

Karen Gallagher

From: Chris Wood
Sent: Monday, May 20, 2019 9:48 AM
To: Karen Gallagher
Subject: FW: OPRA request - Colleen McBride Snow motor vehicle stop

RECEIVED

MAY 20 2019

-----Original Message-----

From: Robert McKnight [mailto:opra+request-5447-e11690ca@requests.opramachine.com]
Sent: Saturday, May 18, 2019 9:03 AM
To: Chris Wood
Subject: OPRA request - Colleen McBride Snow motor vehicle stop

CITY CLERK'S OFFICE

Dear Wildwood City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested: All records including phone calls relating to the motor vehicle stop of Colleen McBride Snow and phone calls made to the Wildwood Police Department reporting the intoxicated driving of Colleen McBride Snow by Island Cab Company.

Yours faithfully,

Robert McKnight

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-5447-e11690ca@requests.opramachine.com

Is cwood@wildwoodnj.org the wrong address for OPRA requests to Wildwood City? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=wildwood_city

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/colleen_mcbride_snow_motor_vehicle

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

City of Wildwood Police Department

PUBLIC RECORDS REQUEST RESPONSE

TO: Robert McKnight

- ☒ The document or documents you requested are available to you upon your payment of the billed amount reported below.
- ☐ The document or documents listed below and requested by you are not being provided because the document or documents are not public records as provided by law, as noted below:

You have a right to appeal the decision that the document or documents are not public records. You may take your appeal to the Public Records Council or to the New Jersey Superior Court as provided by N.J.S.A. 47:1A-6 and -7.

Date: 5/28/19 Captain J. Flanigan

City of Wildwood Police Department

ACKNOWLEDGMENT

I hereby acknowledge that I have received the documents requested except for any documents specifically listed above on which a determination has been made that the documents will not be provided. If any documents have not been provided, I have received information on the procedures for any appeal of the determination.

Date: _____ Applicant

Payment Information

The fee for the documents provided is \$ _____.

Payment Method

Cash Check # Money Order
CHECKS OR MONEY ORDERS PAYABLE TO:
"CITY OF WILDWOOD TREASURER"

Wildwood Police Department

Date



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
Phone: 609-522-0222 Fax: 609-522-3472 Mun. Code: 0514
Arrest Report

**Arrest Details:**

Case Number	Arrest Date	Arrest Time	Place of Arrest
19-00141	01/01/19	16:51	4700 Block New Jersey Avenue, Wildwood, New

Arrestee Information:

Name (Lastname, Firstname)		MI	Suffix	Alias_Nickname				
Snow, Colleen		M						
Address		DOB	Age	Sex	Race	SSN		
[REDACTED] North Cape May, New Jersey				F	1B			
Place of Birth	DLN	Height	Weight	Hair	Eyes	Complexion	Mar. Status	
Philadelphia		506	155	BLN	BLU	Fair	Div	
Other Descriptive Info		Glasses	Build	Speech	Handed	Miranda	Prints	Photo
		N	Medi	English	Right	Y		Y
Occupation	Employer	Bus. Address						
Waitress	Owen's Pub	119 E 17th Ave, North Wildwood, NJ 08260						
SBI #	FBI #	Phone						

Complaint Information

Charge(s)							
Driving While Intoxicated 39:4-50							
Complainant Name (Lastname, Firstname)				& Address			
Ptl. Mitchell Mortimer 99				4400 New Jersey Avenue, Wildwood New Jersey 08260			
Offense Date	Offense Time	Place of Offense				Mun. Code	
01/01/19	17:10	4700 Block New Jersey Avenue, Wildwood, New Jersey 08260				NJ005140	
w/ Warrant	w/o Warrant	On View	Summons	Handcuffed The Arrestee	Checked car prior to placing in & after removing arrestee from the back seat		
			X	Y	Y		
Vehicle	Yr	Make	Body Type	Color	Reg	State	VIN
A	07	Ford	4-Dr	Blu			
Date	Court						
Amount Bail	10%	Bail Result	Place Committer				
Date	Court				Warrant / Summons Number		

Narrative:

The defendant was arrested for driving while intoxicated, processed and released to Todd Rulon as per John's Law.

