

BRADLEY D. BILLHIMER
Ocean County Prosecutor

JOSEPH F. MITCHELL
Chief of Detectives



MICHAEL T. NOLAN, JR.
First Assistant Prosecutor

ROBERT J. ARMSTRONG
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR

Courthouse Annex Building
119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027

October 23, 2020

Via OPRA Machine: opra+request-17697-29eb8a9d@requests.opramachine.com

RE: Open Public Records Act (OPRA) Request
OCPO Case# 20002416
State v. Daniel Testa

Dear Sir/Madam:

I am in receipt of your request for documents made under the New Jersey Open Public Records Act (OPRA) pertaining to the above matter. Please be advised that this response supersedes and replaces our prior response dated October 19, 2020 to your request of October 15, 2020. Enclosed please find a copy of the Complaint Summons, Affidavit of Probable Cause and the Preliminary Law Enforcement Incident Report. Also enclosed please find a copy of the arrest report/global subject activity report (item 1 of your request), and motor vehicle summonses issued (item 7 of your request). Redactions of personal identifying information have been made pursuant to N.J.S.A. 47:1A-1.1, et seq.

Please be advised that this Agency is not in possession of any CAD report(s) as of this date.

Please be further advised that the additional documents you are seeking (items 2 through 6 of your request), are considered criminal investigatory records, and as such, they are exempt from disclosure under OPRA, pursuant to N.J.S.A. 47:1A-1.1, et seq. As such, your request for same is denied.

Should you disagree with our decision, please contact us in writing with your concerns so that we may consider them. If I can be of further assistance, please contact me at 732-929-2027, x3135.

Yours very truly,

Dina R. Khajezadeh

Dina R. Khajezadeh
Assistant Prosecutor

DRK/dp

Enclosures

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



Global Subject Activity Report

Detail



Print Date/Time: 08/20/2020 11:17

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Testa, Daniel P Jacket: 800176338 A SSN: [REDACTED]
Address: 36 CATALINA DR
 BRICK TOWNSHIP NJ 08723
Phone #: [REDACTED]
DOB: 09/18/1980
Race: White
DL State: NJ
Sex: Male
Height: 6ft 0in to 6ft 0in
Weight: 141.0 lbs. to 190.0 lbs.
Eyes: Brown
Hair: Bald
DL#: [REDACTED]

Physical Characteristics:

Appearance: Normal	Country/State of Birth: US/NJ	Age Range:
Hair Style: Straight	City of Birth: Elizabeth	Hand Preference: Right
Hair Length: Short	County of Origin: Union	Place of Birth: New Jersey
Facial Shape: Round	Ethnicity: Non Hispanic	Occupation: Employed
Complexion: Medium	Citizenship: US	# of Dependents: 3
Build: Medium	Tribe: Not Applicable	Primary Language: English
Glasses: No	Hate Group: Not Applicable	Second Language:
Teeth: Normal	Military Service: US Army National Guard	Gang Affiliation: Not Applicable
Speech: Normal	Military Discharge: 10/01/1999	Marital Status: Married
Voice: Medium Pitch	School: College - Attended	Blood Type: O Positive
Mustache: None	Beard: None	Religion: Christian
Known Offender: No	DNA Collected Date:	Illegal Alien: No

Assaultive

County of Conviction:

State Of Conviction:

Identifying Clothing:

Modus Operandi

Alcohol On Breath
 Alcohol Consumed

Crime Specialities

Aliases

Type	Alias	DOB	Race	Sex	SSN	Hair	Eyes	DL#	Height	Weight	Phone
AKA	Testa, Daniel Patrick	09/18/1980	White	Male		Bald	Brown	[REDACTED]	6ft 0in	190.0 lbs.	[REDACTED]

Nicknames

Entered Date/Time	Nickname Type	Nickname
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Associated IDs

Issue Date	ID Type	Number	Issuing State	Start Date	Expire Date
	Drivers License	[REDACTED]	NJ		09/30/2021
	*SBI	355384G			

Known Associates

Relationship	Name
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School/Employer Information

