



Beachwood Police Department

External Officer Report for Incident 18BW23619

Nature: DWI
Location:

Address: CHESTNUT ST & SHIP AVE
BEACHWOOD NJ 08722

Offense Codes: DUI, DUI

Received By: D Cucciniello

How Received: O

Agency: P04

Responding Officers: D Allen Jr, K Meissner, K Fennessy, K9 Stosh, K9 Mila, M Fiorentino, K9 Utah, K9 Rufus, R Spadaro

Responsible Officer: D Allen Jr

Disposition: CLO 12/05/18

When Reported: 17:13:29 12/05/18 Occurred Between: 17:13:29 12/05/18 and 17:13:29 12/05/18

Assigned To:
Status:

Detail:
Status Date: **/**/**

Date Assigned: **/**/**
Due Date: **/**/**

Complainant: 7

Last: BEACHWOOD
POLICE
DEPARTMENT

First:

Mid:

DOB: **/**/**

Dr Lic: [REDACTED]

Address: 1600 PINEWALD ROAD

Race:

Sex:

Phone: (732)286-6000

City: BEACHWOOD, NJ 08722

Offense Codes

Reported:

Observed:

Additional Offense: DUI DUI Alcohol or Drugs

Additional Offense: DUI DUI Alcohol or Drugs

Circumstances

DWI DWI/DUI

K9 K9 Requested

Responding Officers:

Unit :

D Allen Jr	04268
K Meissner	04294
K Fennessy	00162
K9 Stosh	00162
K9 Mila	00162
M Fiorentino	00141
K9 Utah	00141
K9 Rufus	00141
R Spadaro	04308

Responsible Officer: D Allen Jr

Agency: P04

Received By: D Cucciniello
How Received: O LEO Initiated
When Reported: 17:13:29 12/05/18
Judicial Status:
Misc Entry:

Last Radio Log: 20:34:46 12/05/18 CMPLT
Clearance: RPR Report Required
Disposition: CLO Date: 12/05/18
Occurred between: 17:13:29 12/05/18
and: 17:13:29 12/05/18

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	Relationship
12/05/18	Name	KAUFMAN, BRETT A	Arrestee
12/06/18	Citation	Moving Violation	Citation
12/06/18	Citation	Moving Violation	Citation
12/06/18	Citation	Moving Violation	Citation
12/06/18	Citation	Moving Violation	Citation
12/05/18	Offense	Offense#: 12826 - MV - 1 count	Charged With
12/05/18	Vehicle	SIL 2007 TOY YAR NJ	Vehicle History
12/05/18	Cad Call	17:13:29 12/05/18 MV STOP	Initiating Call

Narrative

MV STOP ON NJ VCB23T CHESTNUT ST AND SHIP AVE, SEE INVESTIGATION REPORT.

Responsible LEO:

Approved by:

Date

Supplement

Beachwood Police Department Drinking and Driving Report

- (1) Defendant Name: BRETT A KAUFMAN
- (2) Location of Stop: CHESTNUT STREET AND SHIP AVENUE
- (3) Time of Stop: 1713 HOURS
- (4) Summons Number: 034689
- (5) Vehicle Registration: VCB23T
Make: TOYOTA
Model: YARIS
Year: 2007
- (6) Vehicle Owner: KRISTINE D TODD
- (7) Arrested by: (Officer Name & Badge) PTL. DENNIS ALLEN 4268
- (8) Tested by: (Officer Name & Badge) PTL. DENNIS ALLEN 4268
- (9) Accident Involved:
- ☒ None ☐ Injury
☐ Pedestrian ☐ 1 Vehicle
☐ Fatal ☐ 2 Vehicles or more
- (10) Examination:
- ☒ Chem Breath ☐ Doctors Examination
☐ Breath Test Refused ☐ Narcotics, Habit Producing drugs or
hallucinogenic
☐ Observation ☐ Blood Test
☐ Urine Test
- (11) Summons Issued For:
- ☒ 39:4-50 Influence
☐ U/ 21 y.o.a. and greater than .01% BAC
☐ 39:4-50.13 CDL
☐ 39:4-14.3g MOPED
☐ Allowing [] to operate
☒ Refusal ☒ 39:4-50.2
 ☐ 39:3-10.24
 ☐ 39:-4-14.3g
- (12) Reported breath test result: [] %BAC REFUSAL
- (13) Alcotest Unit #: MCIII-C 7110
- OBSERVATIONS WERE:
- (14) Ability to walk:
- ☐ Unable ☐ Falling