Mugshot:**Officer of Record:****Date:****Reviewed By:****Juvenile Released To:**

Officer of Record	Reporting Date	Reviewed By	Parent or Responsible Party Signature
Ptl. Mitchell Mortimer 99	01/01/19	korobellis	



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
Phone: 609-522-0222 Fax: 609-522-3472 Mun. Code: 0514
Investigation Report



Incident Details:										
Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete	
19-00141	16:51	01/01/19	16:51	01/01/19						X
Incident Type:				Incident Location:						
Driving While Intoxicated 39:4-50				Street # Street Name			Intersection / Cross Street of:			
				100 E Taylor Avenue			New Jersey Ave / Taylor			
				Business / Common Location Name						
Dog Tooth Bar & Grill										
Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other										
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN		
R	Wilson, Jonathan		S	50	M	1B				
Address						Home Phone		Cell Phone		
[REDACTED] Wildwood, NJ 08260-1324										
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN		
A	Snow, Colleen		M	46	F	1B				
Address						Home Phone		Cell Phone		
[REDACTED] North Cape May, New Jersey 08204										
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN		
Address						Home Phone		Cell Phone		
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN		
Address						Home Phone		Cell Phone		
Property Information:										
Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total			
Value of Stolen Property Recovered										
Automobile Information:										
1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN		
1	Arrest	07	Ford	4 Dr.	Blu	[REDACTED]	[REDACTED]	[REDACTED]		
2										
3										
4										
Narrative:										
Narrative										
On January 1, 2019, at approximately 1651 hours, I, Patrolman Mitchell Mortimer #99, of the Wildwood Police Department, Uniform Patrol Division, responded to Dog Tooth Bar and Grill's parking lot for a report of an intoxicated female attempting to enter her vehicle.										
Upon my arrival, Ptl. John Dadura #83 had located and made contact with the subject, who was identified as Colleen Snow. It should be noted, Ptl. Dadura observed Snow sitting in the driver seat of her blue Ford Expedition bearing New Jersey registration [REDACTED]. The vehicle was running, with the key in the ignition, when he made contact with Snow who was in the driver's seat. See Ptl. Dadura's supplemental report for further information.										
Officer of Record: Date: Other Reports Filed: Reviewed By:										
Ptl. Mitchell Mortimer 99 01/01/19				MVA Arrest ☒ DV DWI ☒ DWIQ ☒ Tow ☒ SD CI 23 TRO					korobellis	
				SHA Prop. Evdn UOF Prst Supp ☒ Juv Bias Pris						



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
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Investigation Report



Narrative Continued (Page 2)

Case Number

19-00141

Section 2: On Scene

I approached the vehicle and made contact with Snow. While speaking with Snow, I observed her eyes to be blood shot and watery. Snow stated that she had just left Dog Tooth Bar and Grill and was planning on going home. She stated that she was attempting to get an Uber home and decided to sit in her vehicle while she waited. Snow stated that she did not have any alcoholic beverages to drink but then changed her response, now stating she had "one or two". Upon further investigation, it was discovered Snow was drinking vodka and clubs while at the bar.

I then instructed Snow to exit her vehicle so she could perform a series of field sobriety test. It should be noted while walking around her vehicle, Snow stumbled and utilized her arms to balance herself as she bumped into the rear of the vehicle.

Walk and Turn:

I located a flat surface and utilized a straight painted parking space line to be used for this portion of testing. Snow was instructed on the starting position as I demonstrated for her. Snow stated that she understood the starting position but when instructed to get into the position, failed to do so.

After Snow stated she had no questions, she continued to ask "what do you want me to do?". Snow attempted to get into the starting position but placed her right foot on the line rather than her left foot. I made Snow aware she was utilizing her right foot and instructed her to place her left foot on the line. Once again, Snow placed her right foot on the line, indicating to me Snow's inability to decipher her left from her right.

After further explanation, Snow was able to get in the starting position but began the test before advised to do so. I had to stop Snow twice from starting the test prior to my next set of instruction.