Relationship	School/Employer Name	Phone Type	Phone
Employer Business	Brick Twp PD		
Employer	Brick Township Police Dept.	Business	(732)262-1100

Scars, Marks, Tattoos

Type	Location	Scar, Mark or Tattoo Detail	Description
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Handicap Information

Handicap



Global Subject Activity Report



Detail

Print Date/Time: 08/20/2020 11:17

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Current Address Information

Address Type	Address	City	State	Zip
Home	36 CATALINA DR	BRICK TOWNSHIP	NJ	08723

Prior Address Information

Address Type	Address	City	State	Zip	From Date	To Date

Contact Information

Date	Type	Phone	Extension
03/16/2020 08:44	Business	(732)262-1100	
03/14/2020 01:21	Home		
08/17/2020 08:29	Cell		

Vehicle Information

Vehicle #	Role	Contact Date	Vehicle Type	Make	Model	Vehicle Year	Registration Number	State

Type : Booking

Date	Activity Reference	Description	ORI
08/16/2020 22:45	2020-00000699	Booking Charge(s): 39:4-97,Careless driving 39:4-50,Operating under influence of liquor or drugs 39:4-50.15.b.,Operating under the influence w/ minor passenger 39:4-96,Reckless driving 39:4-88B,Unsafe Lane Change	NJ0150600



Global Subject Activity Report

Detail



Print Date/Time: 08/20/2020 11:17
Login ID: jsisco
Type : Tickets & Citations

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
[REDACTED]			
08/16/2020 21:44	SC033524	Township Ordinance Charge(s): 39:4-50.15.b(tickets),DWI RECORDS USE ONLY	NJ0150600
08/16/2020 21:44	T163749	Moving Violation Charge(s): 39:4-50,Operating under influence of liquor or drugs	NJ0150600
08/17/2020 00:04	1506E20002741	Moving Violation Charge(s): 39:4-97,Careless driving	NJ0150600
08/17/2020 00:13	1506E20002742	Moving Violation Charge(s): 39:4-96,Reckless driving	NJ0150600
08/17/2020 00:15	1506E20002743	Moving Violation Charge(s): 39:4-88B,Unsafe Lane Change	NJ0150600

TICKET # : T - 163749

BRICK TOWNSHIP MUNICIPAL COURT

COURT CODE: 1506

NAME : DANIEL P TESTA
 ADDRESS : 36 CATALINA DRIVE
 CITY : BRICK STATE : NJ ZIP : 08723
 LICENSE # : [REDACTED] STATE : NJ COMM LIC : NO
 DATE OF BIRTH : 09/18/1980 SEX : M EYES : Brown
 OFFENSE : 39:4-50
 DESCRIPTION : OPERATING UNDER INFLUENCE OF LIQUOR OR DRUGS
 DATE & TIME : 08/16/2020 at 09:44 PM
 LOCATION : DRUM POINT/HOOPER
 MUNICIPALITY OF OFFENSE : 1506 - BRICK TWP

MAKE OF VEHICLE : Toyota
 BODY TYPE : Pickup Truck
 VEHICLE PLATE # : [REDACTED] STATE : NJ
 COMM VECH :
 HAZARDOUS MATERIAL : NO
 SPEED :
 65 MPH ZONE : NO
 AGENCY/OFFICER ID : 1506/0303
 EXCESS WGT : 0

YEAR : 2017
 COLOR : TN - Tan
 EXP DATE : 01/2021
 OMNIBUS : NO
 OUT OF SERVICE : NO
 IN A MPH ZONE :
 SAFE CORRIDOR : NO
 CONSTRUCTION : NO
 PERSONAL INJURY : NO
 DEATH / SERIOUS BODY INJ : NO

FIRST APPEARANCE, ARRAIGNMENT & COUNSEL INFORMATION

First Appearance Date ___/___/___ Arraignment Date ___/___/___

☐ Advised of Rights Defendant desires Counsel:
By _____ ☐ Yes ☐ No

Counsel:

Assigned: ☐ Yes ☐ No Name : _____
(if yes, name of counsel)Retained: ☐ Yes ☐ No Name : _____
(if yes, name of counsel)Waived: ☐ Yes ☐ No Name : _____
(if yes, name of Judge accepting waiver)

