



## **South Carolina Department of Corrections**

Aug. 21, 2019

For immediate release

Contact: Chrysti Shain, (803) 413-8206

[Shain.Chrysti@doc.sc.gov](mailto:Shain.Chrysti@doc.sc.gov)

**COLUMBIA, S.C.** – The S.C. Department of Corrections Police Services released arrest warrants today for Joey Tutt, 34, of Lincolnton, Ga., on charges involving an inmate assault.

Tutt, who was working as a captain at McCormick Correctional Institution, was charged with assault and battery third degree and misconduct in office. He was fired today after his arrest.

The S.C. Department of Corrections reminds members of the public that after an arrest, the burden of proof is on the state to prove guilt beyond a reasonable doubt within a court of law.

Copies of the arrest warrants are attached.

## ARREST WARRANT

2019A3510100239

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

McCormick

THE STATE

34-2019-084

against

Joey Tutt

Address:

Phone: SSN:

Sex: M Race: B Height: 5 11 Weight: 195

DL State: GA DL #:

DOB: Agency ORI #: SC040095C

Prosecuting Agency: S C Department Of Corrections Division

Prosecuting Officer: Roy E Cox, III - S00146

Offense: Misconduct / Misconduct in office, malfeasance, misfeasance, or nonfeasance

Offense Code: 0819

Code/Ordinance Sec: 17-25-0030

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

## RETURN

A copy of this arrest warrant was delivered to defendant Joey Tutt on August 20, 2019

Signature of Constable/Law Enforcement Officer

## RETURN WARRANT TO:

McCormick Magistrate  
211 West Augusta Street, Extension  
Post Office Box 1116  
McCormick, SC 29835

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STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

McCormick

Personally appeared before me the affiant Roy E Cox, III

being duly sworn deposes and says that defendant Joey Tutt

did within this county and state on or about 8/8/2019

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

McCormick

in the following particulars:

DESCRIPTION OF OFFENSE: Misconduct / Misconduct in office, malfeasance, misfeasance, or nonfeasance

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT. INCIDENT INVESTIGATED BY AGENT ROY COX OF SCDC POLICE SERVICES.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

McCormick

Affiant's Address P.O. Box 21787

Columbia, SC 29221-1787

Affiant's Telephone

## ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 8/8/2019 defendant Joey Tutt

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of McCormick

) as set forth below:

DESCRIPTION OF OFFENSE: Misconduct / Misconduct in office, malfeasance, misfeasance, or nonfeasance

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 8/20/2019

Signature of Issuing Judge  
Patty L. Smith

Judge Code: 5924

(L.S.)

Judge's Address Post Office Box 1116

McCormick, SC 29835-1116

Judge's Telephone (864)852-2316

Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

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Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 518

**South Carolina Department of Corrections  
Police Services  
Arrest Warrant Affidavit Sheet**

<b>Date of Offense:</b> August 8, 2019	<b>Case Number:</b> 34-2019-084
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<b>Defendant Name:</b> Joey Wesley Tutt	<b>Address:</b> <div style="background-color: black; width: 100%; height: 30px;"></div>
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<b>Race:</b> B	<b>Sex:</b> M	<b>Height:</b> 5'6"	<b>Weight:</b> 200	<b>Date of Birth:</b> <div style="background-color: black; width: 100%; height: 15px;"></div>	<b>Social Security #:</b> <div style="background-color: black; width: 100%; height: 15px;"></div>	<b>Driver's License #:</b> <div style="background-color: black; width: 100%; height: 15px;"></div>	<b>SCDC #:</b> <div style="background-color: black; width: 100%; height: 15px;"></div>
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<b>Affiant Name:</b> Agent Roy Cox	<b>Affiant Address:</b> 4444 Broad River Rd Columbia, S.C. 29221	<b>Telephone:</b> (803)896-5214
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<b>Victim Name</b>	<b>Victim Address</b>	<b>Telephone:</b>

<b>Witness Name</b>	<b>Witness Address</b>	<b>Telephone:</b>

<b>Description of Offense</b> Misconduct / Misconduct in office	<b>Statute, Ordinance, or CDR Code:</b> 17-25-0030 or 819
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**Affidavit:**

Agent Roy Cox states that the defendant, did in the County of McCormick, South Carolina on August 8, 2019 commit the offense of (Misconduct in Office) to wit: Captain Joey Tutt, a Sworn Officer with the South Carolina Department of Corrections, with corrupt intent, engage in misconduct in the form of (Malfeasance) by committing acts in violation of his duty of good faith, honesty and accountability, of public trust as a State Correctional Officer. Captain Tutt did use excessive force by striking a South Carolina Department of Corrections inmate in the torso with multiple kicks. The offense occurred at McCormick Correctional Institution, 386 Redemption Way, McCormick S.C. 29835. Probable cause is based on the McCormick Correctional Institution's security footage as well as statements made by the victim and defendant.