Once Snow was able to get in to the starting position, she failed to hold it until the start of the test as she lost her balance and stepped to her side. Snow failed to get back into the starting position. I advised her of the remaining set of instructions which she stated she understood. Snow began the test, walked 10 steps failing to go heel to toe as she walked and turned to her right on the tenth step. It should be noted, the line utilized for the test was wider than her feet, but she failed to properly place her feet on the center of the line, alternating going off the side of the line with each step.

After turning around the tenth step, Snow stood and did not return the nine steps to the starting point. Snow was instructed to take nine steps both directions, but failed to do so. Snow advised me that she was complete the test and stepped off the line and out of the starting position.

Officer of Record:

Date:

Ptl. Mitchell Mortimer 99

01/01/19



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
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Investigation Report



Narrative Continued (Page 3)

Case Number

19-00141

One Leg Stand:

Snow was placed in the starting position for the next test and maintained the position. While I instructed the remainder of the test to her, Snow raised her left foot and placed it directly back on the ground. I advised her to remain in the starting position until I instructed her to begin the test. Snow stated she understood the test instructions, then raised her right foot and placed it directly back on the ground to maintain her balance.

I explained the test to Snow once again, and confirmed she understood the test. At this time, I instructed her to begin the test. During the test, Snow placed her foot down four times while swaying side to side. Snow eventually lost balance forcing her to stumble and place both feet on the ground, remaining in the standing position.

Patrolman Tristan Johns #92 then conducted Horizontal Gaze Nystagmus on Snow who had a difficult time understanding the instructions to the test. As Ptm. Johns instructed her to keep her head still and only follow the tip of his pen with her eyes, Snow would continue to move her entire head in the direction of the pen.

I then placed Snow under arrest for driving while intoxicated. Bob's Auto Body was contacted to tow the vehicle. Ptlm. Dadura remained on scene with the vehicle. The field sobriety tests were recorded on the M. V.R. of vehicle #333 and my body camera.

Section 3: En Route To The Station

While being transported to the Wildwood Police Department, Snow began to cry after being placed in the rear of marked patrol vehicle #333.

Section 4: At The Station

I read Snow her Miranda Rights and she stated she did not wish to speak to me at the time of processing. I then read the N.J. Attorney General's Standard Statement for Motor Vehicle Operations to Snow. She then stated "Yes" indicating that she would submit to breath samples.

Snow was placed into the processing room and Ptlm. Johns completed the testing on the Alcotest 7110 MK111-C. Snow completed the Alcotest 7110 MK111-C with a reported breath test result of 0.28%. Refer to the Alcohol Influence Report Form #00777, and Ptl. John's supplemental report for additional information

Officer of Record:

Date:

Ptl. Mitchell Mortimer 99

01/01/19



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
Phone: 609-522-0222 Fax: 609-522-3472 Mun. Code: 0514
Supplemental Investigation Report



Incident Details:													
Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete				
19-00141A		01/01/19	16:51	01/01/19						X			
Incident Type:				Incident Location:									
Investigation Follow-Up				Street # Street Name			Intersection / Cross Street of:						
				100 E Taylor Avenue			New Jersey Ave / Taylor						
				Business / Common Location Name									
Dog Tooth Bar & Grill													
Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other													
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
A	Snow, Colleen		M	46	F	1B							
Address						Home Phone		Cell Phone					
[REDACTED] North Cape May, New Jersey 08204													
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
Address						Home Phone		Cell Phone					
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
Address						Home Phone		Cell Phone					
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
Address						Home Phone		Cell Phone					
Property Information:													
Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total						
Value of Stolen Property Recovered													
Automobile Information:													
1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN					
2													
3													
4													
Narrative:													
Narrative On Tuesday, January 1, 2019 at approximately 16:51 hours, I, Patrolman Tristan Johns #92 of the Wildwood Police Department, Uniformed Patrol Division, responded to the Dog Tooth Bar and Grill parking lot located in the 100 West block of Taylor Avenue with Ptlm. Mortimer #99 in marked patrol vehicle #333 for an intoxicated person.													
Ptlm. Mortimer #99 made contact with the driver, who was later identified as Colleen Snow [REDACTED] Ptlm. Mortimer #99 conducted stand field sobriety tests on Snow. After the completion of the standard field sobriety tests by Ptlm. Mortimer #99, I conducted Horizontal Gaze Nystagmus on Snow.													
Officer of Record:		Date:		Other Reports Filed:					Reviewed By:				
Ptl. Tristan Johns 92		01/01/19		MVA	Arrest	DV	DWI	DWIQ	Tow	SD	CI	TRO	
				SHA	Prop.	Evdn	UOF	Prst	Supp	X	Juv	Bias	Pris
													korobellis



