

STAFFORD TWP POLICE

ARREST REPORT

Identification Number

1. Complaint Number I-2018-022596		2. Mun. Code 1530		3. Phone Number 609-597-8581		4. UCR		5. Prosecutor's Case Number		6. Criminal Case Number									
7. Name Last FOY			First KATHLEEN			Middle C			8. Phone		9. Alias-Nickname								
10. Full Address FORECASTLE AVENUE, MANAHAWKIN NJ 08050								11. Place of Birth		12. Date of Birth									
13. Age 57		14. Sex		15. Race		15(A). Ethnicity		16. Height		17. Weight		18. Hair		19. Eyes		20. Complexion		21. Marital Status Married	
22. Other Descriptive Information NONE								22-A. FBI #		22-B. SBI #		23. Driver's License Number							
24. Employer / School								25. Occupation / Grade UNEMPLOYED				26. Social Security Number							
27. Employer / School Address										28. Employer / School Phone									

DETAILS OF ARREST

29. Arrest Date 9/25/2018		30. Time 10:14		31. Location of Arrest FORECASTLE AVENUE, MANAHAWKIN NJ 08050				32. Municipal Code 1530		Warrant / Summons No. E18-4332			
33. Crime DRIVING WHILE UNDER THE INFLUENCE						34. N.J.S. Statute 39:4-50		35. Arresting Officer PATROL OFFICER GRIFFIN, RUSSELL					
36. Complainant's Name and Address PATROL OFFICER GRIFFIN, RUSSELL STAFFORD TOWNSHIP POLICE DEPARTMENT - 260 East Bay										37. Phone Number 609-597-8581			
38. Crime Date 9/25/2018		39. Time 10:07		40. Location of Crime FORECASTLE AVENUE, MANAHAWKIN NJ 08050						41. Municipal Code 1530			
42. Arrest Type On View		43. Juvenile Status		44. Code		45. Constitutional Rights - By Whom PTL. GRIFFIN				46. How Responded SIGNED WAIVER			
47. Own Y		48. Multiple		49. Other		50. Printed N		51. Photo Y		52. Prev. Rec.		53. UCR A.S.R. Reported Month. Yr.	
54. Vehicle Information - VIN - Year - Make - Body Type - Color - Registration Number & State - Other Descriptive Information 1HGFA16877L012036 2007 HON 4 DR BLUE VDC87R NJ													

BAIL HEARING

55. Date		56. Court		57. Judge/Authorized Person	
58. Bail Amount		59. Results of Hearing		60. Code	
61. Place Committed/Detained					

FINAL RESULTS

62. Date		63. Court		64. Judge	
65. Verdict		66. Code		67. Disposition	
68. Date		69. Code			

JUVENILE INFORMATION

70. Parent/Guardian Contacted By		71. Date		72. Time		73. Released To:		Relationship	
74. Full Address - Number - Street - City - State - Zip Code - Municipality						75. Date		76. Time	
77. Phone Number									
78. Parent/Guardian		79. Full Address - Number - Street - City - State - Zip Code - Municipality						80. Phone Number	
81.-89. Narrative / Add'l Charges ***** PARTIES AND CHARGE(S) ***** NAME: FOY, KATHLEEN C DOB: [REDACTED] STATUTE: 39:4-96 RECKLESS DRIVING CHARGE DATE: 9/25/2018 CHARGING OFFICER: PATROL OFFICER GRIFFIN, RUSSELL NAME: FOY, KATHLEEN C DOB: [REDACTED] STATUTE: 39:4-88B UNSAFE LANE CHANGE CHARGE DATE: 9/25/2018 CHARGING OFFICER: PATROL OFFICER GRIFFIN, RUSSELL NAME: FOY, KATHLEEN C DOB: [REDACTED] STATUTE: 39:3-76.2 SAFETY BELTS REQUIRED CHARGE DATE: 9/25/2018 ...									
Name: PATROL OFFICER GRIFFIN,		91. Badge Number 0096		92. Completed		93. Date of Report Sep 26, 2018		94. Reviewed By SERGEANT CONFORTI, ROBERT C	
90. Signature									

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CHARGING OFFICER: PATROL OFFICER GRIFFIN, RUSSELL**Refer to Drinking and Driving Report.**

STA/UNIT CODE NUMBER		STAFFORD TOWNSHIP POLICE DRINKING and DRIVING REPORT		(1) DEFENDANT FIRST NAME INITIAL LAST NAME		CASE NUMBER 1-2018-022596 SEQUENCE FILE NUMBER	
				KATHLEEN C FOY			
(2) AGE 57		(3) SEX	(4) WEIGHT	(5) EYE COLOR	(6) RACE		
(7) STREET ADDRESS FORECASTLE AVENUE		(8) CITY AND STATE MANAHAWKIN NJ		(9) SUMMONS NO. (D. D. ALLOWING ONLY) E18-4332			
(10) DRIVERS LICENSE NUMBER AND STATE CDL ☐		(11) DAY OF WEEK Tuesday		(12) VIOLATION DATE 09/25/2018			(13) VIOLATION TIME 10:07
(12) YEAR/COLOR/MAKE OF VEHICLE USED 2007 BLUE HON		(13) LICENSE NUMBER AND STATE VDC87R NJ					
(14) VEHICLE CODE 1 CODE: NON-CDL VEHICLES: (1) Passenger Car/Station Wagon, (2) Passenger Car w/Trailer, (3) Recreational Vehicle, (4) Taxi/Limo, (5) Emergency Vehicle, (6) Motorcycle, (7) Moped, (8) Pickup, (9) Van, (10) Truck, (11) Truck Combo, (12) Other CDL VEHICLES: TRUCK COMBO: (20) 8 X 4S, (21) 8.5 X 4S, (22) 8 X 4B+, (23) 8.5 X 5S, (24) Double Bottom, (25) Truck, (26) Bus, (27) School Bus, (28) Limousine (29) Other							
(15) NAME OF VEHICLE OWNER FOY, MICHAEL A			(16) ADDRESS OF OWNER FORECASTLE AVENUE, MANAHAWKIN NJ 08050-1				
(17) MUNICIPALITY OF VIOLATION STAFFORD TWP		CODE NO. 1530	(18) ROADWAY OR LOCATION FORECASTLE AVENUE, MANAHAWKIN NJ 08050		(19) COUNTY OCEAN		
(20) ARRESTED BY - BADGE NUMBER - STATION PATROL OFFICER GRIFFIN, RUSSELL 0096			(21) TESTED BY - BADGE NUMBER - STATION PATROL OFFICER GRIFFIN, RUSSELL 0096				

(22) ACCIDENT INVOLVED ☒ 1 NONE ☐ 2 PEDESTRIAN ☐ 3 FATAL ☐ 4 INJURY ☐ 5 1 VEHICLE ☐ 6 2 VEHICLES OR MORE ☐ 7 OTHER (Explain)	(23) EXAMINATION ☒ 1 CHEM. BREATH TEST ☐ 2 BREATH TEST REFUSED ☒ 3 OBSERVATION ☐ 4 DOCTOR'S EXAMINATION ☐ 5 BLOOD TEST ☐ 6 NARCOTICS, HABIT PRODUCING DRUGS, OR HALLUCINOGENIC LABORATORY ☐ YES ☐ NO REPORT #	(24) SUMMONS ISSUED FOR ☒ 1 39:4-50 INFLUENCE ☐ 2 U/ 21 Y.O.A. AND >.01% B.A.C. ☐ 3 39:3-10.13 CDL ☐ 4 39:4-14.3g MOPED ☐ 5 ALLOWING ☒ 6 BLOOD ALCOHOL RESULTS .27 % TO OPERATE ☐ 7 SUMMONS NO: (39:4-50.2 REFUSAL) ☐ 8 SUMMONS NO: (39:3-10.24 REFUSAL) ☐ 9 SUMMONS NO: (39:4-14 3g REFUSAL)
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OBSERVATIONS WERE:

(25) **ABILITY TO WALK**

☐ UNABLE TO	☐ ON HANDS AND KNEES	☒ SWAYING	☒ GRASPING FOR SUPPORT
☐ FALLING	☐ MOVED IN CIRCLES	☐ SAGGING	☒ STAGGERING

(26) **ABILITY TO STAND**

☒ SWAYING	☐ UNABLE TO STAND	☐ CONTINUAL LEANING FOR BALANCE
☐ RIGID	☐ SAGGING KNEES	☒ FEET WIDE APART FOR BALANCE

(27) **SPEECH**

☐ SHOUTING	☐ SLOBBERING	☐ BOISTEROUS	☒ SLURRED	☐ WHINING	☐ STUTTERING
☐ RAMBLING	☐ INCOHERENT	☐ WHISPERING	☐ HOARSE	☐ CRYING	☐ ACCENT
☐ SLOW					

(28) **DEMEANOR**

☐ FIGHTING	☐ INDIFFERENT	☐ ANTAGONISTIC	☐ POLITE	☐ SLEEPY
☐ EXCITED	☐ HYSTERICAL	☐ COOPERATIVE	☐ CALM	☐ CRYING

(29) **ACTIONS**

☐ PUNCHING	☒ RESISTING	☐ THUMBING NOSE	☐ DIFFICULT TO AWAKEN
☐ KICKING	☐ PROFANITY	☐ THREATENING	

(30) **EYES**

☐ BLOODSHOT	☒ WATERY	☐ DROOPY LIDS	☐ WEARING GLASSES	☒ NOT WEARING GLASSES
☐ GLASS EYE	☐ RIGHT	☐ LEFT		

(31) **CLOTHING**

☒ MUSSUED	☐ PARTLY DRESSED	☒ DEFECATED ON SAME	☒ FUMBLING	☒ SLOW
☐ DIRTY	☐ VOMITED ON	☐ URNINATED ON SAME		

(32) **MOVEMENT OF HANDS**

(33) **FACE**

☒ FLUSHED	☐ PALE
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(34) **ODOR OF ALCOHOLIC BEVERAGE ON BREATH**

☐ NONE	☒ YES
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(35) REMARKS: (if needed, to clarify observations)

(38) SEE ATTACHED - S.P. 317-1

(37) NARRATIVE OF INVESTIGATION - Number, capitalize and underline the following paragraph titles in the sequence of events. Be brief, record events in order to refresh recollection at a later time. 1. OPERATION OF THE MOTOR VEHICLE; 2. WHEN STOPPED OR ARRIVAL AT SCENE: - If an accident; 3. ENROUTE TO STATION: or wherever going; 4. AT THE STATION: or wherever taken, i.e., doctor's office, hospital, etc.; 5. List other TRAFFIC OFFENSES by summons number and statute number. (Use continuation page S.P. 317-1 if more space is needed).