<b>Signature of Judge (If Applicable)</b> <i>Patty L. Smith</i>	<b>Affiant Signature</b> <i>Roy Cox</i>
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Sworn to and ascribed before me this 20<sup>th</sup> day of August, 2019



## ARREST WARRANT

2019A3510100240

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

McCormick

THE STATE

against

Joey Tutt

Address:

Phone: SSN:

Sex: M Race: B Height: 5 11 Weight: 195

DL State: GA DL #:

DOB: Agency ORI #: SC040095C

Prosecuting Agency: S C Department Of Corrections Division

Prosecuting Officer: Roy E Cox, III - S00146

Offense: Assault / Assault &amp; Battery 3rd degree

Offense Code: 3414

Code/Ordinance Sec: 16-03-0600(E)(1)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality ofThe accused  
is to be arrested and brought before me to be  
dealt with according to the law.

(L.S.)

Signature of Judge

Date:

## RETURN

A copy of this arrest warrant was delivered to  
defendant Joey Tutt  
on August 21, 2019

Signature of Constable/Law Enforcement Officer

## RETURN WARRANT TO:

McCormick Magistrate  
211 West Augusta Street, Extension  
Post Office Box 1116  
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STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

McCormick

Personally appeared before me the affiant Roy E Cox, IIIbeing duly sworn deposes and says that defendant Joey Tuttdid within this county and state on or about 8/8/2019State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

McCormick

in the following particulars:

DESCRIPTION OF OFFENSE: Assault / Assault &amp; Battery 3rd degree

I further state that there is probable cause to believe that the defendant named above did commit  
the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT. INCIDENT INVESTIGATED BY AGENT ROY COX OF THE SCDC POLICE SERVICES.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

McCormick

Affiant's Address P.O. Box 21787Columbia, SC 29221-1787

Affiant's Telephone

## ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 8/8/2019 defendant Joey Tutt

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of McCormick

) as set forth below:

DESCRIPTION OF OFFENSE: Assault / Assault &amp; Battery 3rd degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or  
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as  
soon thereafter as is practicable

Sworn to and subscribed before me

on 8/20/2019

Signature of Issuing Judge (L.S.)

Patty L. Smith

Judge Code: 5924

Judge's Address Post Office Box 1116McCormick, SC 29835-1116Judge's Telephone (864)852-2316Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

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Form Approved by  
S.C. Attorney General  
April 21, 2003  
SCCA 518

**South Carolina Department of Corrections  
Police Services  
Arrest Warrant Affidavit Sheet**

<b>Date of Offense:</b> August 8, 2019	<b>Case Number:</b> 34-2019-084
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<b>Defendant Name:</b> Joey Wesley Tutt	<b>Address:</b> <div style="background-color: black; width: 100%; height: 40px;"></div>
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<b>Race:</b> B	<b>Sex:</b> M	<b>Height:</b> 5'6"	<b>Weight:</b> 200	<b>Date of Birth:</b> <div style="background-color: black; width: 100%; height: 1.2em;"></div>	<b>Social Security #:</b> <div style="background-color: black; width: 100%; height: 1.2em;"></div>	<b>Driver's License #:</b> <div style="background-color: black; width: 100%; height: 1.2em;"></div>	<b>SCDC #:</b> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
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<b>Affiant Name:</b> Agent Roy Cox	<b>Affiant Address:</b> 4444 Broad River Rd Columbia, S.C. 29221	<b>Telephone:</b> (803)896-5214
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<b>Victim Name</b>	<b>Victim Address</b>	<b>Telephone:</b>

<b>Witness Name</b>	<b>Witness Address</b>	<b>Telephone:</b>

<b>Description of Offense</b> Assault / Assault & Battery 3rd degree	<b>Statute, Ordinance, or CDR Code:</b> 16-03-0600(E)(1) or 3414
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**Affidavit:**

Agent Roy Cox states that the defendant, did in the County of McCormick, South Carolina on August 8, 2019 commit the offense of (Assault and Battery 3rd Degree) to wit: that Captain Joey Tutt did kick inmate  several times, on the left side of his torso, as he laid faced down on the ground before another officer intervened and separated Captain Tutt from the inmate. The offense occurred at McCormick Correctional Institution, 386 Redemption Way, McCormick S.C. 29835. Probable cause is based on the McCormick Correctional Institution's security footage as well as statements made by the victim and defendant.

<b>Signature of Judge (If Applicable)</b> <div style="background-color: black; width: 100%; height: 1.2em;"></div>	<b>Affiant Signature</b> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
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Sworn to and ascribed before me this 20<sup>th</sup> day of August, 2019