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
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Supplemental Investigation Report



Narrative Continued (Page 2)

Case Number

19-00141A

I instructed Snow to stand with her feet together and her arms flat against her sides. I advised Snow to stare at the tip of my pen and to follow it with only her eyes without moving her head. I advised Snow to follow my pen multiple times without moving her head, however, she failed to comply so I was unable to complete Horizontal Gaze Nystagmus.

Ptlm. Mortimer #99 subsequently placed Snow under arrest for driving while intoxicated. Snow was transported back to police headquarters in the rear cabin of marked patrol vehicle #333. See Ptlm. Mortimer #99 investigation report for further details.

Prior to testing, I removed my electronic devices from the room, including my cell phone, taser, body camera and police radio. Snow did not have any electronic devices on her person. Also I checked Snow's mouth to ensure she did not have anything in her mouth prior to administering the test.

I conducted the twenty-minute observation period from 17:18 hours to 17:39 hours and continued the observation until the testing was complete. The time was kept for this observation period based on the clock / time function on the alcotest machine. During this time, Snow remained handcuffed behind her back and she did not place any objects in her mouth, cough, spit, hick-up, burp, or regurgitate.

I administered the Alcotest 7110 MKIII-C to Snow. It should be noted, a new mouth piece was removed from a sealed package for each test. Snow completed the Alcotest 7110 MKIII-C with a reported breath test result of 0.28%. Refer to the Alcohol Influence Report Form #00770 for additional information.

This testing completed in the D.W.I. processing room which is audio and video recorded.

Officer of Record:

Date:

Ptl. Tristan Johns 92

01/01/19



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
Phone: 609-522-0222 Fax: 609-522-3472 Mun. Code: 0514
Supplemental Investigation Report



Incident Details:													
Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete				
19-00141B	16:51	01/01/19	16:51	01/01/19						X			
Incident Type:					Incident Location:								
Driving While Intoxicated 39:4-50					Street # Street Name			Intersection / Cross Street of:					
					100 E Taylor Avenue			New Jersey Ave / Taylor					
					Business / Common Location Name								
					Dog Tooth Bar & Grill								
Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Involved Other													
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
D1	Snow, Colleen	M		46	F	1B							
Address						Home Phone		Cell Phone					
[REDACTED] North Cape May, New Jersey 08204													
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
Address						Home Phone		Cell Phone					
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
Address						Home Phone		Cell Phone					
Code	Contact Name #	MI	Suffix	Age	Sex	Race	DOB	SSN					
Address						Home Phone		Cell Phone					
Property Information:													
Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total						
Value of Stolen Property Recovered													
Automobile Information:													
1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN					
	Veh. 1	07	Ford	4 Dr.	Blu	[REDACTED]	[REDACTED]	[REDACTED]					
2													
3													
4													
Narrative:													
Narrative													
On Tuesday, January 1, 2018 at approximately 16:51 hours, I, Ptlm. John Dadura #83 of the Wildwood Police Department Uniform Patrol Division, responded to the 100 East block of Taylor Avenue, for the report of a possibly intoxicated woman attempting to drive. Wildwood Police Dispatch advised me the vehicle was an SUV bearing New Jersey registration [REDACTED]													
I located a vehicle, a 2007 Ford Expedition, matching the registration given by dispatch in a parking for the Dogtooth restaurant, located on the North West corner of New Jersey Avenue, and Taylor Avenue. I positioned my marked patrol unit #332 behind this vehicle, in the parking lot. As I exited my patrol vehicle, I													
Officer of Record: Date: Other Reports Filed: Reviewed By:													
Ptl. John Dadura 83		01/01/19		MVA	Arrest	DV	DWI	DWIQ	Tow	SD	CI	TRO	
				SHA	Prop.	Evdn	UOF	Prst	Supp	X	Juv	Bias	Pris
													yuhas



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
Phone: 609-522-0222 Fax: 609-522-3472 Mun. Code: 0514
Supplemental Investigation Report



Narrative Continued (Page 2)

Case Number

19-00141B

could hear the vehicles engine running. I approached the drivers side window, and observed a white female, later identified as Colleen Snow, sitting in the drivers seat. Snow lowered the window, then turn the vehicles engine off, and removed the keys from the ignition.

