

OFFICE OF THE DISTRICT ATTORNEY
BLUE RIDGE JUDICIAL CIRCUIT



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After two separate bench trials, Canton man will spend remainder of life in prison without parole
State vs. Damien Oliver Moffett

October 28, 2022 – District Attorney Shannon Wallace announces that Damien Oliver Moffett, 41, was convicted in two separate bench trials and received a total sentence of life in prison without the possibility of parole.

“This defendant is a convicted felon with a history of violent crimes in multiple counties in Georgia as well as outside of our state,” said District Attorney Shannon Wallace. “After a terrifying domestic violence incident in April 2021, he proceeded to engage in a violent fight in jail in July 2021, which resulted in serious injury to another inmate. Throughout the prosecution, he deflected and refused to take responsibilities for his actions. Our community is safer with this man behind bars.”

Both cases were investigated by the Cherokee Sheriff’s Office and prosecuted by Assistant District Attorney Alana Driscoll and Assistant District Attorney Kelly Chavis, with the Office of the District Attorney, Blue Ridge Judicial Circuit.

Family Violence Aggravated Assault

On April 14, 2021, Cherokee Sheriff’s Office deputies responded to a 911 call to a home in Woodstock. During the call, the dispatcher could hear a woman begging someone not to shoot her. The victim, who had been in a relationship with the defendant, told deputies that Moffett forced entry into the home and pointed a firearm at her and two children while demanding keys to a pickup truck. After a 12-year-old child tried to intercede, the defendant took the keys and fled the home in his tow truck. He then led responding law enforcement on a chase that ended in Cobb County before attempting to escape on foot. He was ultimately apprehended and transported to the Cherokee County Adult Detention Center.

“The victim in this case showed tremendous courage. Damien Moffett had threatened her by text and she realized that she and the children were in immediate danger. She was in the process of escaping from the home when the defendant arrived in a rage, kicked in the door, and pointed a gun at her,” said Assistant District Attorney Alana Driscoll, who prosecuted this case on behalf of the State.

On April 25, 2022, at the conclusion of this bench trial, Superior Court Judge Tony Baker found Moffett guilty of seven charges, including armed robbery, family violence aggravated assault, possession of a firearm during the commission of a felony, fleeing or attempting to elude a police officer, cruelty to children in the third degree, and

possession of a firearm by a convicted felon. Moffett was sentenced to life in prison without the possibility of parole based upon his criminal history as a recidivist.

Riot in a Penal Institution

On July 28, 2021, approximately three months following his arrest and incarceration for the first incident, Moffett seriously injured an inmate in the Cherokee County Adult Detention Center.

After fighting the inmate inside one of the housing units, Moffett forced the victim out of the room before abruptly stepping forward and forcefully swinging a pencil in an upward motion, stabbing the victim in the face. The pencil entered the victim's mouth and broke off in place, remaining lodged there and projecting into his eye. The victim, who required emergency treatment in the hospital, was experiencing facial swelling, headache, and blurry vision in his right eye. Medical staff removed the pencil.

“Damien Moffett was the primary aggressor in this fight. He escalated violence towards the victim by grabbing a sharp object to use as a weapon, and brutally stabbing the victim in the face,” said Assistant District Attorney Kelly Chavis, who prosecuted this case on behalf of the State. “Violence in our jail will not be tolerated. Whether it is towards an inmate or deputy, you will be held accountable for your actions.”

On August 29, 2022, at the conclusion of this bench trial, Judge Baker found Moffett guilty of all charges, including aggravated assault, aggravated battery, and unlawful acts of violence in a penal institution and sentenced him to 10 years to serve in prison concurrent to his domestic violence case.

The Office of the District Attorney for the Blue Ridge Judicial Circuit is committed to seeking justice, acting with integrity, and collaborating with partner agencies in the criminal justice system in order to protect the citizens of Cherokee County and the State of Georgia.

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