1. OPERATION OF THE MOTOR VEHICLE

On September 25, 2018 at 0959 hours I was dispatched to Pier 1 Imports reference a female party who fell in the parking lot then left in a Honda Civic. I arrived at Route 72 and Doc Cramer and I witnessed a blue Honda Civic with a white female driver making a left turn onto Route 72 Westbound from Doc Cramer Boulevard. As the vehicle pulled away from me I witnessed it swerve several times. I caught up to the vehicle at Stafford Park Boulevard and followed it as it turned right onto Lighthouse Drive. I witnessed the vehicle swerve over the white fog line several times. It turned left onto Barnacle Drive and near Bluejacket Avenue I turned on my emergency lights in an attempt to initiate a motor vehicle stop with the Honda Civic bearing New Jersey registration VDC87R. It did not stop so I activated my sirens and horn. The vehicle continued for over a minute at a distance over a half mile until it pulled into the driveway at [REDACTED] Forecastle Avenue.

2. At The Scene:

I approached the driver side of the vehicle and the female driver (later identified as Kathleen Foy) attempted to exit the vehicle. I advised her to remain in the vehicle. As I stood at the opened front door, I could immediately detect a strong odor of an alcoholic beverage emanating from within. I asked Foy for her documents. Her voice was slurred as she spoke with me, her eyes were red and watery, and her hand movements were slow and fumbling. I asked Foy to exit the vehicle to conduct field sobriety tests on her for the purpose of determining her level of intoxication. I asked her to wait at the rear of her vehicle while I moved my patrol vehicle in a position so the camera would be able to record the testing. As she walked to the trunk of the vehicle she held onto the vehicle with her hand for support

The following tests were demonstrated/conducted by this officer:

A. Horizontal Gaze Nystagmus

The Defendant related that she had poor vision. She was instructed to stand with her feet together with her arms at her sides. She was then instructed to follow the tip of my finger with her eyes without moving her head.

Results: After explaining the test multiple times, the Defendant was unable to follow the instructions so the test was terminated

B. Walk and Turn

The Defendant related that she did not have any problems walking. She was instructed to stand with her right foot in front of her left foot with her arms at her sides while I demonstrated the test. She was then instructed to take nine steps in a straight line, heel to toe with her arms at her sides, turn, then take nine steps back in the same manner. She was instructed to count each step.

Results: The Defendant could not hold the instructional position and fell off balance. She then began the test before I instructed her to do so. Her steps were not heel to toe as she stumbled to a stop within several steps.

C. One Leg Stand

I advised the Defendant that I had one more test for her to perform and she related that she did not want to attempt it.

Due to my observations, Foy was placed under arrest for driving while intoxicated. She attempted to walk away and pull her hands away from me as I placed her in handcuffs. Ptl. Samaritano arrived on scene and assisted. Foy related that she had defecated. She did not want to be escorted inside her residence to get clean clothes. Foy was placed inside the rear passenger compartment of Vehicle 3041 and transported to police headquarters. Ptl. Samaritano responded to the hospital to get hospital clothes for Foy; however, at the station she did not want them.

3. ENROUTE TO STATION...

(38) TITLE PATROL OFFICER GRIFFIN, RUSSELL	SIGNATURE	BADGE NO 0096	(39) REVIEWED BY SERGEANT CONFORTI, ROBERT C
(40) DATE TO APPEAR 10/12/2018	(41) AMENDED COURT DATE	(42) REFUSAL DISPOSITION & DATE	(43) INFLUENCE DISPOSITION & DATE

STAFFORD TOWNSHIP POLICE

**DMV STANDARD STATEMENT
FOR OPERATIONS OF A MOTOR VEHICLE
N.J.S.A. 39:4-50.2(e)**

(Revised & effective, July 1, 2012)

THE ARRESTING OFFICER MUST READ THE FOLLOWING TO THE DEFENDANT:**FULL TEXT OF STANDARD STATEMENT FOLLOWS:**

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: "YEA"

(ADDITIONAL INSTRUCTIONS FOR POLICE OFFICER):

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.

FULL TEXT OF ADDITIONAL STATEMENT FOLLOWS:

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: _____

PATROL OFFICER GRIFFIN, RUSSELL

OFFICER

TIME

10:07

DATE

09/25/2018

NAME

FOY, KATHLEEN C

CASE NUMBER

I-2018-022596

**DIVISION OF MOTOR VEHICLES STANDARD STATEMENT
FOR OPERATIONS OF A COMMERCIAL MOTOR VEHICLE - N.J.S.A. 39:3-10.24e**

(Revised off Feb 1, 2001)

THE ARRESTING OFFICER MUST READ THE FOLLOWING TO THE DEFENDANT:

FULL TEXT OF STANDARD STATEMENT FOLLOWS:

1. You have been arrested for operating a commercial motor vehicle with an alcohol concentration of 0.04% or more.
2. You are required by law to submit to the taking of samples of your breath for the purposes of making chemical tests to determine your alcohol concentration.
3. A record of the taking of the samples, including the date, time and results, will be made. Upon your request, a copy of that record will be made available to you.
4. Any warnings previously given to you concerning your right to remain silent and your right to consult with an attorney do not apply to the taking of breath samples and do not give you the right to refuse to give, or to delay giving, samples of your breath for the purposes of making chemical tests to determine your alcohol concentration. You have no legal right to have an attorney, physician, or anyone else present, for the purpose of taking the breath samples.
5. After you have provided samples of your breath for chemical testing, you have the right to have a person or physician of your own selection, and at your own expense, take independent samples and conduct independent chemical tests of your breath, urine, or blood.
6. If you refuse to give samples of your breath you will be issued a separate summons for this refusal.
7. Any response that is ambiguous or conditional, in any respect, to your giving consent to the taking of breath samples will be treated as a refusal to submit to breath testing.
8. According to N.J.S.A. 39:3-10.24f, if a court of law finds you guilty of refusing to submit to chemical tests of your breath, then your license to operate any motor vehicle will be revoked by the court for a period of no less than six months and no more than two years. The Court will also fine you a sum of no less than \$250 and no more than \$600 for your refusal conviction.
9. If a court of law finds you guilty of refusing to submit to chemical tests of your breath, and you were operating a commercial motor vehicle, then your commercial driver license will be suspended by the court for a period of no less than one and no more than three years. If your refusal conviction is in connection with operating a commercial motor vehicle transporting hazardous material or displaying a hazardous material placard, then your commercial driver license will be suspended for three years. If your refusal conviction is in connection with a second or subsequent violation of any of the offenses specified at N.J.S.A. 39:3-10.20a, the Court will revoke your commercial driver license for life.
10. Any license suspension or revocation for a refusal conviction will be independent to any license suspension or revocation imposed for any related offense.
11. If you are convicted of refusing to submit to chemical tests of your breath, you must also satisfy the requirements of a program of alcohol education or rehabilitation.
12. I repeat, you are required by law to submit to the taking of samples of your breath for the purpose of making chemical tests to determine your alcohol concentration. Now, will you give the samples of your breath?

ANSWER: _____

(ADDITIONAL INSTRUCTIONS FOR POLICE OFFICER):

If the person: remains silent; or states or otherwise indicates that he/she refuses to answer on the grounds that he/she has a right to remain silent, or wishes to consult an attorney, physician, or any other person, or if the response is ambiguous or conditional in any respect whatsoever, then the police officer shall read the following additional statement:

FULL TEXT OF ADDITIONAL STATEMENT FOLLOWS:

I have previously informed you that the warnings given to you concerning your right to remain silent and your right to consult with an attorney, do not apply to the taking of breath samples and do not give you the right to refuse to give, or delay giving, samples of your breath for the purpose of making chemical tests to determine the content of alcohol in your blood. Your prior response, silence, or lack of response, is unacceptable. If you do not agree unconditionally to provide breath samples now, then you will be issued a separate summons charging you with refusing to submit to the taking of samples of your breath for the purpose of making chemical tests to determine the content of alcohol in your blood.

Once again, I ask you, will you give samples of your breath?

ANSWER: _____

PATROL OFFICER GRIFFIN, RUSSELL
OFFICER

TIME 10:07
DATE 09/25/2018

NAME FOY, KATHLEEN C

CASE NUMBER I-2018-022596

**STAFFORD TOWNSHIP POLICE DEPARTMENT
DRINKING and DRIVING REPORT**

CASE NUMBER: I-2018-022596

The Defendant remained quiet during the transport to police headquarters.

4. AT THE STATION

At 1036 hours (Alcotest time) I began to observe the Defendant continuously through the completion of the testing. During this observation period, the Defendant did not burp, vomit, or place anything into her mouth. I read the Defendant her Miranda Rights and she signed the Rights Waiver Card acknowledging that she understood those rights. She was read the standard DWI Statement (N.J.S.A 39:4-50.2(e)) and she replied with "yea" indicating her consent to submit samples for chemical breath testing. I placed my portable radio, mvr microphone, cell phone, and CED outside the Alcotest room. I then read the Defendant the instructions for providing breath samples, allowing her to read along, and at 1104 hours this officer administered the Alcotest 7110 examination. The Defendant provided two adequate samples and her blood alcohol content was recorded as .27%. A new mouthpiece was used for each test. The results were input into the Alcotest Calculator and they returned within the acceptable tolerance range.

At 1145 hours, the Defendant's sister, Nancy Neill took custody of Foy and signed the Potential Liability form.

The Defendant's vehicle was impounded by South ShoreTowing and stored on their lot. Video "nja00078_20180925140343e0" from the MVR of Vehicle 3041 has been requested to be secured as evidence.

A mandatory court appearance has been set for October 12, 2018 at 0930 hours in Stafford Township Municipal Court.