Name of Prosecuting Attorney : _____

Affiliation: ☐ Municipal ☐ County ☐ State☐ Other (list) _____**COURT ACTION**

Complaint Amended To : _____

Initial Plea : ☐ Guilty ☐ Not Guilty Date : ___/___/___Final Plea : ☐ Guilty ☐ Not Guilty Date : ___/___/___

Finding : Date : ___/___/___

☐ Guilty ☐ Guilty but Merged ☐ Not Guilty☐ If Guilty, Advised of Rights to Appeal

☐ Dismissed - Plea Agreement ☐ Dismissed - Rule
☐ Dismissed - Pros Discretion ☐ Dismissed - False ID
☐ Dismissed - Lack of Prosecution ☐ Dismissed - Police
☐ Dismissed - Other

Sentence :

FINE : \$ _____ COSTS : \$ _____ SANCTIONS : \$ _____

VCCO : \$ _____ DWI : \$ _____ SNSF : \$ _____

OTHER : \$ _____ TOTAL : \$ _____

Period of DL Suspension : _____

IDRC : _____ Comm. Service : _____

Ignition Interlock : _____ mo/yr Reg. Susp : _____ mo/yr

Jail Term / Jail Credit : _____ Credit For : _____

COURT INFORMATION

Court Date : 09/15/2020

Court Time : 09:30 AM

BENCH WARRANT / BAIL INFORMATION

Failed to Appear Date : ___/___/___

Warrant Date : ___/___/___ Ordered by : _____
(Signature and Title of person issuing warrant)

Bail Amount : \$ _____ Set by : _____

☐ Cash ☐ Bond (Signature and Title of person setting bail)Posted With: _____
(Name & Title)☐ Forfeited ☐ Return ☐ Reinstated Amount : \$ _____Date : ___/___/___
(Signature of Judge)**JUDGE'S COMMENTS**

Signature of Judge : _____

Dated : ___/___/___

TICKET # : E20 - 002741

BRICK TOWNSHIP MUNICIPAL COURT

COURT CODE: 1506

NAME : DANIEL P TESTA
 ADDRESS : 36 CATALINA DRIVE
 CITY : BRICK STATE : NJ ZIP : 08723
 LICENSE # : [REDACTED] STATE : NJ COMM LIC : NO
 DATE OF BIRTH : 09/18/1980 SEX : M EYES : Brown
 OFFENSE : 39:4-97
 DESCRIPTION : CARELESS DRIVING; LIKELY TO ENDANGER PERSON OR PROPERTY
 DATE & TIME : 08/17/2020 at 12:04 AM
 LOCATION : HOOPER AVENUE
 MUNICIPALITY OF OFFENSE : 1506 - BRICK TWP

MAKE OF VEHICLE : Toyota
 BODY TYPE : Pickup Truck
 VEHICLE PLATE # : [REDACTED] STATE: NJ
 COMM VECH : NO
 HAZARDOUS MATERIAL : NO
 SPEED :
 65 MPH ZONE : NO
 AGENCY/OFFICER ID : 1506/0303
 EXCESS WGT : 0

YEAR : 2017
 COLOR :
 EXP DATE :
 OMNIBUS : NO
 OUT OF SERVICE : NO
 IN A MPH ZONE :
 SAFE CORRIDOR : NO
 CONSTRUCTION : NO
 PERSONAL INJURY : NO
 DEATH / SERIOUS BODY INJ : NO

FIRST APPEARANCE, ARRAIGNMENT & COUNSEL INFORMATION

First Appearance Date ___/___/___ Arraignment Date ___/___/___

☐ Advised of Rights Defendant desires Counsel:By _____ ☐ Yes ☐ No

Counsel:

Assigned: ☐ Yes ☐ No Name : _____
(if yes, name of counsel)Retained: ☐ Yes ☐ No Name : _____
(if yes, name of counsel)Waived: ☐ Yes ☐ No Name : _____
(if yes, name of Judge accepting waiver)