Ptln. Mortimer #99 and Ptln. Johns #92 arrived on scene, and took over the investigation. I stood-by as a back up unit for the remainder of the investigation, see #19-00141 for further details.

End of report.

Officer of Record:

Date:

Ptl. John Dadura 83

01/01/19



Wildwood Police Department

4400 New Jersey Avenue, Wildwood, NJ 08260

Phone: 609-522-0222 Fax: 609-522-3472 Mun. Code: 0514

DWI Questionnaire



Defendant (Lastname, Firstname)	MI	Case Number	Sequential File No.
Snow, Colleen	M	19-00141	00777
Questions:			
The Following questions were asked:		Occupation	
On 01/01/19 at 17:27		Waitress	
Are you Sick? If Yes, Explain: [REDACTED]			
Are you under the care of a Doctor? If so, provide name & address		Last Visit	
[REDACTED]		Date: [REDACTED] Time: [REDACTED]	
Are you taking Medicine? If so, What and What for?		Last Dose?	
[REDACTED]		Date: [REDACTED] Time: [REDACTED]	
Do you have Diabetes?	Are you taking Insulin?	Last Dose?	
[REDACTED]	[REDACTED]	Date: Time:	
Are you Injured?	Where?		
[REDACTED]			
Are your injuries Affecting you now? If so, What and How?			
Note any Physical Injuries or Deformities observed:			
Advise Subject of Miranda Warning: (See Page 2)			
What kind of Alcoholic Drinks have you had?		How Many?	
Where?		Time between each drink?	
When did you have your first drink?		When did you have your last drink?	
Date:	Time:	Date:	Time:
What time did you finish eating?	What did you eat?		
Remarks:			
-Blood shot and watery eyes -Crying -Swaying back and fourth			
Officer:		Copy given to subject	Reviewed by
Ptl. Mitchell Mortimer 99		On Tuesday,	Lt. CK #54



Wildwood Police Department
4400 New Jersey Avenue, Wildwood, NJ 08260
Phone: 609-522-0222 Fax: 609-522-3472 Mun. Code: 0514
DWI Questionnaire



Advised Subject of Miranda Warning: Date: 1/1/19 Time: 17:30

1. You have the right to remain silent.
2. If you decide to make any statements, you must understand it may later be used against you in the event of a trial.
3. If you initially decide to make a statement, but during the course of questioning decide you do not wish to continue, you have the right to stop.
4. You have the right to have a lawyer present.
5. In the event you cannot afford counsel, the State will provide counsel.

1. Do you understand each of these rights I have explained to you? Yes

2. Having these rights in mind, do you wish to talk to us now? No

POTENTIAL LIABILITY WARNING - N.J.S.A. 39:4-50.22 (Rev. 2-20-2004) FORM

Defendant Information		Case # 19-00141
Name: Last, First, M.I. Snow, Colleen	DL# & State [REDACTED]	Arresting Officer Information
Street Address [REDACTED]	Birth Date [REDACTED]	Name: Last, First, M.I. Rank Ptl. Mitchell Mortimer 99
Town, State ZIP North Cape May, New Jersey	Arrest: Date & Time 01/01/19 16:51	Badge # 99
Violation(s) Charged: (Check appropriate boxes) ☒ N.J.S.A. 39:4-50(a), DWI ☐ N.J.S.A. 39:4-50.2, Refusal to submit to chemical breath testing		

You have been summoned by, or on behalf of, the person whose name appears above as "defendant," to transport or accompany the defendant from this law enforcement agency. The defendant has been arrested and charged with one or both of the motor vehicle violations checked in the box above. Pursuant to N.J.S.A. 39:4-50.22, this **WARNING** is to advise you that if you accept responsibility to transport or accompany the defendant, and you permit or facilitate the operation of a motor vehicle by the defendant while the defendant is intoxicated or has a blood alcohol concentration at, or above, that permitted by law (N.J.S.A. 39:4-50), then you are potentially subject to criminal penalties and civil liability.