5. MOTOR VEHICLE SUMMONSES ISSUED

E18-004332	39:4-50	Driving While Intoxicated
E18-004333	39:4-96	Reckless Driving
E18-004334	39:4-88B	Failure to Maintain Lane
E18-004335	39:3-36	Failure to wear seatbelt

DRINKING DRIVER QUESTIONNAIRE

STAFFORD POLICE DEPARTMENT

DEFENDANT (FIRST NAME) KATHLEEN	(INITIAL) C	(LAST NAME) FOY	CASE NUMBER I-2018-022596	SEQUENTIAL FILE NO.
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QUESTIONS:

THE FOLLOWING QUESTIONS WERE ASKED: ON Sep 25, 2018 AT 10:45		OCCUPATION? UNEMPLOYED	
ARE YOU SICK? IF YES, EXPLAIN. [REDACTED]			
ARE YOU UNDER THE CARE OF A DOCTOR? IF SO, PROVIDE NAME & ADDRESS [REDACTED]			LAST VISIT DATE: [REDACTED] TIME: [REDACTED]
ARE YOU TAKING MEDICINE? IF SO, WHAT AND WHAT FOR? [REDACTED]			LAST DOSE? DATE: [REDACTED] TIME: [REDACTED]
DO YOU HAVE DIABETES? [REDACTED]	ARE YOU TAKING INSULIN? [REDACTED]	LAST DOSE? DATE: [REDACTED] TIME: [REDACTED]	
ARE YOU INJURED? ☐ YES ☒ NO ☐ UNK	WHERE? N/A		
ARE YOUR INJURIES AFFECTING YOU NOW? IF SO, WHAT AND HOW? NO			
NOTE ANY PHYSICAL INJURIES OR DEFORMITIES OBSERVED: [REDACTED]			

ADVISE SUBJECT OF MIRANDA WARNING:

WHAT KIND OF ALCOHOLIC DRINKS HAVE YOU HAD? WINE		HOW MANY? 3
WHERE [REDACTED] FORECASTLE AVENUE, MANAHAWKIN NJ 08050		WHAT WAS TIME BETWEEN EACH DRINK? 1/2 HOUR
WHEN DID YOU HAVE YOUR FIRST DRINK? DATE: Sep 25, 2018 TIME: 11:00	WHEN DID YOU FINISH YOUR LAST DRINK? DATE: [REDACTED] TIME: [REDACTED]	
WHAT TIME DID YOU FINISH EATING? [REDACTED]	WHAT DID YOU EAT? OATMEAL	
REMARKS: Empty boxes above: did not recall when her last doctor visit was, when her last drink was, or when she finished eating.		
PATROL OFFICER GRIFFIN, RUSSELL (SIGNATURE)		COPY GIVEN TO SUBJECT: ON

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

Defendant Information		Case # 1-2018-022596
Name: Last, First, M.I. FOY, KATHLEEN C	DL# & State [REDACTED] NJ	Arresting Officer Information
Street Address [REDACTED] FORECASTLE AVENUE	Birth Date [REDACTED]	Name: Last, First, M.I. Rank PATROL OFFICER GRIFFIN, RUSSELL
Town, State Zip MANAHAWKIN NJ 08050	Arrest: Date & Time 9/25/2018 10:14:00 AM	Badge # 0096
Violation(s) Charged : ☒ N.J.S.A. 39:4-50(A), DWI (Check appropriate boxes) ☐ 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 both of the motor vehicle violations checked in the box above. Pursuant to N.J.S.A. 39:4-50.22, the 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 violation of N.J.S.A. 39:4-50(a). If you are charged and convicted under the 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 the motor vehicle while the defendant remains intoxicated or has a blood alcohol concentration at, or above, that permitted by law, and 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

NEILL, NANCY J

Print Name

[REDACTED] FULLEY AVENUE

Street Address

Manahawkin

NJ

City & State

Law Enforcement Officer

PATROL OFFICER GRIFFIN, RUSSELL

Print Name

PATROL OFFICER

0096

Rank & Badge No

9/25/2018 11:45:00 AM

Date & Time of Acknowledgement

ACKNOWLEDGEMENT OF RECEIPT OF POTENTIAL LIABILITY WARNING

I, _____, have received this POTENTIAL

Signature of Person Summoned

LIABILITY WARNING, from the Law Enforcement Officer whose name appears below.

REFUSAL TO ACKNOWLEDGE, IN WRITING RECEIPT OF POTENTIAL LIABILITY WARNING

_____, was given a copy of this POTENTIAL

Print Name of Person Summoned

LIABILITY WARNING, but refused to sign the acknowledgement of receipt.

Signature of Law Enforcement Officer

Date & Time of Refusal to Acknowledge

STAFFORD TWP POLICE

260 East Bay Avenue
STAFFORD, NJ 08050
609-597-8581

EVIDENCE REPORT

Case # I-2018-022596	Call Type 2111 - DWI-ALCOHOL/UNDER INF.	Date / Time Reported 09/25/2018 09:59	Incident Location FORECASTLE AVENUE, MANAHAWKIN NJ 08050								
Defendant											
1	Defendant's Last Name BOY	First Name KATHLEEN	DOB [REDACTED]								
2	Defendant's Last Name	First Name	DOB								
3	Defendant's Last Name	First Name	DOB								
4	Defendant's Last Name	First Name	DOB								
5	Defendant's Last Name	First Name	DOB								
6	Defendant's Last Name	First Name	DOB								
U.S. Currency											
Currency	Quantity	\$ Amount	Currency	Quantity	\$ Amount	Currency	Quantity	\$ Amount	Currency	Quantity	\$ Amount
100.00			20.00			5.00			1.00		
50.00			10.00			2.00			Total Coin Amount		
									Total Currency		
Officer Counting Currency (First, Last, Rank, ID#)						Officer Verifying Amount of Currency (First, Last, Rank, ID#)				Currency Photocopied	
Evidence Inventory											
Item	Qty	Defendant	Description	Serial #	NCIC Check	Results					
1	1	1	MVR VIDEO NJA00078_20180925140343E0								
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
Narrative											
Date / Time Evidence Recovered 09/25/2018 10:00	Evidence Photographed (Y/N)	Item # Photographed	Photos Taken By 0096	Date / Time Photos Taken							
Submitting Officer's Signature		Date of Report 09/26/2018	Supervisor's Signature		Date Approved 10/09/2018						
Report Submitted By: (First, Last, Rank, ID#) PATROL OFFICER GRIFFIN, RUSSELL 0096			Report Approved By: (First, Last, Rank, ID#) SERGEANT CONFORTI, ROBERT C 0070								
Evidence Submission											
Date/Time Evidence Placed in Locker	Place in Locker #	Officer Placing Evidence in Locker			Date/Time Evidence Removed From Locker						
Officer Removing Evid. From Locker/ Submitting Evidence		Property Room Officer Accepting Evidence			Date/Time Evidence Recd.	Property Control #					

STAFFORD TWP POLICE

280 East Bay Avenue
STAFFORD, NJ 08050
609-597-8581

IMPOUND REPORT

Municipal Code: 1530
ORI: NJ0163000

INCIDENT # I-2018-022596	CALL TYPE DWI-ALCOHOL/UNDER INFLUENCE	DATE REPORTED 09/25/2018	TIME REPORTED 09:59	INCIDENT LOCATION FORECASTLE AVENUE, MANAHAWKIN NJ 08050	INCIDENT # I-2018-022596 DATE 09/25/2018
IMPOUND TOW INFORMATION					
TOW COMPANY SOUTH SHORE TOWING	TOWED FROM FORECASTLE AVENUE, MANAHAWKIN, NJ 08050	TOWED TO 311 ROUTE 9 SOUTH, CEDAR RUN, NJ 08092			
REASON FOR IMPOUND ☐ ABANDONED ☒ ARREST ☐ INVESTIGATION ☐ MV VIOLATION ☒ MANDATORY 12 HR IMPOUND NJSA 39:4-50.23 ☐ RECOVERED STOLEN VEHICLE ☐ WARRANT OF IMPOUND NJSA39:3-29.1A ☐ OTHER (DESCRIBE)					
HOLD PLACED ON VEHICLE ☐ YES ☒ NO		IF YES, REASON FOR HOLD		CONDITIONS FOR RELEASE RELEASE AFTER 2330 HOURS 9/25/18.	
VEHICLE OPERATOR					
LAST NAME FOX		FIRST NAME KATHLEEN		MI C	HOME PHONE
ADDRESS FORECASTLE AVENUE		UNIT TYPE	UNIT #	CITY MANAHAWKIN	STATE NJ
DRIVER'S LICENSE #		D/L STATE	DATE EXPIRES	DOB	RACE
SEX					
VEHICLE REGISTRATION ☐ OPERATOR SAME AS OWNER ☒ ADDRESS SAME AS OPERATOR					
LAST NAME FOX		FIRST NAME MICHAEL		MI A	ADDRESS (#, STREET NAME, UNIT TYPE, UNIT #, CITY, STATE, ZIP) FORECASTLE AVENUE, MANAHAWKIN, NJ 08050
YEAR 2007	MAKE HON	MODEL CIV	COLOR BLUE	VIN 1HGFA16877L012036	LICENSE PLATE # VDC87R
STATE NJ		DATE EXPIRES 11/2019		☐ ATS ☒ DMV ☐ ACS	
☐ NCIC ☐ STOLEN	IF STOLEN, AGENCY NAME	AGENCY OCA	DATE/TIME CONFIRMED	CONFIRMED BY	OWN. NOTIFIED BY
DATE NOTIFIED					
OFFENSE INFORMATION					
CDR # / MV SUMMONS #		NJ STATUTE / BO		CHARGE	
1	ETICKET	39:4-50	DRIVING WHILE UNDER THE INFLUENCE		
2	ETICKET	39:4-88	FAILURE TO MAINTAIN LANE		
3	ETICKET	39:4-96	RECKLESS DRIVING		
VEHICLE INVENTORY					
Personal Property Removed From Vehicle By:			PROPERTY LEFT IN THE VEHICLE		
ITEM	ITEM	ITEM	1	6	
☒ KEYS	☒ BATTERY	☒ WHEELS	2	7	
☒ FRONT PLATE	☒ MOTOR	☒ TIRES	3	8	
☒ REAR PLATE	☒ RADIO	☒ HUBCAPS	4	9	
☒ REGISTRATION	☒ TRANSMISSION	☒ WIPERS	5	10	
☒ INSURANCE CARD	☒ SIDE MIRROR	☒ HEADLIGHTS			
COMMENTS Vehicle was impounded as a result of DWI arrest. (Note: Vehicle had damage to the front bumper.)					
REPORTING OFFICER'S SIGNATURE (IF REQUIRED) (RANK, LAST, FIRST, ID#) PATROLMAN OLER, KEITH R 0099		DATE 09/25/2018	REPORT APPROVED (RANK, LAST, FIRST, ID#) SERGEANT CONFORTI, ROBERT C		DATE
VEHICLE RELEASE					
Date/Time Vehicle Cleared For Release:			Cleared By:		
DATE/TIME OF RELEASE	VEHICLE RELEASED TO (PRINT NAME)		SIGNATURE OF PERSON APPEARING FOR RELEASE		
THE FOLLOWING DOCUMENTS WERE PRODUCED AND COPIES ATTACHED ☐ VALID DRIVER LICENSE ☐ PROOF OF INSURANCE FOR VEHICLE ☐ PROOF OF OWNERSHIP OR EVIDENCE OF LAWFUL AUTHORITY TO OPERATE ☐ VALID REGISTRATION					
SIGNATURE OF OFFICER RELEASING VEHICLE		DATE	SUPERVISOR'S ID #		DATE
VEHICLE RELEASED BY OFFICER. (RANK, LAST, FIRST, ID#)			RELEASE APPROVED BY (RANK, LAST, FIRST, ID#)		

COURT ID 1530	PREFIX E18	TICKET NUMBER 4332
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260 East Bay Avenue
609-697-8581
STAFFORD, NJ 08050