Name of Prosecuting Attorney : _____

Affiliation: ☐ Municipal ☐ County ☐ State☐ Other (list) _____**COURT ACTION**

Complaint Amended To : _____

Initial Plea : ☐ Guilty ☐ Not Guilty Date : ___/___/___Final Plea : ☐ Guilty ☐ Not Guilty Date : ___/___/___

Finding : Date : ___/___/___

☐ Guilty ☐ Guilty but Merged ☐ Not Guilty☐ If Guilty, Advised of Rights to Appeal

☐ Dismissed - Plea Agreement ☐ Dismissed - Rule
☐ Dismissed - Pros Discretion ☐ Dismissed - False ID
☐ Dismissed - Lack of Prosecution ☐ Dismissed - Police
☐ Dismissed - Other

Sentence :

FINE : \$ _____ COSTS : \$ _____ SANCTIONS : \$ _____

VCCO : \$ _____ DWI : \$ _____ SNSF : \$ _____

OTHER : \$ _____ TOTAL : \$ _____

Period of DL Suspension : _____

IDRC : _____ Comm. Service : _____

Ignition Interlock : _____ mo/yrs Reg. Susp : _____ mo/yrs

Jail Term / Jail Credit : _____ Credit For : _____

COURT INFORMATION

Court Date : 08/26/2020

Court Time : 09:00 AM

BENCH WARRANT / BAIL INFORMATION

Failed to Appear Date : ___/___/___

Warrant Date : ___/___/___ Ordered by : _____
(Signature and Title of person issuing warrant)

Bail Amount : \$ _____ Set by : _____

☐ Cash ☐ Bond (Signature and Title of person setting bail)Posted With: _____
(Name & Title)☐ Forfeited ☐ Return ☐ Reinstated Amount : \$ _____Date : ___/___/___
(Signature of Judge)**JUDGE'S COMMENTS**

Signature of Judge : _____

Dated : ___/___/___

TICKET # : E20 - 002743

BRICK TOWNSHIP MUNICIPAL COURT

COURT CODE: 1506

NAME : DANIEL P TESTA
 ADDRESS : 36 CATALINA DRIVE
 CITY : BRICK STATE : NJ ZIP : 08723
 LICENSE # : [REDACTED] STATE : NJ COMM LIC : NO
 DATE OF BIRTH : 09/18/1980 SEX : M EYES : Brown
 OFFENSE : 39:4-88B
 DESCRIPTION : TRAFFIC ON MARKED LANES - UNSAFE LANE CHANGE
 DATE & TIME : 08/17/2020 at 12:15 AM
 LOCATION : HOOPER AVENUE
 MUNICIPALITY OF OFFENSE : 1506 - BRICK TWP

MAKE OF VEHICLE : Toyota YEAR : 2017
 BODY TYPE : Pickup Truck COLOR :
 VEHICLE PLATE # : [REDACTED] STATE: NJ EXP DATE :
 COMM VECH : NO OMNIBUS : NO
 HAZARDOUS MATERIAL : NO OUT OF SERVICE : NO
 SPEED : IN A MPH ZONE :
 65 MPH ZONE : NO SAFE CORRIDOR : NO
 AGENCY/OFFICER ID : 1506/0303 CONSTRUCTION : NO
 EXCESS WGT : 0 PERSONAL INJURY : NO
 DEATH / SERIOUS BODY INJ : NO

FIRST APPEARANCE, ARRAIGNMENT & COUNSEL INFORMATION

First Appearance Date: ___/___/___ Arraignment Date: ___/___/___

☐ Advised of Rights Defendant desires Counsel:By: _____ ☐ Yes ☐ No

Counsel:

Assigned: ☐ Yes ☐ No Name: _____
(if yes, name of counsel)Retained: ☐ Yes ☐ No Name: _____
(if yes, name of counsel)Waived: ☐ Yes ☐ No Name: _____
(if yes, name of Judge accepting waiver)

Name of Prosecuting Attorney: _____

Affiliation: ☐ Municipal ☐ County ☐ State☐ Other (list) _____**COURT ACTION**

Complaint Amended To: _____

Initial Plea: ☐ Guilty ☐ Not Guilty Date: ___/___/___Final Plea: ☐ Guilty ☐ Not Guilty Date: ___/___/___