☐ On Hands & Knees ☐ Moved in Circles
☒ Swaying ☐ Sagging
☒ Grasping for Support ☒ Staggering

(15) Ability to stand:

☒ Swaying ☐ Sagging
☐ Unable to ☒ Continual leaning for balance
☐ Rigid ☒ Feet wide apart for balance

(16) Speech:

☒ Shouting ☒ Rambling
☐ Slobbering ☐ Incoherent
☒ Boisterous ☐ Whispering
☐ Slurred ☐ Hoarse
☒ Whining ☐ Crying
☐ Stuttering ☐ Accent
☐ Slow

(17) Demeanor:

☐ Fighting ☐ Calm
☒ Excited ☐ Sleepy
☐ Indifferent ☐ Crying
☐ Hysterical ☐ Other
☒ Antagonistic ☐ Polite
☐ Cooperative

(18) Actions:

☐ Punching ☐ Kicking
☐ Resisting ☐ Profanity
☐ Thumbing Nose ☐ Threatening
☐ Difficult to awaken ☐ Other

(19) Eyes:

☒ Bloodshot ☐ Glass Eye ☐ Right ☐ Left
☒ Watery
☒ Droopy Lids ☐ Wearing Glasses
☐ Wearing Glasses ☒ Not Wearing Glasses

(20) Clothing:

☒ Mussed ☐ Vomited On
☐ Partly ☐ Defecated in same
☒ Dirty ☐ Urinated in same

(21) Movement of Hands:

☒ Fumbling
☒ Slow
☐ Other

(22) Face:

☐ Flushed
☒ Pale

[X] None

[] Yes

(24) Remarks:

(25) 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

ON DECEMBER 5, 2018, AT 1713 HOURS WHILE ON PATROL IN THE AREA OF PINEWALD ROAD AND SPRUCE STREET, I WAS CONDUCTING RADAR ENFORCEMENT. I OBSERVED A SILVER FOUR DOOR VEHICLE PASS ME AT A HIGH RATE OF SPEED. I ACTIVATED MY STALKER RADAR KC14031 AND IT DISPLAYED 51 MPH. I PULLED ONTO PINEWALD ROAD AND ACTIVATED MY RED AND BLUE EMERGENCY LIGHTS TO SIGNAL THE VEHICLE TO PULL OVER. THE VEHICLE BEARING NEW JERSEY REGISTRATION VCB23T CAME TO A STOP AT CHESTNUT STREET AND SHIP AVENUE.