☒ SUMMONS		☐ WARNING		☐ VOID	
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED					
DRIVER'S LICENSE NUMBER [REDACTED]		EXP. DATE [REDACTED]		STATE [REDACTED] ☐ COMMERCIAL LICENSE	
THE UNDERSIGNED CERTIFIES THAT					
NAME FOY, KATHLEEN C					
ADDRESS [REDACTED] FORECASTLE AVENUE, MANAHAWKIN NJ 08050					
BIRTH DATE [REDACTED]		EYES [REDACTED]	SEX [REDACTED]	WEIGHT [REDACTED]	HEIGHT [REDACTED] RESTRICTIONS
DID UNLAWFULLY		☐ PARK		☐ OPERATE	
		☐ RADAR		☐ OTHER	
MAKE OF VEHICLE HON		YEAR 2007	BODY TYPE 4 DOOR		COLOR BLUE
LIC. PLATE NO. VDC87R		STATE NJ	EXP. DATE 11/2019		☐ COMMERCIAL VEHICLE ☐ HAZARDOUS MATERIAL ☐ OUT OF SERVICE ☐ OMNIBUS
OFFENSE DATE	MONTH Sep	DAY 25	YEAR 2018		TIME HOUR 09:59
LOCATION OF OFFENSE [REDACTED] FORECASTLE AVENUE, MANAHAWKIN NJ 08050				DESCRIBE LOCATION	
MUNICIPALITY MANAHAWKIN		COUNTY OCEAN		MUN. CODE (OFFENSE) 1530	
AND DID THEN AND THERE COMMITTED THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)					
TRAFFIC OFFENSE					
39:4-50 DRIVING WHILE UNDER THE INFLUENCE					
☐ DL ☐ REG ☐ INS MPH IN A MPH ZONE					
IN EXCESS OF SPEED LIMIT BY:					
☐ 1-9 MPH ☐ 10-14 MPH ☐ 15-19 MPH ☐ 20-24 MPH ☐ 25-29 MPH ☐ 30-34 MPH					
☐ 65 MPH ZONE ☐ SAFE CORRIDOR ☐ CONSTRUCTION ZONE					
PARKING OFFENSE					
☐ OVERTIME METER NO. ☐ PROHIBITED AREA ☐ DOUBLE					
THE UNDERSIGNED FURTHER STATES THAT THERE ARE, JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE AND WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THAT OFFENSE					
DATE 09/25/2018		SIGNATURE OF COMPLAINING WITNESS PATROL OFFICER GRIFFIN, RUSSELL			OFFICER'S ID NO 0096
NOTICE TO APPEAR					
☒ COURT APPEARANCE REQUIRED		COURT DATE	MONTH	DAY	YEAR
					TIME
☐ ACCIDENT ☐ PROPERTY DAMAGE ☐ PERSONAL INJURY ☐ DEATH / SERIOUS BODILY INJURY					
CONDITIONS					
AREA	☒ BUSINESS	☐ SCHOOL	☐ RESIDENTIAL	☐ RURAL	
ROAD	☐ DRY	☒ WET	☐ SNOW	☐ ICE	
TRAFFIC	☒ LIGHT	☐ MEDIUM	☐ HEAVY		
VISIBILITY	☒ CLEAR	☐ RAIN	☐ SNOW	☐ FOG	
EQUIPMENT	☐ HELICOPTER	☐ PACE	☐ VASCAR	☐ RADAR	☒ ALCOTEST
EQUIPMENT OPERATOR'S NAME PATROL OFFICER GRIFFIN, RUSSELL			OFFICER'S D NO. 0096		UNIT CODE
NOTES Case Number : 18-22596					

STAFFORD TWP POLICE

ARREST REPORT

Identification Number

1. Complaint Number I-2018-021887	2. Mun. Code 1530	3. Phone Number 609-597-8581	4. UCR	5. Prosecutor's Case Number	6. Criminal Case Number
7. Name Last BEIER	First KATHLEEN	Middle M	8. Phone	9. Alias-Nickname	
10. Full Address BREAKERS DRIVE, MANAHAWKIN NJ 08050			11. Place of Birth		12. Date of Birth
13. Age 63	14. Sex	15. Race	15(A). Ethnicity	16. Height	17. Weight
18. Hair	19. Eyes	20. Complexion	21. Marital Status Divorced		
22. Other Descriptive Information NONE.			22-A. FBI #	22-B. SBI #	23. Driver's License Number
24. Employer / School			25. Occupation / Grade DOCTOR'S ASSISTANT		26. Social Security Number
27. Employer / School Address ROUTE 72 WEST, MANAHAWKIN, NJ 08050					28. Employer / School Phone

DETAILS OF ARREST

29. Arrest Date 9/16/2018	30. Time 11:00	31. Location of Arrest ROUTE 72 WEST/HULL RD., MANAHAWKIN NJ 08050			32. Municipal Code NJ0153000	Warrant / Summons No. E18 004224
33. Crime DRIVING WHILE UNDER THE INFLUENCE			34. N.J.S. Statute 39:4-50		35. Arresting Officer PATROLMAN OLER, KEITH R 0099	
36. Complainant's Name and Address PATROLMAN OLER, KEITH R STAFFORD PD - 260 E. BAY AVE., MANAHAWKIN NJ 08050					37. Phone Number 609-597-8581	
38. Crime Date 9/16/2018	39. Time 10:32	40. Location of Crime ROUTE 72 WEST/HULL RD., MANAHAWKIN NJ 08050				41. Municipal Code NJ0153000
42. Arrest Type ON P.C.	43. Juvenile Status		44. Code	45. Constitutional Rights - By Whom YES - PTL. OLER #99		46. How Responded UNDERSTOOD
47. Own YES	48. Multiple NO	49. Other NO	50. Printed NO	51. Photo YES	52. Prev. Rec.	53. UCR A.B.R. Reported Month. Yr. 9/16/2018
54. Vehicle Information - VIN - Year - Make - Body Type - Color - Registration Number & State - Other Descriptive Information 2D4GP44L85R503782 2005 DODGE MINI VAN SIL YUP66M NJ						

BAIL HEARING

55. Date	56. Court		57. Judge/Authorized Person	
58. Bail Amount	59. Results of Hearing		60. Code	61. Place Committed/Detained

FINAL RESULTS

62. Date	63. Court			64. Judge	
65. Verdict	66. Code	67. Disposition			68. Date
69. Code					

JUVENILE INFORMATION

70. Parent/Guardian Contacted By		71. Date	72. Time	73. Released To: Relationship	
74. Full Address - Number - Street - City - State - Zip Code - Municipality				75. Date	76. Time
77. Phone Number					
78. Parent/Guardian		79. Full Address - Number - Street - City - State - Zip Code - Municipality			80. Phone Number
81-89. Narrative / Add'l Charges ***** PARTIES AND CHARGE(S) ***** NAME: BEIER, KATHLEEN M DOB: [REDACTED] STATUTE: 39:4-144 FAILURE TO STOP OR YIELD CHARGE DATE: 9/16/2018 CHARGING OFFICER: PATROLMAN OLER, KEITH R WARNING: N CDR/MV SUMMONS #: E18 004221 NAME: BEIER, KATHLEEN M DOB: [REDACTED] STATUTE: 39:4-51A COMSUMPTION OF ALCOHOLIC BEVERAGE IN VEH CHARGE DATE: 9/16/2018 CHARGING OFFICER: PATROLMAN OLER, KEITH R WARNING: N CDR/MV SUMMONS #: E18 004222...					
Name: PATROLMAN OLER, KEITH R		91. Badge Number 0099	92. Completed	93. Date of Report Sep 16, 2018	94. Reviewed By SERGEANT SCHIATTARELLA JR, KEI
90. Signature					

STAFFORD TWP POLICE**ARREST REPORT**

Identification Number

1. Complaint Number I-2018-021887	2. Mun. Code 1530	3. Phone Number 609-597-8581	4. UCR	5. Prosecutor's Case Number	6. Criminal Case Number
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NAME: BEIER, KATHLEEN M | DOB: [REDACTED] | STATUTE: 39:4-96 RECKLESS DRIVING | CHARGE DATE: 9/16/2018
| CHARGING OFFICER: PATROLMAN OLER, KEITH R | WARNING: N | CDR/MV SUMMONS #: E18 004223

The defendant was arrested on a charge of DWI as a result of a motor vehicle accident investigation in which she was involved. She was subsequently charged with additional motor vehicle charges listed above.

Refer to MVA and DWI reports (#2018-021887) for further details.

STA/UNIT CODE NUMBER	STAFFORD TOWNSHIP POLICE DRINKING and DRIVING REPORT		(1) DEFENDANT KATHLEEN		FIRST NAME M	INITIAL BEIER	LAST NAME
			(2) AGE 63	(3) SEX [REDACTED]	(4) WEIGHT [REDACTED]	(5) EYE COLOR [REDACTED]	(6) RACE [REDACTED]
(7) STREET ADDRESS [REDACTED] BREAKERS DRIVE			(8) CITY AND STATE MANAHAWKIN NJ		(9) SUMMONS NO. (D. D. /ALLOWING ONLY) E18 004224		
(10) DRIVERS LICENSE NUMBER AND STATE [REDACTED]			CDL ☐	(11) DAY OF WEEK Sunday		VIOLATION DATE 09/18/2018	VIOLATION TIME 10:32
(12) YEAR/COLOR/MAKE OF VEHICLE USED 2005 SIL DODGE				(13) LICENSE NUMBER AND STATE YUP66M NJ			
(14) VEHICLE CODE CODE : NON-CDL VEHICLES: (1) Passenger Car/ Station Wagon (2) Passenger Car w/Trailer, (3) Recreational Vehicle, (4) Taxi/Limo (5) Emergency Vehicle, (6) Motorcycle, (7) Moped, (8) Pickup, (9) Van, (10) Truck, (11) Truck Combo, (12) Other 1 CDL VEHICLES: TRUCK COMBO: (20) 8 X 48, (21) 8.5 X 48, (22) 8 X 48+, (23) 8.5 X 53, (24) Double Bottom, (25) Truck, (26) Bus, (27) School Bus, (28) Limousine (29) Other							
(15) NAME OF VEHICLE OWNER BEIER, KATHLEEN M					(16) ADDRESS OF OWNER [REDACTED] BREAKERS DRIVE, MANAHAWKIN NJ 08050		
(17) MUNICIPALITY OF VIOLATION STAFFORD TWP.		CODE NO. 1530	(18) ROADWAY OR LOCATION ROUTE 72 WEST/HULL DRIVE, MANAHAWKIN NJ 08050			(19) COUNTY OCEAN	
(20) ARRESTED BY - BADGE NUMBER - STATION PATROLMAN OLER, KEITH R 0099 STAFFORD				(21) TESTED BY - BADGE NUMBER - STATION PATROLMAN OLER, KEITH R 0099 STAFFORD			