Permitting a person who is intoxicated or who has a blood alcohol concentration at, or above, that permitted by law, to operate a motor vehicle is a violation of N.J.S.A. 39:4-50(a). If you are charged and convicted under that statute: your driving privilege will be suspended; fines and monetary penalties will be imposed; and you may be incarcerated. If you permit or facilitate the defendant to operate a motor vehicle while the defendant remains intoxicated or has a blood alcohol concentration at, or above, that permitted by law, and the defendant becomes involved in a motor vehicle collision where other persons are injured or killed, then you may be subject to indictment and criminal prosecution. If you are prosecuted and found guilty, the court can impose fines and mandatory penalties, and a prison sentence. In addition to any criminal liability, if you permit or facilitate the defendant to operate a motor vehicle while the defendant remains intoxicated or has a blood alcohol concentration at, or above, that permitted by law, and the defendant becomes involved in a motor vehicle collision where there is property damage, or personal injury or death, then you may be held liable for civil damages, and those damages may not be covered by insurance.

Person Acknowledging Receipt

Richard Snow

Print Name

[REDACTED]

Street Address

Cape May Ct House, NJ 08210

City & State

Law Enforcement Officer

Ptl. Mitchell Mortimer 99

Print Name

Patrolman 99

Rank & Badge No.

01/01/19

Date & Time of Acknowledgment

ACKNOWLEDGMENT OF RECEIPT OF POTENTIAL LIABILITY WARNING

I, _____, have received this **POTENTIAL LIABILITY WARNING** from the Law Enforcement Officer whose name appears below.

Signature of Person Summoned

**REFUSAL TO ACKNOWLEDGE, IN WRITING,
RECEIPT OF POTENTIAL LIABILITY WARNING**

_____, was given a copy of this **POTENTIAL LIABILITY WARNING**, but refused to sign the acknowledgment of receipt.

Print Name of Person Summoned

Signature of Law Enforcement Officer

Date & Time of Refusal to Acknowledge

**N.J. ATTORNEY GENERAL'S STANDARD STATEMENT
FOR MOTOR VEHICLE OPERATORS (N.J.S.A. 39:4-50.2(e))
(revised & effective July 1 , 2012)**

Enter Defendant's Name Snow, Colleen

The police officer shall read the following:

1. You have been arrested for driving while intoxicated. N.J.S.A. 39:4-50.
2. The law requires you to submit samples of your breath for the purpose of testing to determine alcohol content.
3. A record of the taking of the breath samples, including the test results, will be made. Upon your request, a copy of that record will be made available to you.
4. After you have provided samples of your breath for testing, you have the right, at your own expense, to have a person or physician of your own selection take independent samples of your breath, blood or urine for independent testing.
5. If you refuse to provide samples of your breath, you will be issued a separate summons for the refusal. A court may find you guilty of both refusal and driving while intoxicated.
6. If a court finds you guilty of the refusal, you will be subject to various penalties, including license revocation of up to 20 years, a fine of up to \$2000, installation of an ignition interlock, and referral to an Intoxicated Driver Resource Center. These penalties may be in addition to penalties imposed by the court for any other offense of which you are found guilty.
7. You have no legal right to have an attorney, physician or anyone else present for the purpose of taking the breath samples. You have no legal right to refuse to give, or delay giving, samples of your breath.
8. Any response from you that is ambiguous or conditional, in any respect, to my request that you provide breath samples, will be treated as a refusal to submit to breath testing. Even if you agree to take the test, but then do not follow my instructions, do not properly perform the test, or do not provide sufficient breath samples, I will charge you with refusal to submit to breath testing.
9. I repeat, the law requires you to submit samples of your breath for testing. Will you submit the samples of your breath?

Answer Yeah

If the arrested person does not respond, or gives any ambiguous or conditional answer short of an unequivocal "yes," the police officer shall read the following.

Your answer is not acceptable. The law requires that you submit samples of your breath for breath testing. If you do not answer, or answer with anything other than "yes," I will charge you with refusal. Now, I ask you again, will you submit to breath testing?

Answer _____