2. WHEN STOPPED OR ARRIVAL AT SCENE;

WHILE ON THE MOTOR VEHICLE STOP, I HAD TO ADVISE THE DRIVER TO GET BACK IN HIS VEHICLE. ONCE THE DRIVER WAS BACK IN THE VEHICLE, I MADE CONTACT WITH HIM. WHILE STANDING AT THE DRIVER SIDE WINDOW, I HAD TO KNOCK ON THE WINDOW TO HAVE THE DRIVER ROLL THE WINDOW DOWN. ONCE THE DRIVER ROLLED THE WINDOW DOWN, I SMELLED A STRONG ODOR OF RAW MARIJUANA. I ASKED THE DRIVER IF THERE WAS MARIJUANA IN THE VEHICLE AND HE ADVISED THE PASSENGER AND HIM JUST SMOKED IT. AFTER SPEAKING TO THE DRIVER I BEGAN TO SPEAK TO THE FRONT SEAT PASSENGER. WHILE SPEAKING TO THE PASSENGER HE OPENED THE PASSENGER SIDE DOOR AND I DETECTED A STRONG ODOR OF RAW MARIJUANA COMING FROM THE INSIDE OF THE VEHICLE. I ADVISED THE DRIVER AND PASSENGER TO STAY INSIDE THE VEHICLE. I REQUESTED OCEAN COUNTY SHERIFFS DEPARTMENT K9 TO RESPOND TO MY LOCATION. WITHIN A FEW MINUTES SHERIFF OFFICER FIORENTINO ARRIVED ON LOCATION. OFFICER FIORENTINO RAN HIS K9 ALONG THE OUTSIDE OF NJ VCB23T. OFFICER FIORENTINO ADVISED ME HIS DOG HAD A POSITIVE INDICATION FOR NARCOTICS ALONG THE DRIVER SIDE OF THE VEHICLE. ONCE OFFICER FIORENTINO SECURED HIS K9, PTL. MEISSNER AND I APPROACHED THE VEHICLE. I PLACED THE PASSENGER UNDER ARREST FOR A OUTSTANDING WARRANT AND HE WAS SECURED IN THE REAR OF MY MARKED PATROL UNIT. PTL. MEISSNER HAD THE DRIVER EXIT THE VEHICLE AND CONDUCTED A PAT DOWN TO ENSURE OFFICER SAFETY AS WE SEARCHED THE VEHICLE. LET IT BE KNOWN THE DRIVER'S CELL PHONE FELL OUT OF HIS PANT'S POCKET WHEN HE EXITED THE VEHICLE AND WAS MAKING ALLEGATIONS OFFICERS BROKE HIS CELL PHONE. OFFICER SPADARO STOOD BY WITH THE DRIVER AS PTL. MEISSNER AND MYSELF CONDUCTED A SEARCH OF THE VEHICLE. WHILE CONDUCTING THE SEARCH PTL. MEISSNER LOCATED A CLEAR PLASTIC CASE IN A BLACK BAG CONTAINING GREEN VEGETATIVE MATTER INDICATIVE OF MARIJUANA. PTL. SPADARO PLACED THE DRIVER UNDER ARREST, HANDCUFFS DOUBLE LOCKED AND PIN SET. PTL. SPADARO PLACED THE DRIVER IN THE REAR OF UNIT 455, CHECKING THE REAR SEAT FINDING IT CLEAR OF ANY ITEMS. PTL. SPADARO TRANSPORTED THE DRIVER TO POLICE HEADQUARTERS. PTL. MEISSNER STOOD BY AND WAITED FOR MIDLAND TOWING AND IMPOUNDED THE VEHICLE AS PER JOHNS LAW. THE VEHICLE WAS STORED AT THE BEACHWOOD POLICE SHORT TERM STORAGE YARD. I CLEARED THE STOP AND TRANSPORTED THE PASSENGER TO POLICE HEADQUARTERS. SEE 18BW23620 FOR FURTHER INFORMATION REGARDING PASSENGER.

3. ENROUTE TO STATION:

PTL. SPADARO ADVISED ME THE DRIVER WAS QUIET DURING THE TRANSPORT TO POLICE HEADQUARTERS.

01/08/19

(23) Odor of Alcoholic Beverage on Breath:

4. AT THE STATION:

WHILE AT POLICE HEADQUARTERS I ADVISED THE DRIVER I WAS GOING TO HAVE HIM CONDUCT STANDARDIZED FIELD SOBRIETY TESTS. WHILE STANDING IN THE HALLWAY OF THE BOOKING ROOM I ASKED THE DRIVER IF HE HAD ANY ISSUES WITH HIS EYES AND HE ADVISED ME "NO." I THEN BEGAN TO CHECK HIS LEFT EYE FOR LACK OF SMOOTH PURSUIT THEN CHECKED HIS RIGHT EYE FOR THE SAME. I OBSERVED LACK OF SMOOTH PURSUIT IN BOTH EYES. I THEN CHECKED HIS LEFT EYE FOR DISTINCT NYSTAGMUS AT MAXIMUM DEVIATION THEN THE SAME TO HIS RIGHT EYE. I OBSERVED THAT THE DRIVER HAD NYSTAGMUS IN BOTH EYES. I ADVISED THE DRIVER THAT I WAS GOING TO EXPLAIN AND DEMONSTRATE THE WALK AND TURN TEST. I ADVISED THE DRIVER TO STAND WITH HIS LEFT FOOT IN FRONT OF HIS RIGHT, TOUCHING HIS HEEL TO HIS TOE AND TO HAVE HIS HANDS AT HIS SIDES. I ADVISED THE DRIVER TO HOLD THIS POSITION WHILE I DEMONSTRATED THE WALK AND TURN TEST. PRIOR TO DEMONSTRATING THE TEST I ASKED THE DRIVER IF HE HAD ANY INJURIES. THE DRIVER ADVISED ME "YES MY LEFT KNEE." AFTER I DEMONSTRATED THE TEST I ADVISED THE DRIVER HE COULD BEGIN. THE DRIVER FAILED TO HIT HIS HEEL TO HIS TOE ON EACH STEP AND DID NOT COUNT PROPERLY. I TERMINATED THE WALK AND TURN TEST DUE TO THE DRIVER USING THE HALLWAY WALL FOR SUPPORT. AFTER THE WALK AND TURN TEST I ADVISED THE DRIVER TO STAND WITH HIS FEET TOGETHER AND HIS HANDS AT HIS SIDES WHILE I DEMONSTRATED THE ONE LEG STAND TEST. AFTER I DEMONSTRATED AND EXPLAINED THE TEST THE DRIVER WAS ADVISED HE COULD BEGIN. THE DRIVER WAS SWAYING IN PLACE, FAILED TO KEEP HIS ARMS AT HIS SIDES AND COULD NOT KEEP HIS FOOT OFF THE GROUND. I TERMINATED THE ONE LEG STAND TEST DUE TO THE DRIVER NOT BEING ABLE TO KEEP HIS FOOT OFF THE GROUND AND USING THE HALLWAY WALL FOR SUPPORT. THE DRIVER WAS UNCOOPERATIVE AND WAS GIVEN MULTIPLE OPPORTUNITIES TO CONDUCT EACH TEST. AFTER SEVERAL ATTEMPTS TO CONDUCTED HIS FIELD SOBRIETY TESTS, THE DRIVER REMAINED UNCOOPERATIVE. I READ HIM THE STANDARD STATEMENT FORM, THE DRIVER ADVISED ME HE WAS REFUSING A TO GIVE A BREATH SAMPLES. THE DRIVER WAS ENTERED AS A REFUSAL INTO THE ALCOTEST, (SEE ALCOTEST INFLUENCE REPORT FOR FURTHER DETAILS). THE DRIVER WAS READ HIS MIRANDA RIGHTS AND ADVISED ME HE WANTED TO SPEAK TO HIS ATTORNEY. THE DRIVER ALSO REFUSED TO SIGN STATING HIS RIGHTS HAVE BEEN READ TO HIM. THE DRIVER WAS BOOKED AND PROCESSED WITH OUT INCIDENT. THE DRIVER WAS CHARGED WITH 18BW034688 39:4-98 18BW034689 39:4-50, 18BW03490 39:4-50.4A, 18BW034691 39:4-49.1 AND ADVISED OF HIS PENDING COURT DATE AT THE BEACHWOOD MUNICIPAL COURT. THE DRIVER WAS ALSO CHARGED WITH 2C:35-1A(3), AND 2C35-5B(11) ON WARRANT 1504-W-2018-000106. THE DRIVER WAS TRANSPORTED AND LOGGED AT THE OCEAN COUNTY JAIL. THE OCEAN COUNTY JAIL SIGNED THE POTENTIAL LIABILITY FORM.

SEE UNIT 457, 455, AND 452 MVR FOR FURTHER DETAIL OF THIS INCIDENT.

END OF REPORT.

DECEMBER 5, 2018
PTL. DENNIS ALLEN 4268

Standardized Field Sobriety Checklist:

Estimated B.A.C

[] Above .08%

[] Below .08%

Actual B.A.C. :

Horizontal Gaze Nystagmus Test:

[X] Smooth pursuit: Left Eye

[X] Smooth pursuit: Right Eye

[X] Maximum deviation: Right Eye

[X] Left Eye onset before 45 degrees

[X] Maximum deviation: Left Eye [X] Right eye onset before 45 degrees
[6] Total Score (Decision point 4)

Walk and Turn Test:

[X] Can't keep balance while listening to instructions
[X] Starts before instructions are finished
[X] Stops walking to steady self
[] Does not touch heel-to-toe
[X] Loses balance while walking (steps off the line)
[X] Uses arms for balance (raises arms over six inches)
[] Loses balance while turning, turns incorrectly
[] Incorrect number of steps
[] Cannot do test (steps off line three or more times)
[5] Total Score (Decision point 2)

One Leg Stand Test:

[X] Sways while balancing
[X] Uses arms to balance (raises arms over six inches)
[] Hopping
[X] Puts foot down
[] Cannot do test (puts foot down three times) (4 points)
[3] Total Score (Decision point 2)