Finding: _____ Date: ___/___/___

☐ Guilty ☐ Guilty but Merged ☐ Not Guilty☐ If Guilty, Advised of Rights to Appeal☐ Dismissed - Plea Agreement☐ Dismissed - Rule☐ Dismissed - Pros Discretion☐ Dismissed - False ID☐ Dismissed - Lack of Prosecution☐ Dismissed - Police☐ Dismissed - Other**Sentence :**

FINE : \$ _____ COSTS : \$ _____ SANCTIONS : \$ _____

VCCO : \$ _____ DWI : \$ _____ SNSF : \$ _____

OTHER : \$ _____ TOTAL : \$ _____

Period of DL Suspension : _____

IDRC : _____ Comm. Service : _____

Ignition Interlock : _____ mo/yrs Reg. Susp : _____ mo/yrs

Jail Term / Jail Credit : _____ Credit For : _____

COURT INFORMATION

Court Date : 08/26/2020

Court Time : 09:00 AM

BENCH WARRANT / BAIL INFORMATION

Failed to Appear Date: ___/___/___

Warrant Date: ___/___/___ Ordered by: _____
(Signature and Title of person issuing warrant)

Bail Amount: \$ _____ Set by: _____

☐ Cash ☐ Bond (Signature and Title of person setting bail)Posted With: _____
(Name & Title)☐ Forfeited ☐ Return ☐ Reinstated Amount: \$ _____Date: ___/___/___
(Signature of Judge)**JUDGE'S COMMENTS**

Signature of Judge: _____

Dated: ___/___/___

COURT CODE: 1506

MAKE OF VEHICLE	: Toyota	YEAR	: 2017
BODY TYPE	: Pickup Truck	COLOR	:
VEHICLE PLATE #	: [REDACTED]	STATE: NJ	EXP DATE :
NO COMM VECH	: NO	OMNIBUS	: NO
HAZARDOUS MATERIAL	: NO	OUT OF SERVICE	: NO
SPEED	:	IN A MPH ZONE	:
65 MPH ZONE	: NO	SAFE CORRIDOR	: NO
AGENCY/OFFICER ID	: 1506/0303	CONSTRUCTION	: NO
EXCESS WGT	: 0	PERSONAL INJURY	: NO
		DEATH / SERIOUS BODY INJ	: NO

COURT INFORMATION

Court Date : 08/26/2020 Court Time : 09:00 AM

BENCH WARRANT / BAIL INFORMATION

Failed to Appear Date : ____/____/____

Warrant Date : ____/____/____ Ordered by : _____
(Signature and Title of person issuing warrant)

Bail Amount : \$_____ Set by : _____
☐ Cash ☐ Bond (Signature and Title of person setting bail)

Posted With: _____
(Name & Title)

☐ Forfeited ☐ Return ☐ Reinstated Amount : \$ _____

Date : ____/____/_____
(Signature of Judge)

JUDGE'S COMMENTS

[illegible]

[illegible]

.....

.....

Dated : ____/____/____

1506

SC

033524

Township of Brick
401 Chambersbridge Road
Brick Town, NJ 08723

The State of New Jersey

vs.

Defendant's Name: First			Initial			Last		
Daniel			P.			Testa		
Address						City		
36 Catalina Dr.						Brick		
State	Zip Code	Telephone		SOCIAL SECURITY NUMBER				
NJ	08723	-						
Birth Date:	Mo	Day	Yr	Sex	Eyes	Color	Height	Restrictions
	9	18	80	M	Brown		6'00"	
Driver's License #								
2								
				State	Exp. Date			
				NJ	9-30-21			

STATE OF NEW JERSEY
COUNTY OF

OCEAN

JSS;

Complaining Witness:

PH. Talty

(Name)

of

Brick PD

(Badge No.) 303

Residing at

401 Chambers Bridge Rd.

by certification or on oath, says that to the best of his/her knowledge or information and belief, the

named defendant on or about the

8

16

20

21:44

in

BRICK

Month

Day

Year

Time

in

BRICK

COUNTY

1506

CODE

County of

OCEAN

N.J.

did commit the following offense:

D.W.I with minor as a
Passenger
(DESCRIPTION OF OFFENSE)

in violation of (one charge only)

39:4-50.15

(Statute, Regulation or Ordinance Number)

LOCATION OF OFFENSE

Describe Location

Dram Point / Hager Ave.