(22) ACCIDENT INVOLVED ☐ 1 NONE ☐ 2 PEDESTRIAN ☐ 3 FATAL ☐ 4 INJURY ☐ 5 1 VEHICLE ☒ 6 2 VEHICLES OR MORE ☐ 7 OTHER (Explain)	(23) EXAMINATION ☒ 1 CHEM. BREATH TEST ☐ 2 BREATH TEST REFUSED ☒ 3 OBSERVATION ☐ 4 DOCTOR'S EXAMINATION ☐ 5 BLOOD TEST ☐ 6 NARCOTICS, HABIT PRODUCING DRUGS, OR HALLUCINOGENIC LABORATORY ☐ YES ☐ NO REPORT # _____	(24) SUMMONS ISSUED FOR ☒ 1 39:4-50 INFLUENCE ☐ 2 U/ 21 Y.O.A. AND >.01% B.A.C. ☐ 3 39:3-10.13 CDL ☐ 4 39:4-14.3g MOPED ☐ 5 ALLOWING _____ TO OPERATE ☒ 6 BLOOD ALCOHOL RESULTS <u>0.19</u> % ☐ 7 SUMMONS NO: (39:4-50.2 REFUSAL) ☐ 8 SUMMONS NO: (39:3-10.24 REFUSAL) ☐ 9 SUMMONS NO: (39:4-14 3g REFUSAL)
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OBSERVATIONS WERE:

(25) **ABILITY TO WALK**

☐ UNABLE TO	☐ ON HANDS AND KNEES	☒ SWAYING	☐ GRASPING FOR SUPPORT
☐ FALLING	☐ MOVED IN CIRCLES	☐ SAGGING	☒ STAGGERING

(26) **ABILITY TO STAND**

☒ SWAYING	☐ UNABLE TO STAND	☒ CONTINUAL LEANING FOR BALANCE
☐ RIGID	☐ SAGGING KNEES	☐ FEET WIDE APART FOR BALANCE

(27) **SPEECH**

☐ SHOUTING	☐ SLOBBERING	☐ BOISTEROUS	☐ SLURRED	☐ WHINING	☐ STUTTERING
☐ RAMBLING	☐ INCOHERENT	☐ WHISPERING	☐ HOARSE	☐ CRYING	☐ ACCENT ☒ SLOW

(28) **DEMEANOR**

☐ FIGHTING	☐ INDIFFERENT	☐ ANTAGONISTIC	☒ POLITE	☐ SLEEPY
☐ EXCITED	☐ HYSTERICAL	☒ COOPERATIVE	☒ CALM	☐ CRYING

(29) **ACTIONS**

☐ PUNCHING	☐ RESISTING	☐ THUMBING NOSE	☐ DIFFICULT TO AWAKEN
☐ KICKING	☐ PROFANITY	☐ THREATENING	

(30) **EYES**

☒ BLOODSHOT	☐ Watery	☐ DROOPY LIDS	☐ WEARING GLASSES	☒ NOT WEARING GLASSES
☐ GLASS EYE	☐ RIGHT	☐ LEFT		

(31) **CLOTHING**

☐ MUSSUED	☐ PARTLY DRESSED	☐ DEFECATED ON SAME
☐ DIRTY	☐ VOMITED ON	☐ URNINATED ON SAME

(32) **MOVEMENT OF HANDS**

☐ FUMBLING	☐ SLOW
-----------------------------------	-------------------------------

(33) **FACE**

☒ FLUSHED	☐ PALE
---	-------------------------------

(34) **ODOR OF ALCOHOLIC BEVERAGE ON BREATH**

☐ NONE	☒ YES
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(35) REMARKS: (If needed, to clarify observations)

(36) SEE ATTACHED - S.P. 317-1

(37) NARRATIVE OF INVESTIGATION - Number, capitalize and underline the following paragraph titles in the sequence of events. Be brief, record events in order to refresh recollection at a later time. 1. OPERATION OF THE MOTOR VEHICLE; 2. WHEN STOPPED OR ARRIVAL AT SCENE; - If an accident; 3. ENROUTE TO STATION; or wherever going; 4. AT THE STATION; or wherever taken, i.e., doctor's office, hospital, etc.; 5. List other TRAFFIC OFFENSES by summons number and statute number. (Use continuation page S.P. 317-1 if more space is needed).

1. OPERATION OF THE MOTOR VEHICLE

2. WHEN STOPPED OR ARRIVAL AT SCENE: On Sunday, September 16, 2018 at 1034 hours, I was dispatched to the area of Route 72 and Hull Road for a reported motor vehicle accident. Upon arrival, I observed a red colored vehicle on the shoulder of Route 72 West and a silver minivan along the East curb line of Hull Road, several yards north of the intersection. I then spoke with the driver of the red Jeep Liberty involved, at which time it was ascertained that there were no reported injuries to occupants in his vehicle. The driver then related how he was traveling westbound on Route 72, approaching the intersection of Hull Road when the silver minivan pulled out of Hull Road and struck the passenger side of his vehicle. I then spoke with the driver of the silver Dodge minivan (NJ YUP66M), later identified as Kathleen M. Beier, who looked unsteady on her feet and appeared off balance as she walked over to my patrol vehicle. Upon my ascertaining from her that she was uninjured as a result of the accident, I suggested that we walk back to her vehicle. While doing so I noticed Beier appeared to have a slight sway as she walked and again appeared unsteady. As I spoke with Beier further regarding the accident, in which she commented that she didn't see the other vehicle coming and then attributed it to glare, I noted that her speech was slow, eyes bloodshot and I detected a sweet, fruity smell emanating from breath. Noting the above during conversation, I inquired as to if she was on any medications or consumed any alcohol, to which Beier replied no. When asked if she had any type of medical conditions, Beier responded that she had [REDACTED] and did in fact take medication for it. Again, detecting the sweet, fruity smell; which through my training and experience I have come to associate with the consumption of an alcoholic beverage; I asked Beier to recite the English Alphabet, starting with the letter "A" and ending with the letter "Z". Several attempts by Beier to complete the alphabet in its entirety were unsuccessful as she was not able to recite the correct letters after the letter "R". At one point in time she even commented that she didn't care about the alphabet. Beier was then asked to perform field sobriety tests on a smooth, flat, level surface (sidewalk), free of any objects. Prior to tests she was asked if she suffered from any injuries that would limit or preclude her from performing balance tests, to which she responded yes and advised that she had ankle surgery, while pointing at her right ankle. While speaking with her regarding the balance tests, I again could detect the fruity smell emanating from her breath. Having ascertained that she suffered from no other issues other than what she stated was poor balance due to previous ankle surgery and hypertension, I again inquired as to if she had consumed any alcohol. Beier then stated that she did have a drink with lunch. Upon hearing her response, I then inquired as to if she knew what time it was, to which she responded that it was three. The following field sobriety tests were explained and/or demonstrated, and then administered with the following results;

Walk and Turn: During the instructional stage of the test, Beier was advised to assume the stance in which she was to place her right foot in front of her left foot, with her left toe touching the heel of her right foot (heel to toe) and both arms were to be placed down at her sides. Beier had difficulty standing in the prescribed manner for any length of time, continually moving her feet and reaching out for a nearby fence with her left hand to help maintain her balance. I also noticed that she had a visible sway from side to side while attempting to maintain her balance. Beier failed to stand in the prescribed manner as instructed while I explained the test. After explaining the test in its entirety and Beier acknowledging her understanding the test, she was then asked to perform said test. As she performed the test, Beier took several steps up the line in which she failed to walk in a straight line and/or touch heel to toe, staggering at times, while using the nearby fence and raising her arms for balance on occasion. Beier took ten steps up the line when instructed to only take nine. She then turned improperly as she prepared for her nine steps back down the line. As she took her nine steps back down the line, Beier failed to walk in a straight line, nor were her steps taken in a heel to toe manner as instructed and she occasionally raised her arms to maintain balance.

One Leg Stand: During the instructional stage of the test, I advised Beier to assume a stance in which her feet were together, side by side (heels and toes together), both arms at her sides. This stance was demonstrated as well. Beier initially failed to place her feet completely together as instructed; feet apart for balance; but was able to assume and...

(38) TITLE	SIGNATURE	BADGE NO	(39) REVIEWED BY
PATROLMAN OLER, KEITH R		0099	SERGEANT SCHIATTARELLA JR, KENNETH
(40) DATE TO APPEAR	(41) AMENDED COURT DATE	(42) REFUSAL DISPOSITION & DATE	(43) INFLUENCE DISPOSITION & DATE

STAFFORD TOWNSHIP POLICE

**DMV STANDARD STATEMENT
FOR OPERATIONS OF A MOTOR VEHICLE
N.J.S.A. 39:4-50.2(e)**

(Revised & effective, July 1, 2012)

THE ARRESTING OFFICER MUST READ THE FOLLOWING TO THE DEFENDANT:**FULL TEXT OF STANDARD STATEMENT FOLLOWS:**

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: YES.**(ADDITIONAL INSTRUCTIONS FOR POLICE OFFICER):**

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.

FULL TEXT OF ADDITIONAL STATEMENT FOLLOWS:

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: _____

PATROLMAN OLER, KEITH R
OFFICER

10:32
TIME

09/18/2018
DATE

BEIER, KATHLEEN M
NAME

I-2018-021887
CASE NUMBER

**DIVISION OF MOTOR VEHICLES STANDARD STATEMENT
FOR OPERATIONS OF A COMMERCIAL MOTOR VEHICLE - N.J.S.A. 39:3-10.24e**

(Revised off Feb 1, 2001)

THE ARRESTING OFFICER MUST READ THE FOLLOWING TO THE DEFENDANT:

FULL TEXT OF STANDARD STATEMENT FOLLOWS:

1. You have been arrested for operating a commercial motor vehicle with an alcohol concentration of 0.04% or more.

2. You are required by law to submit to the taking of samples of your breath for the purposes of making chemical tests to determine your alcohol concentration.

3. A record of the taking of the samples, including the date, time and results, will be made. Upon your request, a copy of that record will be made available to you.

4. Any warnings previously given to you concerning your right to remain silent and your right to consult with an attorney do not apply to the taking of breath samples and do not give you the right to refuse to give, or to delay giving, samples of your breath for the purposes of making chemical tests to determine your alcohol concentration. You have no legal right to have an attorney, physician, or anyone else present, for the purpose of taking the breath samples.

5. After you have provided samples of your breath for chemical testing, you have the right to have a person or physician of your own selection, and at your own expense, take independent samples and conduct independent chemical tests of your breath, urine, or blood.

6. If you refuse to give samples of your breath you will be issued a separate summons for this refusal.

7. Any response that is ambiguous or conditional, in any respect, to your giving consent to the taking of breath samples will be treated as a refusal to submit to breath testing.

8. According to N.J.S.A. 39:3-10.24f, if a court of law finds you guilty of refusing to submit to chemical tests of your breath, then your license to operate any motor vehicle will be revoked by the court for a period of no less than six months and no more than two years. The Court will also fine you a sum of no less than \$250 and no more than \$500 for your refusal conviction.

9. If a court of law finds you guilty of refusing to submit to chemical tests of your breath, and you were operating a commercial motor vehicle, then your commercial driver license will be suspended by the court for a period of no less than one and no more than three years. If your refusal conviction is in connection with operating a commercial motor vehicle transporting hazardous material or displaying a hazardous material placard, then your commercial driver license will be suspended for three years. If your refusal conviction is in connection with a second or subsequent violation of any of the offenses specified at N.J.S.A. 39:3-10.20a, the Court will revoke your commercial driver license for life.