Drinking Driver Questionnaire :

Questions:

Questions were asked on: DECEMBER 5, 2018

Date: DECEMBER 5, 2018

Time: 1850

Occupation? UNEMPLOYED

Are you sick? If yes, Explain. NO

Are you under the care of a doctor? If so, provide name & address:

Last Visit? N/A

Date:

Time:

Are you taking medication? If so, What and What for? NO

Last Dose? N/A

Date

Time:

Do you have Diabetes? NO

Are you taking insulin? NO

Last Dose? N/A

Date:

Time:

You are injured? If so, where? NO

Are your injuries affecting you now? If so, What and how? N/A

Note any physical injuries or deformities observed: NONE

ADVISE SUBJECT OF MIRANDA WARNING: YES AT 1825 HOURS DEFENDANT ADVISED HE WANTED TO SPEAK TO HIS LAWYER AND REFUSED TO SIGN HIS RIGHTS.

What kind of alcohol drink have you had? SMOKED MARIJUANA

How many?

Where?

What was the time between each drink?

When did you have your first drink?

Date:

Time:

When did you finish you last drink?

Date:

Time:

What time did you finish eating?

What did you eat?

Remarks:

DEFENDANT WAS UNCOOPERATIVE AND REFUSED TO ANSWER SELECT QUESTIONS.

Copy given to subject? NO

Officer's Name: PTL. DENNIS ALLEN 4268

Sentryx Booking Information:

Sentryx Booking Number: 18BW00231

Name Number: 68800

Name: KAUFMAN, BRETT A

Address: 341 EAST END AVE

Phone:

BERKELEY, NJ 08757

DOB: 07/04/82

Dr Lic: K08740966107826

Assigned Bed: "

Current Location: "

Booking Date: 12/05/18

Sentryx Arrest #18BW00229

Time/Date: 17:13:29

Agency: P04

12/05/18

Age at Arrest: 36

Location: CHESTNUT ST &
SHIP AVE

Officer: D Allen Jr

Arrest Type: PROB

Area:

Reference:

Disposition:

Sentryx Offense # 12826

Statute: 39:4-50

NCIC:

Offense: DUI

Crime Class: MV

Offense Reference:

Offense Type: NJS

Offense Area: P04-1

Related Incident: 18BW23619

Law Jurisdiction: NJS

Entry Code:

Offense Location:

Court Code:

Offense Time/Date: 17:13:29 12/05/18

Offense Disposition:

Disposition Date: **/**/**

Name Involvements:

Arrestee : 68800

Last: KAUFMAN

DOB: 07/04/82

First: BRETT

Dr Lic: K08740966107
826

Mid: A

Address: 341 EAST END AVE

Race: W

Sex: M

Phone:

City: BERKELEY, NJ 08757



Beachwood Police Department

External Officer Report for Incident 18BW23818

Nature: DWI
Location:

Address: RT 9 & OCEAN AVE
BEACHWOOD NJ 08722

Offense Codes: TAPI, DUI

Received By: P Bruce

How Received: 9

Agency: P04

Responding Officers: G Bruno, R Spadaro, J Bourke, Tow, BEWDPD

Responsible Officer: G Bruno

Disposition: CAA 12/08/18

When Reported: 16:54:06 12/08/18 Occurred Between: 16:53:58 12/08/18 and 16:54:00 12/08/18

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant: 7

Last: BEACHWOOD
POLICE
DEPARTMENT

First:

Mid:

DOB: **/**/**

Dr Lic: [REDACTED]

Address: 1600 PINEWALD ROAD

Race:

Sex:

Phone: (732)286-6000

City: BEACHWOOD, NJ 08722

Offense Codes

Reported: TAPI Traffic Accident, Pers Injury

Observed:

Additional Offense: TAPI Traffic Accident, Pers Injury

Additional Offense: DUI DUI Alcohol or Drugs

Circumstances

MVDUI MVA- DWI/DUI

Responding Officers:

Unit :

G Bruno

04287

R Spadaro

04308

J Bourke

00166

Tow

TOW

BEWDPD

BEWDPD

Responsible Officer: G Bruno

Agency: P04

Received By: P Bruce

Last Radio Log: 20:07:55 12/08/18 CMPLT

How Received: 9 911 Line

Clearance: RPR Report Required

When Reported: 16:54:06 12/08/18

Disposition: CAA Date: 12/08/18

Judicial Status:

Occurred between: 16:53:58 12/08/18

Misc Entry:

and: 16:54:00 12/08/18

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	Relationship
12/09/18	Name	BRUNO, PTL. GINA	Complainant
12/09/18	Name	DALY, KEITH E	Arrestee
12/14/18	Citation	Moving Violation	Citation
12/10/18	Citation	Moving Violation	Citation
12/10/18	Citation	Moving Violation	Citation
12/10/18	Citation	Moving Violation	Citation
12/10/18	Citation	Moving Violation	Citation
12/10/18	Citation	Moving Violation	Citation
12/08/18	Offense	Offense#: 12909 - MV - 1 count	Charged With
12/09/18	Accident	1872	Related Incident
12/10/18	Vehicle	DGR 1997 FORD EXP NJ	Vehicle

Narrative

DWI ARREST AS RESULT OF MVA

Responsible LEO:

Approved by:

Date

Supplement

Beachwood Police Department Drinking and Driving Report

- (1) Defendant Name: KEITH E. DALY
- (2) Location of Stop: ROUTE 9 / OCEAN AVENUE
- (3) Time of Stop: 17:29
- (4) Summons Number: 034547
- (5) Vehicle Registration:
Make: FORD
Model: EXPLORER
Year: 1997
- (6) Vehicle Owner: CALVARY CHAPEL BERKELEY INC.
- (7) Arrested by: PTL. GINA BRUNO 4287
- (8) Tested by: PTL. GINA BRUNO
- (9) Accident Involved:
- | | |
|-------------------------------------|--|
| ☐ None | ☒ Injury |
| ☐ Pedestrian | ☐ 1 Vehicle |
| ☐ Fatal | ☒ 2 Vehicles or more |
- (10) Examination:
- | | |
|---|---|
| ☒ Chem Breath | ☐ Doctors Examination |
| ☐ Breath Test Refused | ☐ Narcotics, Habit Producing drugs or hallucinogenic |
| ☒ Observation | ☐ Blood Test |
| ☐ Urine Test | |
- (11) Summons Issued For:
- | |
|---|
| ☒ 39:4-50 Influence |
| ☐ U/ 21 y.o.a. and greater than .01% BAC |
| ☐ 39:4-50.13 CDL |
| ☐ 39:4-14.3g MOPED |
| ☐ Allowing [] to operate |
| ☐ Refusal [] 39:4-50.2 |
| [] 39:3-10.24 |
| [] 39:-4-14.3g |
- (12) Reported breath test result: [.14] %BAC
- (13) Alcotest Unit #: 7110 MK111-C
- OBSERVATIONS WERE:
- (14) Ability to walk:
- | | |
|---------------------------------|----------------------------------|
| ☐ Unable | ☐ Falling |
|---------------------------------|----------------------------------|

☐ On Hands & Knees ☐ Moved in Circles
☒ Swaying ☐ Sagging
☐ Grasping for Support ☒ Staggering

(15) Ability to stand:

☒ Swaying ☐ Sagging
☐ Unable to ☐ Continual leaning for balance
☐ Rigid ☐ Feet wide apart for balance

(16) Speech:

☐ Shouting ☐ Rambling
☐ Slobbering ☐ Incoherent
☐ Boisterous ☐ Whispering
☒ Slurred ☐ Hoarse
☒ Whining ☒ Crying
☐ Stuttering ☐ Accent
☒ Slow

(17) Demeanor:

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☐ Excited ☒ Sleepy
☐ Indifferent ☒ Crying
☐ Hysterical ☐ Other
☐ Antagonistic ☐ Polite
☒ Cooperative

(18) Actions:

☐ Punching ☐ Kicking
☐ Resisting ☐ Profanity
☐ Thumbing Nose ☐ Threatening
☐ Difficult to awaken ☐ Other

(19) Eyes:

☒ Bloodshot ☐ Glass Eye ☒ Right ☒ Left
☒ Watery
☐ Droopy Lids ☐ Wearing Glasses
☐ Wearing Glasses ☒ Not Wearing Glasses

(20) Clothing:

☐ Mussed ☐ Vomited On
☐ Partly ☐ Defecated in same
☒ Dirty ☐ Urinated in same

(21) Movement of Hands:

☐ Fumbling
☒ Slow
☐ Other

(22) Face:

☐ Flushed
☒ Pale

(23) Odor of Alcoholic Beverage on Breath:

[] None

[X] Yes

(24) Remarks: (If needed to clarify observations)

(25) 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;

ON 12-08-2018 THIS UNIT 454 WAS DISPATCHED TO ROUTE 9 AND OCEAN AVENUE IN REFERENCE TO A FOUR CAR MOTOR VEHICLE ACCIDENT.