OATH: Subscribed and sworn to before me

this _____ day of _____, yr _____

CERTIFICATION: I certify that the foregoing
statements made by me are true. I am aware
that if any of the foregoing statements made
by me are willfully false, I am subject to
punishment.

OR

(Signature of Complaining Witness)

8/16/20

(Date)

303

(Signature of Person Administering Oath)

(Signature of Complaining Witness)

PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:

COURT USE ONLY

LAW/CODE ENFORCEMENT USE ONLY

Probable cause is found for the issuance of
this Complaint-Summons.

☒ The complaining witness is a law
enforcement officer or a code
enforcement officer with territorial and
subject matter jurisdiction and a judicial
probable cause determination is not
required prior to the issuance of this
Complaint-Summons.

YES

NO

(Signature of Judicial Officer)

YES

NO

(Signature of Judge)

YOU ARE HEREBY SUMMONED TO APPEAR

BEFORE THIS COURT TO ANSWER THIS COMPLAINT IF YOU FAIL TO APPEAR ON THE DATE
AND AT THE TIME STATED, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

NOTICE TO APPEAR

☒ COURT APPEARANCE REQUIRED	COURT DATE	Month	Day	Year	Time	9:00 AM
		9	16	20		

8/16/20

4266 303

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1506	S	2020	000618
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #:	
COMPLAINANT NAME: HENRY DREW LT. 401 CHAMBERS BRDG RD ATTN WARRANTS BRICK TOWN NJ 08723			
DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 09/18/1980 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #:			

THE STATE OF NEW JERSEY

VS.

DANIEL P TESTA

ADDRESS: 36 CATALINA DRIVE

BRICK

NJ 08723-0000

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **08/16/2020** in **BRICK TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF CRUELTY AND NEGLECT OF CHILDREN BY COMMITTING AN UNLAWFUL ACT OR DEED IN THE PRESENCE OF D.T., M.T., AND M.T. (JUVENILES) WHICH SUBJECTED THEM TO DANGER, SPECIFICALLY BY OPERATING HIS VEHICLE WITH D.T., M.T., AND M.T. AS OCCUPANTS, AND WHILE OPERATING SAID VEHICLE WITH A BAC OF .18%.

in violation of:

Original Charge	1) 9:6-3	2)	3)
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: HENRY DREW LT. Date: 08/19/2020

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN

at the following address: OCEAN SUPERIOR COURT

120 HOOPER AVE

TOMS RIVER

NJ 08753-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: 08/16/2020 Appearance Date: 08/19/2020 Time: 09:00AM Phone: 732-504-0700

Signature of Person Issuing Summons: HENRY DREW LT. Date: 08/19/2020

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim
- ☐ No possession firearms/weapons
- ☐ Other (specify):