10. Any license suspension or revocation for a refusal conviction will be independent to any license suspension or revocation imposed for any related offense.

11. If you are convicted of refusing to submit to chemical tests of your breath, you must also satisfy the requirements of a program of alcohol education or rehabilitation.

12. I repeat, you are required by law to submit to the taking of samples of your breath for the purpose of making chemical tests to determine your alcohol concentration. Now, will you give the samples of your breath?

ANSWER: _____

(ADDITIONAL INSTRUCTIONS FOR POLICE OFFICER):

If the person: remains silent; or states or otherwise indicates that he/she refuses to answer on the grounds that he/she has a right to remain silent, or wishes to consult an attorney, physician, or any other person, or if the response is ambiguous or conditional in any respect whatsoever, then the police officer shall read the following additional statement:

FULL TEXT OF ADDITIONAL STATEMENT FOLLOWS:

I have previously informed you that the warnings given to you concerning your right to remain silent and your right to consult with an attorney, do not apply to the taking of breath samples and do not give you the right to refuse to give, or delay giving, samples of your breath for the purpose of making chemical tests to determine the content of alcohol in your blood. Your prior response, silence, or lack of response, is unacceptable. If you do not agree unconditionally to provide breath samples now, then you will be issued a separate summons charging you with refusing to submit to the taking of samples of your breath for the purpose of making chemical tests to determine the content of alcohol in your blood.

Once again, I ask you, will you give samples of your breath?

ANSWER: _____

PATROLMAN OLIER, KEITH R
OFFICER

10:32
TIME

09/16/2018
DATE

BEIER, KATHLEEN M
NAME

1-2018-021887
CASE NUMBER

STAFFORD TOWNSHIP POLICE DEPARTMENT
DRINKING and DRIVING REPORT

CASE NUMBER: I-2018-021887

maintain the prescribed stance after several attempts and my requesting that she stand in the prescribed manner. As I further explained the test, I noted that Beier was slightly swaying from side to side and that she attempted to prematurely start the test in two instances, before my stopping her and instructing her to again stand in the prescribed manner. As Beier attempted the test when instructed to do so, she raised her left leg/foot as her right leg remained stationary. Repeated attempts to perform the test were unsuccessful and resulted in Beier placing her raised foot back down on the ground repeatedly, while raising her arms for balance as well. She also reached out with her left hand to the nearby fence to steady/balance herself on occasion. Beier also commented how she wasn't able to perform this test. When asked to count backwards from "99" to "75", Beier was unable to complete the task properly; as she repeated, omitted and recited several numbers out of order after the number "91".

As a result of my observations of and conversation with Beier, I formed the opinion at the scene that she was under the influence of intoxicating liquor and/or drugs and she was placed under arrest for DWI. She was then handcuffed and asked to stand by the front driver side of her vehicle while I retrieved her purse which was sitting on the center console of her vehicle. A search of the driver's compartment where intoxicants could be located was also conducted and yielded two, small plastic bottles of Sutter Home California Chardonnay which were located in the center console of the vehicle. (Note: Both bottles were open and contents had already been consumed, leaving only a minimal amount in the bottom of the bottle visible. Refer to photos contained in case file.) Upon my discovery of the open and empty wine bottles, Beier commented, "That's not while driving". Beier was later escorted over to my patrol vehicle (3032) where she was seat belted in the rear seat and advised of her Miranda Warning which she verbally acknowledged understanding. Beier was then transported to police headquarters for processing, while Officer Samaritano (#73) who was assisting at the scene, stood by and awaited the arrival of South Shore Towing Company who was responding at the request of police, for impound of the vehicle under John's Law regulations.

3. **ENROUTE TO STATION:** While in route to police headquarters, I had brief conversation with the defendant in which information was obtained regarding her 23 yo autistic daughter who was currently at her residence, alone. This defendant information was relayed to Sgt. Schiattarella (shift supervisor), along with the fact that the daughter is left home on occasion by the defendant for up to four hours at a time and is self-dependant at those times. No further conversation was had.

4. **AT THE STATION:** Upon arriving at police headquarters and opening the rear door of patrol unit 3032 to allow the defendant (Beier) to exit, I noted the odor of an alcoholic beverage emanating from the rear passenger compartment where she was seated. The defendant was then escorted into the processing/booking area, her handcuffs removed and a search of her person conducted by a police matron (T. Mastrandrea #360), which cleared her of possessing any contraband. The defendant was again advised of her Miranda Warning which she acknowledged understanding verbally and by the signing of a rights card. (Refer to signed rights card contained in case file.) She was then read the standardized DWI statement form (Revised 7/01/12) explaining the requirements of her submitting samples of her breath for testing purposes, to which she consented to breath testing. The required twenty minute, uninterrupted observation period of the defendant began at 1127 hours (per processing room wall clock) and was conducted by myself. During this observation period, I again noted that the defendant's eyes were bloodshot, her speech slow at times and her face appeared slightly flushed. I could also smell the odor of an alcoholic beverage emanating from her breath as she sat across from me at the processing table. At completion of the required observation period, I continued my observation of the defendant as I escorted her into the Alcotest room where she was seated facing me as I prepared the Alcotest for breath sample testing. It should be noted that prior to entering the Alcotest room, any and all electronic devices (i.e., cell phones, radios, MVR mic) were removed and left outside the room while testing was conducted. Prior to each breath test sample being obtained from the defendant, she was asked to open her mouth and lift her tongue so that a visual inspection of her mouth cavity could be made for any foreign objects. Seeing that her mouth was clear of any objects prior to each test, a new/clean mouthpiece was used for each test administered and the posted instructions located within the Alcotest area on how she was to provide breath samples was read aloud. Prior to each sample given, the defendant verbally acknowledged understanding of how she was to provide the breath samples as per instruction.

At the conclusion of the breath testing which was administered using the Alcotest 7110-MK111-C, the Alcotest reported a breath test result of 0.19% BAC. The defendant was then escorted back into the processing/booking area where she was seated at the processing table and visual observation was maintained while breath test results were run through the State of New Jersey Alcotest Calculator. Readings ran through the calculator confirmed breath samples to be within acceptable tolerance. At 1214 hours on 9/16/18, the upper portion of the drinking driving questionnaire was filled out with information supplied by the defendant. Prior to the defendant being asked any of the questions pertaining to alcohol/food consumption located on the lower portion of the form, she was advised of her Miranda Warning once again, which she verbally acknowledged understanding. (Refer to DD questionnaire contained in case file.)

STAFFORD TOWNSHIP POLICE DEPARTMENT
DRINKING and DRIVING REPORT

CASE NUMBER: I-2018-021887

The defendant was issued summons E18 004224 for DWI; along with other summonses for traffic related offenses (refer to traffic offenses listed below). Upon completion of processing, the defendant was later released to her neighbor, Frederick G. Gouveia, who arrived at police headquarters to pick her up, at her request. A Potential Liability Warning form was signed by Mr. Gouveia prior to his taking responsibility for the defendant. (Refer to signed PLW form contained in the case file.) The defendant was released pending a future court appearance in the Stafford Township Municipal Court.

Refer to crash investigation report #2018-021887 for further details regarding the motor vehicle accident.

5. **TRAFFIC OFFENSES:** Summons E18 004221 (39:4-144), E18 004222 (39:4-51A.B) and E18 004223 (39:4-96).

DRINKING DRIVER QUESTIONNAIRE

STAFFORD POLICE DEPARTMENT

DEFENDANT (FIRST NAME) KATHLEEN	(INITIAL) M	(LAST NAME) BEIER	CASE NUMBER I-2018-021887	SEQUENTIAL FILE NO.
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QUESTIONS:

THE FOLLOWING QUESTIONS WERE ASKED: ON Sep 16, 2018 AT 12:14		OCCUPATION? DOCTOR'S ASSISTANT	
ARE YOU SICK? IF YES, EXPLAIN. NO.			
ARE YOU UNDER THE CARE OF A DOCTOR? IF SO, PROVIDE NAME & ADDRESS NO			LAST VISIT DATE: TIME:
ARE YOU TAKING MEDICINE? IF SO, WHAT AND WHAT FOR? [REDACTED]			LAST DOSE? DATE: [REDACTED] TIME: [REDACTED]
DO YOU HAVE DIABETES? [REDACTED]	ARE YOU TAKING INSULIN? [REDACTED]		LAST DOSE? DATE: TIME:
ARE YOU INJURED? ☐ YES ☒ NO ☐ UNK	WHERE? N/A.		
ARE YOUR INJURIES AFFECTING YOU NOW? IF SO, WHAT AND HOW? N/A.			
NOTE ANY PHYSICAL INJURIES OR DEFORMITIES OBSERVED: NONE OBSERVED.			

ADVISE SUBJECT OF MIRANDA WARNING:

WHAT KIND OF ALCOHOLIC DRINKS HAVE YOU HAD? WINE.		HOW MANY? 2
WHERE [REDACTED] BREAKERS DRIVE, MANAHAWKIN NJ 08050		WHAT WAS TIME BETWEEN EACH DRINK? 1 HOUR
WHEN DID YOU HAVE YOUR FIRST DRINK? DATE: Sep 16, 2018 TIME: 10:00		WHEN DID YOU FINISH YOUR LAST DRINK? DATE: Sep 16, 2018 TIME: 11:00
WHAT TIME DID YOU FINISH EATING? Sep 15, 2018 18:00	WHAT DID YOU EAT? CHEESEBURGER.	
REMARKS: Defendant's response to how many drinks she had: two glasses of wine. Defendant stated she had nothing to eat since her last meal on 9/15/18 at 1800 hours, which was a cheeseburger.		
PATROLMAN OLER, KEITH R (SIGNATURE)		COPY GIVEN TO SUBJECT: ON

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

Defendant Information		Case # I-2018-021887
Name: Last, First, M.I. BEIER, KATHLEEN M	DL# & State [REDACTED] NJ	Arresting Officer Information
Street Address [REDACTED] BREAKERS DRIVE	Birth Date [REDACTED]	Name: Last, First, M.I. Rank PATROLMAN OLER, KEITH R
Town, State Zip MANAHAWKIN NJ 08050	Arrest: Date & Time 9/16/2018 11:00:00 AM	Badge # 0099
Violation(s) Charged : ☒ N.J.S.A. 39:4-50(A), DWI (Check appropriate boxes) ☐ 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 both of the motor vehicle violations checked in the box above. Pursuant to N.J.S.A. 39:4-50.22, the 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 violation of N.J.S.A. 39:4-50(a). If you are charged and convicted under the 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 the motor vehicle while the defendant remains intoxicated or has a blood alcohol concentration at, or above, that permitted by law, and 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

GOUVEIA, FREDERICK G

Print Name

[REDACTED] **BREAKERS DRIVE**

Street Address

MANAHAWKIN

NJ

City & State

Law Enforcement Officer

PATROLMAN OLER, KEITH R

Print Name

PATROLMAN

0099

Rank & Badge No

9/16/2018 1:16:00 PM

Date & Time of Acknowledgement

ACKNOWLEDGEMENT OF RECEIPT OF POTENTIAL LIABILITY WARNING

I, _____, have received this POTENTIAL

Signature of Person Summoned

LIABILITY WARNING, from the Law Enforcement Officer whose name appears below.

