Israel committed theft by deception. Additionally, Georgia's fraud statute does not apply to the facts of this case.

Other citizens have expressed concerns regarding the possible manipulation of a cryptocurrency that appeared to generate several thousand dollars in donations to the fundraising site. Any potential crimes relating to the cryptocurrency fall within the jurisdiction of the United States Securities and Exchange Commission and the Commodity Futures Trading Commission, not with the District Attorney.

I want to thank everyone involved in this case for their patience and for allowing ample time to review the entire file before reaching a final decision. My assessment of this case has been guided solely by the evidence, the law, and the principles of justice.