ORIGINAL

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER										STATE V.									
1506		S		2020		000618		DANIEL P TESTA											
COURT CODE		PREFIX		YEAR		SEQUENCE NO.													
FTA Bail Information				Date Bail Set:				Amount Bail Set: \$ _____ by: _____				☐ Bail Recog. Attached							
Released on Bail		R.O.R.		Committed Default		Committed w/o Bail		Place Committed:				Date Referred to County Prosecutor: _____							
Date of First Appearance: 08/19/2020				☐ Advised of Rights by _____				Defendant Desires Counsel: ☐ Yes ☐ No											
Prosecuting Attorney Information						Defense Counsel Information													
Name:						Name:													
State		County		Municipal		Other		None		Retained		Public Def		Assigned		Waived		Other	
Original Charge		1) 9:6-3				2)				3)									
Amended Charge																			
Waiver Indt/Jury																			
Plea/Date of Plea		Plea:		Date:		Plea:		Date:		Plea:		Date:		Plea:		Date:			
Adjudication (* see code)		Finding Code:		Date:		Finding Code:		Date:		Finding Code:		Date:		Finding Code:		Date:			
Jail Term				Jail time credit		Susp. Imp				Jail time credit		Susp. Imp				Jail time credit		Susp. Imp	
Probation Term						Susp. Imp						Susp. Imp						Susp. Imp	
Cond. Discharge Term																			
Community Service																			
D/L Suspension Term																			
Fines/Costs		Fines:		Costs:		Fines:		Costs:		Fines:		Costs:		Fines:		Costs:			
VCCB/SNSF		VCCB:		SNSF:		VCCB:		SNSF:		VCCB:		SNSF:		VCCB:		SNSF:			
DEDRLab Fee		DEDR:		LAB:		DEDR:		LAB:		DEDR:		LAB:		DEDR:		LAB:			
CD Fee/Drug Ed Fnd		CD:		DAEF:		CD:		DAEF:		CD:		DAEF:		CD:		DAEF:			
DV Surch/Other Fees		DV:		Other:		DV:		Other:		DV:		Other:		DV:		Other:			
Restitution																			
Beneficiary: _____																			
Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:										* Finding Codes 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID									
Related Traffic Tickets and Complaints:																			
JUDGE'S SIGNATURE _____ DATE _____										ORIGINAL - Court Action									
										Page 2 of 7 NJ/CDR1 1/1/2017									

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER

1506**S****2020****000618**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
1

CO-DEFTS

POLICE CASE #:

COMPLAINANT

NAME: **HENRY DREW LT.***THE STATE OF NEW JERSEY*

VS.

DANIEL P TESTA

ADDRESS:

36 CATALINA DRIVE**BRICK****NJ 08723-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **09/18/1980**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

(C)

LIVESCAN PCN #:

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **08/16/2020** in **BRICK TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF CRUELTY AND NEGLECT OF CHILDREN BY COMMITTING AN UNLAWFUL ACT OR DEED IN THE PRESENCE OF D.T., M.T., AND M.T. (JUVENILES) WHICH SUBJECTED THEM TO DANGER, SPECIFICALLY BY OPERATING HIS VEHICLE WITH D.T., M.T., AND M.T. AS OCCUPANTS, AND WHILE OPERATING SAID VEHICLE WITH A BAC OF .18%.

in violation of:

Original Charge

1) **9:6-3**

2)

3)

Amended Charge

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Signed: **HENRY DREW LT.** Date: **08/19/2020**

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: **OCEAN**

at the following address: **OCEAN SUPERIOR COURT**

120 HOOPER AVE**TOMS RIVER****NJ 08753-0000**

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: **08/16/2020** Appearance Date: **08/19/2020** Time: **09:00AM** Phone: **732-504-0700**

Signature of Person Issuing Summons: **HENRY DREW LT.** Date: **08/19/2020**

☐ Domestic Violence – Confidential☐ Related Traffic Tickets
or Other Complaints☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim
☐ No possession firearms/weapons
☐ Other (specify):

COMPLAINT - SUMMONS (DEFENDANT'S COPY)**Page 3 of 7**

NJ/CDR1 1/1/2017

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER

1506**S****2020****000618**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT**401 CHAMBERS BRIDGE****BRICK NJ 08723-0000****732-262-1226** COUNTY OF: **OCEAN**

of CHARGES

1

CO-DEFTS

POLICE CASE #:

COMPLAINANT **HENRY DREW LT.**NAME: **401 CHAMBERS BRIDGE RD****ATTN WARRANTS****BRICK TOWN****NJ 08723****THE STATE OF NEW JERSEY****VS.****DANIEL P TESTA**

ADDRESS :

36 CATALINA DRIVE**BRICK****NJ 08723-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **09/18/1980**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #: (C)

LIVESCAN PCN #:

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **08/16/2020** in **BRICK TWP**, **OCEAN** County, **NJ** did:
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF CRUELTY AND
NEGLECT OF CHILDREN BY COMMITTING AN UNLAWFUL ACT OR DEED IN THE PRESENCE OF
D.T., M.T., AND M.T. (JUVENILES) WHICH SUBJECTED THEM TO DANGER, SPECIFICALLY BY
OPERATING HIS VEHICLE WITH D.T., M.T., AND M.T. AS OCCUPANTS, AND WHILE
OPERATING SAID VEHICLE WITH A BAC OF .18%.

in violation of:

Original Charge

1) **9:6-3**

2)

3)

Check
✓**Certification by Police Regarding Complaint-Summons**

I certify that I served the complaint-summons by delivering a copy to the defendant personally.