REFUSAL TO ACKNOWLEDGE, IN WRITING RECEIPT OF POTENTIAL LIABILITY WARNING

_____, was given a copy of this POTENTIAL

Print Name of Person Summoned

LIABILITY WARNING, but refused to sign the acknowledgement of receipt.

Signature of Law Enforcement Officer

Date & Time of Refusal to Acknowledge

STAFFORD TWP POLICE

260 East Bay Avenue
STAFFORD, NJ 08050
609-697-9581

EVIDENCE REPORT

Case # I-2018-021887		Call Type 6008 - ACCIDENT NO INJURY		Date / Time Reported 09/16/2018 10:32		Incident Location ROUTE 72 WEST/HULL DRIVE, MANAHAWKIN NJ 08050	
Defendant							
1	Defendant's Last Name BEIER	First Name KATHLEEN	DOB [REDACTED]	2	Defendant's Last Name	First Name	DOB
3	Defendant's Last Name	First Name	DOB	4	Defendant's Last Name	First Name	DOB
5	Defendant's Last Name	First Name	DOB	6	Defendant's Last Name	First Name	DOB
U.S. Currency							
Currency	Quantity	\$ Amount	Currency	Quantity	\$ Amount	Currency	Quantity
100.00			20.00			5.00	
50.00			10.00			2.00	
						Total Coin Amount	
						Total Currency	
Officer Counting Currency (First, Last, Rank, ID#)				Officer Verifying Amount of Currency (First, Last, Rank, ID#)		Currency Photocopied	
Evidence Inventory							
Item	Qty	Defendant	Description	Serial #	NCIC Check	Results	
1	1	BEIER	UNIT 3032 MVR FOOTAGE- OHA00011_20180916143640E0				
2	1	BEIER	UNIT 3042 MVR FOOTAGE- QBA00162_20180916144950E0				
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
Narrative							
Copies of MVR footage from patrol units 3032 and 3042 to be retained and secured as evidence for future court proceedings regarding incident....							
Date / Time Evidence Recovered 09/16/2018 00:00		Evidence Photographed (Y,N)		Item # Photographed		Photos Taken By 0099	
Submitting Officer's Signature				Date of Report 09/16/2018		Supervisor's Signature	
Report Submitted By: (First, Last, Rank, ID#) PATROLMAN OLER, KEITH R 0099				Report Approved By: (First, Last, Rank, ID#) SERGEANT SCHIATTARELLA JR, KENNETH 0072			
Evidence Submission							
Date/Time Evidence Placed in Locker 09/16/2018 00:00		Place in Locker # N/A		Officer Placing Evidence in Locker PATROLMAN OLER, KEITH R 0099		Date/Time Evidence Removed From Locker	
Officer Removing Evid. From Locker/ Submitting Evidence				Property Room Officer Accepting Evidence		Date/Time Evidence Recd. Property Control #	

STAFFORD TWP POLICE

260 East Bay Avenue
STAFFORD, NJ 08050
609-597-8581

CASE # I-2018-021887

EVIDENCE REPORT

Refer to MVA and DWI reports (#2018-021887) for further details regarding incident.

STAFFORD TWP POLICE260 East Bay Avenue
STAFFORD, NJ 08050
609-597-8581**IMPOUND REPORT**Municipal Code: 1530
ORI: NJ0153000

INCIDENT # I-2018-021887	CALL TYPE ACCIDENT NO INJURY	DATE REPORTED 09/16/2018	TIME REPORTED 10:32	INCIDENT LOCATION ROUTE 72 WEST/HULL DRIVE, MANAHAWKIN NJ 08050	INCIDENT # I-2018-021887 DATE 09/16/2018			
IMPOUND TOW INFORMATION								
TOW COMPANY SOUTH SHORE	TOWED FROM ROUTE 72 WEST , MANAHAWKIN, NJ 08050		TOWED TO ROUTE 9 SOUTH , CEDAR RUN, NJ 08050					
REASON FOR IMPOUND ☐ ABANDONED ☒ ARREST ☐ INVESTIGATION ☐ MV VIOLATION ☒ MANDATORY 12 HR IMPOUND NJSA 39:4-50.23 ☐ RECOVERED STOLEN VEHICLE ☐ WARRANT OF IMPOUND NJSA39:3-29.1A ☐ OTHER (DESCRIBE)								
HOLD PLACED ON VEHICLE ☒ YES ☐ NO		IF YES, REASON FOR HOLD MANDATORY 12 HR. IMPOUND		CONDITIONS FOR RELEASE ANY TIME AFTER 2300 HRS.				
VEHICLE OPERATOR								
LAST NAME BEIER		FIRST NAME KATHLEEN		MI M	HOME PHONE [REDACTED]	CELL PHONE [REDACTED]		
ADDRESS [REDACTED] BREAKERS DRIVE		UNIT TYPE	UNIT #	CITY MANAHAWKIN		STATE NJ	ZIP 08050	
DRIVER'S LICENSE # [REDACTED]		D/L STATE [REDACTED]	DATE EXPIRES [REDACTED]	DOB [REDACTED]	RACE [REDACTED]	SEX [REDACTED]		
VEHICLE REGISTRATION ☒ OPERATOR SAME AS OWNER ☐ ADDRESS SAME AS OPERATOR								
LAST NAME BEIER		FIRST NAME KATHLEEN		MI M	ADDRESS (#, STREET NAME, UNIT TYPE, UNIT #, CITY, STATE, ZIP) [REDACTED] BREAKERS DRIVE , MANAHAWKIN, NJ 08050			
YEAR 2005	MAKE DODGE	MODEL WAGON	COLOR SIL	VIN 2D4GP44L85R503782	LICENSE PLATE # YUP66M	STATE NJ	DATE EXPIRES 04/2019	☐ ATS ☒ DMV ☐ ACS
☐ NCIC ☐ STOLEN	IF STOLEN, AGENCY NAME		AGENCY OCA	DATE/TIME CONFIRMED	CONFIRMED BY	OWN. NOTIFIED BY		DATE NOTIFIED
OFFENSE INFORMATION								
CDR # / MV SUMMONS #				NJ STATUTE / BO		CHARGE		
1 E TICKET				39:4-50		DRIVING WHILE UNDER THE INFLUENCE		
2 E TICKET				39:4-96		RECKLESS DRIVING		
3 E TICKET				39:4-144		FAILURE TO STOP OR YIELD		
VEHICLE INVENTORY								
Personal Property Removed From Vehicle By:						PROPERTY LEFT IN THE VEHICLE		
ITEM		ITEM		ITEM		ITEM		
☒ KEYS	☐ BATTERY	☐ WHEELS		1		6		
☐ FRONT PLATE	☐ MOTOR	☐ TIRES		2		7		
☒ REAR PLATE	☐ RADIO	☐ HUBCAPS		3		8		
☒ REGISTRATION	☐ TRANSMISSION	☐ WIPERS		4		9		
☒ INSURANCE CARD	☐ SIDE MIRROR	☐ HEADLIGHTS		5		10		
COMMENTS								
REPORTING OFFICER'S SIGNATURE (IF REQUIRED) (RANK, LAST, FIRST, ID#) PATROLMAN SAMARITANO, DANIEL 0073				DATE 09/16/2018	REPORT APPROVED (RANK, LAST, FIRST, ID#) SERGEANT SCHIATTARELLA JR, KENNET			DATE
VEHICLE RELEASE		Date/Time Vehicle Cleared For Release:				Cleared By:		
DATE/TIME OF RELEASE		VEHICLE RELEASED TO (PRINT NAME)				SIGNATURE OF PERSON APPEARING FOR RELEASE		
THE FOLLOWING DOCUMENTS WERE PRODUCED AND COPIES ATTACHED ☐ VALID DRIVER LICENSE ☐ PROOF OF INSURANCE FOR VEHICLE ☐ PROOF OF OWNERSHIP OR EVIDENCE OF LAWFUL AUTHORITY TO OPERATE ☐ VALID REGISTRATION								
SIGNATURE OF OFFICER RELEASING VEHICLE				DATE	SUPERVISOR'S ID #			DATE
VEHICLE RELEASED BY OFFICER. (RANK, LAST, FIRST, ID#)					RELEASE APPROVED BY (RANK, LAST, FIRST, ID#)			

COURT ID 1530	PREFIX E18	TICKET NUMBER 4224
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260 East Bay Avenue
609-897-8681
STAFFORD, NJ 08050

☒ SUMMONS		☐ WARNING		☐ VOID	
YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED					
DRIVER'S LICENSE NUMBER [REDACTED]			EXP DATE [REDACTED]		STATE [REDACTED] ☐ COMMERCIAL LICENSE
THE UNDERSIGNED CERTIFIES THAT					
NAME BEIER, KATHLEEN M					
ADDRESS [REDACTED] BREAKERS DRIVE, MANAHAWKIN NJ 08050					
BIRTH DATE [REDACTED]	EYES [REDACTED]	SEX [REDACTED]	WEIGHT [REDACTED]	HEIGHT [REDACTED]	RESTRICTIONS
DID UNLAWFULLY		☐ PARK		☐ OPERATE	
		☐ RADAR		☐ OTHER	
MAKE OF VEHICLE DODGE		YEAR 2005	BODY TYPE MINI VAN		COLOR SIL
LIC. PLATE NO. YUP66M		STATE NJ	EXP. DATE 04/2019		☐ COMMERCIAL VEHICLE ☐ HAZARDOUS MATERIAL ☐ OUT OF SERVICE ☐ OMNIBUS
OFFENSE DATE	MONTH Sep	DAY 16	YEAR 2018	TIME HOUR 10:32	
LOCATION OF OFFENSE ROUTE 72 WEST/BULL DRIVE, MANAHAWKIN NJ 08050			DESCRIBE LOCATION		
MUNICIPALITY MANAHAWKIN		COUNTY OCEAN		MUN. CODE (OFFENSE) 1530	
AND DID THEN AND THERE COMMITTED THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)					
TRAFFIC OFFENSE					
39-4-50 DRIVING WHILE UNDER THE INFLUENCE					
☐ DL ☐ REG ☐ INS MPH IN A MPH ZONE					
IN EXCESS OF SPEED LIMIT BY:					
☐ 1-9 MPH ☐ 10-14 MPH ☐ 15-19 MPH ☐ 20-24 MPH ☐ 25-29 MPH ☐ 30-34 MPH					
☐ 65 MPH ZONE ☐ SAFE CORRIDOR ☐ CONSTRUCTION ZONE					
PARKING OFFENSE					
☐ OVERTIME METER NO ☐ PROHIBITED AREA ☐ DOUBLE					
THE UNDERSIGNED FURTHER STATES THAT THERE ARE, JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE AND WILL FILE THIS COMPLAINT IN THIS COURT CHARGING YOU WITH THAT OFFENSE					
DATE 09/16/2018		SIGNATURE OF COMPLAINING WITNESS PATROLMAN OLER, KEITH R			OFFICER'S ID NO. 0099
NOTICE TO APPEAR					
☒ COURT APPEARANCE REQUIRED		COURT DATE	MONTH	DAY	YEAR
					TIME
☒ ACCIDENT ☐ PROPERTY DAMAGE ☐ PERSONAL INJURY ☐ DEATH / SERIOUS BODILY INJURY					
CONDITIONS					
AREA	☐ BUSINESS	☐ SCHOOL	☐ RESIDENTIAL	☐ RURAL	
ROAD	☐ DRY	☐ WET	☐ SNOW	☐ ICE	
TRAFFIC	☐ LIGHT	☐ MEDIUM	☐ HEAVY		
VISIBILITY	☐ CLEAR	☐ RAIN	☐ SNOW	☐ FOG	
EQUIPMENT	☐ HELICOPTER	☐ PACE	☐ VASCAR	☐ RADAR	☐ ALCOTEST
EQUIPMENT OPERATOR'S NAME			OFFICER'S ID NO		UNIT CODE
NOTES					

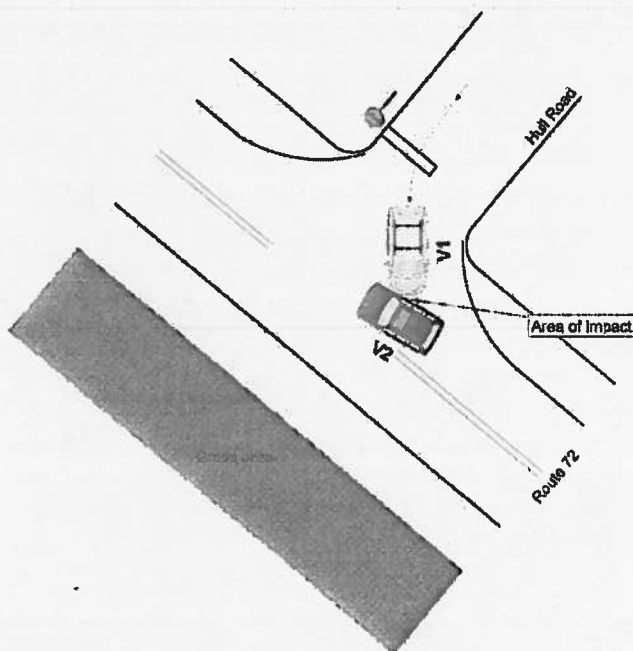
Page: 1 Of 2 ☐ Fatal										New Jersey Police Crash Investigation Report										☒ Reportable ☐ Non-Reportable ☐ Change Report																																																																																																																																					
96	05	1 Case Number I-2018-021887										10 Crash Occurred On: ROUTE 72 WEST										11 Speed Limit 55			118a	02																																																																																																																															
97	01	2 Police Dept. of STAFFORD TOWNSHIP POLICE										Code 01										12 Route No 72			13 Milepost 19			118b	04																																																																																																																												
98	01	3 Station/Precinct MANAHAWKIN										At Intersection with ☒ Feet ☐ Miles										Road Name HULL ROAD			18 Speed Limit 25			119a	25																																																																																																																												
99	02	4 Date of Crash 09 16 18										5 Day of Week Sun										6 Time (use 2400 hrs) 10:32										7 Municipality Code 1530										8 Total Killed ---										9 Total Injured ---										21 Latitude ---										22 Longitude ---										119b	---																																																																						
100a	01	23 Veh # 1										24 Policy No F142713-7										25 NJ Ins Code 426										53 Veh # 2										54 Policy No 602934314 206 1										55 NJ Ins Code 884										120a	02																																																																																										
100b	04	☐ Parked ☐ Ped ☐ Pedalcyclist ☐ Resp to Emergency ☐ Hit & Run										☐ Parked ☐ Ped ☐ Pedalcyclist ☐ Resp to Emergency ☐ Hit & Run																																								120b	---																																																																																																				
101	02	26 Driver's First Name KATHLEEN M BEIER										28 Sex F										56 Driver's First Name GEORGE J MEDUNIC										59 Sex M																														121a	01																																																																																										
102	01	27 Number & Street 1604 BREAKERS DRIVE										57 Number & Street 1240 GRAYS RD																																																		121b	---																																																																																										
103	01	28 City MANAHAWKIN										State Zip NJ 08050										58 City WARREN GRV										State Zip NJ 08005-3025																																																																																																																									
104	02	30 Eyes 02										DL Class D										Restrictions ---										Endorsements ---										31 State NJ										60 Eyes 06										DL Class D										Restrictions ---										Endorsements ---										61 State NJ										122	03																																																		
105	03	32 Drivers License No B2262 42774 60542										33 DOB 10 07 54										34 Expires 11 20										62 Drivers License No M2154 27871 08576										63 DOB 08 01 57										64 Expires 08 22																														123	01																																																																						
106	---	35 Owner's First Name KATHLEEN M BEIER										36 Owner's First Name MARTHA B MEDUNIC																																																																																124	08																																																												
107	---	38 Number & Street 1604 BREAKERS DRIVE										66 Number & Street 1240 GRAYS RD																																																																																125	04																																																												
108	01	37 City MANAHAWKIN										State Zip NJ 08050										67 City WARREN GRV										State Zip NJ 08005																																																		126a	26																																																																						
109	04	38 Make DODGE										39 Model WAGON										40 Color SILVER										41 Year 2005										42 Plate No. YUP66M										43 State NJ										68 Make JEE										69 Model LIB										70 Color RD										71 Year 2012										72 Plate No. ABK9453										73 State NJ										126b	---																														
110	01	44 VIN 2D4GP44L85R503782										45 Expires 04 19										74 VIN 1C4PJMAK9CW135255										75 Expires 03 19																																																		126c	---																																																																						
111	01	46 Vehicle Removed To SOUTH SHORE TOWING - 311 ROUTE 9 SOUTH, CEDAR RUN										76 Vehicle Removed To DESTINATION										☒ Driven ☐ Towed Disabled ☐ Towed Disabled & Impounded										☒ Driven ☐ Towed Disabled ☐ Towed Disabled & Impounded																																																		126d	---																																																																						
112	---	☐ Owner ☐ Driver ☒ Police										☒ Owner ☐ Driver ☐ Police																																																																						127a	26																																																																						
113	---	48 Alcohol/Drug Test Given: ☐ No ☒ Yes ☐ Refused										49 Hazardous Material ☐ None ☐ On Board ☐ Spill										78 Alcohol/Drug Test Given: ☒ No ☐ Yes ☐ Refused										79 Hazardous Material ☐ None ☐ On Board ☐ Spill																																																		127b	---																																																																						
114	---	Type: ☒ Breath ☐ Blood ☐ Urine										Hazard Class ---										Type: ☐ Breath ☐ Blood ☐ Urine										Hazard Class ---																																																		127c	---																																																																						
115	---	Results: 0.19 % ☐ Pending										Placard No. ---										Results: 0. % ☐ Pending										Placard No. ---																																																		127d	---																																																																						
116	03	50 Carrier No. ☐ USOOT ☐ MC/MX										51 Commercial Vehicle Weight ☐ < 10,000 lbs ☐ 10,001 - 26,000 lbs ☐ > 26,001 lbs										80 Carrier No. ☐ USDOT ☐ MC/MX										81 Commercial Vehicle Weight ☐ < 10,000 lbs ☐ 10,001 - 26,000 lbs ☐ > 26,001 lbs																																																		127e	26																																																																						
117	04	52 Carrier name ---										82 Carrier name ---																																																																																128	26																																																												
118	---	Number & Street ---										Number & Street ---																																																																																129	12																																																												
119	---	City ---										State Zip ---										City ---										State Zip ---																																																		130	12																																																																						
120	---	135 Damage To Other Property ☐ Yes (if yes, describe) ☒ No																																																																																										131	02																																																												
121	---	136 Charge 39:4-144 FAILURE TO STOP OR YIELD										137 Summons No E18 004221										138 Charge 39:4-51A CONSUMPTION OF ALCOHOLIC BE										139 Summons No E18 004222																																																		132	03																																																																						
122	---	140 Charge 39:4-96 RECKLESS DRIVING										141 Summons No E18 00223										142 Charge 39:4-50 DRIVING WHILE UNDER THE INFL										143 Summons No E18 004224																																																		133	03																																																																						
123	---	83										84										85										86										87										88										89										90										91										92										93										94										95										Names & Address of Occupants - If Deceased, Date & Time of Death																				134	03
124	A	01										01										01										63										F										---										01										11										04										---										---										BEIER, KATHLEEN M 1604 BREAKERS DRIVE, MANAHAWKIN NJ 08050																				135	---																				
125	B	02										01										01										61										M										---										01										11										04										---										---										MEDUNIC, GEORGE J 1240 GRAYS RD, WARREN GRV NJ 08005-3025																				136	---																				
126	C	02										03										01										59										F										---										01										11										04										---										---										MEDUNIC, MARTHA 1240 GRAYS ROAD, WARREN GROVE NJ 08005																				137	---																				
127	D	---										---										---										---										---										---										---										---										---										---										---										---										---										138	---																				

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	83	84	85	86	87	88	89	90	91	92	93	94	95	Names & Address of Occupants If Deceased, Date & Time of		
E	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
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144 Crash Diagram



Show North by Arrow
(Not to Scale)



145 Crash Description

Vehicle 2 was traveling west on Route 72 approaching the intersection of Hull Road. D2 related that Vehicle 1 then pull out of Hull Road in what appeared to be an attempt to make a left turn onto Route 72 and struck the passenger side of his vehicle as he was entering the intersection.

Vehicle 1 stopped at the stop sign facing south on Hull Road. D1 related that as she pulled out from Hull Road, attempting to make a left turn onto Route 72, she didn't see V2 traveling west and V2 struck her vehicle. D1 attributed her not seeing V2 to sun glare at the time of the crash.

As a result of the crash, V1 sustained moderate damage to the passenger side front bumper area while V2 sustained moderate damage to the passenger side area from the rear of the front wheel well to the front of the rear wheel well. Both vehicles were able to be driven from the scene after the accident, but V1 was impounded and towed by police as a result of the accident investigation. There were no reported injuries at the time of the accident.

Officers investigation concludes this collision occurred due to Driver 1's inattention and failure to yield right of way to V2.

Driver 1 was arrested at the scene for DWI as a result of the accident investigation. Refer to DWI report #2018-021887 for further information.

146 Officer's Signature PATROLMAN OLIER, KEITH R	147 Badge No. 0099	148 Reviewed By PATROLMAN PASCALE,	Badge No. 0085	149 Case Status ☐ Pending ☒ Complete
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