I certify that I personally served the complaint-summons by leaving
a copy at the defendant's usual place of abode with a competent
member of the household of the age 14 or over

Name of family member over 14 years of age

I certify that I mailed a copy of the complaint-summons by ordinary
mail to the defendant at his or her last known address.

Defendant's last known address

I certify that I served the complaint-summons by delivering a copy
to a person authorized to receive service of process on the
defendant's behalf.

Name and title of authorized person

✓

Other manner of service: I certify that I served the complaint-summons
in the following manner: **REG. MAIL TO DEF. ATTORNEY ROBERT ROSENBERG**

I certify that I was unable to serve the complaint-summons.

Signed: **HENRY DREW LT. BRICK TWP POLICE DEPT**

Name, Title and Department of Officer

Date of Action: **08/19/2020****RETURN OF SERVICE
INFORMATION**

Affidavit of Probable Cause

COMPLAINT NUMBER			
1506	S	2020	000618
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #:	
COMPLAINANT HENRY DREW LT. NAME: 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723			
DEFENDANT INFORMATION		ADDRESS:	
SEX: M EYE COLOR: BROWN DOB: 09/18/1980		36 CATALINA DRIVE	
DRIVER'S LIC. #: [REDACTED] DL STATE: NJ		BRICK NJ 08723-0000	
SOCIAL SECURITY #: [REDACTED] SBI #:			
TELEPHONE #: [REDACTED] (C)			
LIVESCAN PCN #:			

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:

On August 16, 2020, Daniel Testa was stopped for motor vehicle violations and for being suspected of driving while under the influence. Present in Daniel Testa's vehicle were three juveniles, D.T., M.T., and M.T. Daniel Testa was subsequently arrested for DWI (39:4-50), and transported to Brick Police HQ. At Brick Police HQ, Testa submitted to Alcotest testing. The Alcotest machine indicated that Testa's B.A.C. was .18%.

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

S

2020

000618

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

DANIEL P TESTA

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

I am aware of the facts above by being present at police headquarters during the processing of Daniel Testa, and by the statements of the arresting officers. I also reviewed the body worn camera footage of the incident.

3. If victim was injured, provide the extent of the injury:

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: HENRY DREW LT. LAW ENFORCEMENT OFFICER

Date: 08/19/2020

Affidavit of Probable Cause

Page 6 of 7

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER

1506**S****2020****000618**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES

1

CO-DEFTS

POLICE CASE #:

COMPLAINANT **HENRY DREW LT.**
NAME: **401 CHAMBERSBRDG RD**
ATTN WARRANTS
BRICK TOWN NJ 08723

ADDRESS:

36 CATALINA DRIVE**BRICK****NJ 08723-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **09/18/1980**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

LIVESCAN PCN #:

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

- Another law enforcement officer(s) personally observed the offense, List the officer(s) and their badge#
303,210,228
- The charge was based on the observations/statements made by an eyewitness(es).
 - The witness statement(s) were recorded via:
 - *Body-Worn Camera
- The offense/incident was recorded using electronic/surveillance via:
 - Body-Worn Camera
- The defendant operated a motor vehicle in a manner that endangered public safety.
- Child(ren) were present at the time of the offense and:
 - Child(ren) were placed at risk by the offense
- The defendant appeared to be under the influence of drugs or alcohol at the time of the offense.
- A member of the public provided information to a 9-1-1 call center or dispatcher (or similar).
- The police received relevant information via radio from a 911 dispatcher (or similar).

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: **HENRY DREW LT. LAW ENFORCEMENT OFFICER**Date: **08/19/2020****Preliminary Law Enforcement Incident Report****Page 7 of 7**

7/20/2018