2. WHEN STOPPED OR ARRIVAL AT SCENE; - If an accident ;

UPON MY ARRIVAL THIS OFFICER AND OFFICER SPADARO REQUESTED CREDENTIALS FROM THE DRIVERS OF THE VEHICLES AND THE PASSENGERS. THIS OFFICER ALSO CONTACTED OCEAN COUNTY RADIO ROOM AND ADVISED THEM AN AMBULANCE AND A TOW TRUCK WAS NEEDED. AS THIS OFFICER WAS ACQUIRING MORE INFORMATION, PTL. SPADARO WAS SPEAKING WITH VEHICLE ONE'S DRIVER. HE WAS IDENTIFIED AS KEITH E. DALY. MR. DALY ADVISED PTL. SPADARO THAT HE HAD BEEN DRINKING EARLIER ON TODAY'S DATE. MR. DALY ADVISED PTL. SPADARO HE CONSUMED TWO ALCOHOLIC BEVERAGES. MR. DALY STATED HE HAD TWO MILLER LIGHTS. MR. DALY HAD CHEWING GUM IN HIS MOUTH AND WAS ADVISED TO TAKE IT OUT. AT THIS TIME MYSELF AND PTL. SPADARO ADMINISTERED THE FIELD SOBRIETY TESTS. THIS OFFICER ASKED MR. DALY IF THERE WERE ANY INJURIES THAT WOULD KEEP HIM FROM PERFORMING THE SOBRIETY TESTS AND HE STATED NO BUT HE DID HAVE SURGERY ON HIS RIGHT KNEE. THE FIRST TEST THAT WAS PERFORMED WAS THE WALK AND TURN TEST. MR. DALY STOPPED SEVERAL TIMES TO CATCH HIS BALANCE. HE DID NOT STEP FROM HEEL TO TOE AND CONTINUED TO USE HIS ARMS FOR BALANCE. THE NEXT TEST PERFORMED WAS THE ONE LEGGED STAND. MR. DALY USED HIS ARMS FOR BALANCE AND ALSO CONTINUED TO SWAY. MR. DALY COULD NOT HOLD HIS FOOT UP OFF THE GROUND WHILE COUNTING. THE LAST TEST PERFORMED WAS THE HORIZONTAL GAZE NYSTAGMUS TEST. THIS OFFICER ADVISED MR. DALY SEVERAL TIMES TO NOT MOVE HIS HEAD AND USE JUST HIS EYES. MR. DALY SHOWED SMOOTH PURSUIT, MAXIMUM DEVIATION AND ONSET IN BOTH EYES. AS I WAS CONDUCTING THIS TEST I COULD DETECT THE ODOR OF AN ALCOHOLIC BEVERAGE COMING FROM MR. DALY'S BREATH. MR. DALY WAS THEN ADVISED HE WAS BEING PLACED UNDER ARREST FOR DRIVING WHILE INTOXICATED. PTL. SPADARO CONDUCTED A PAT DOWN AND HANDCUFFED MR. DALY (HANDCUFFS WERE LOCKED AND DOUBLE SPACED) AND PLACED HIM IN THE REAR OF UNIT 454. THE REAR SEAT WAS FREE OF ANY OBJECTS.

3. ENROUTE TO STATION: or wherever going;

WHILE DRIVING BACK TO BEACHWOOD HEADQUARTERS MR. DALY STARTED OFF CRYING AND ADVISED THIS OFFICER HE WAS A PASTOR IN A CHURCH. MR. DALY CONTINUED TO ASK THIS OFFICER TO SHOW HIM MERCY AND LET HIM GO. THIS OFFICER COULD SMELL AN ODOR OF ALCOHOLIC BEVERAGE COMING FROM THE REAR SEAT OF 454. PTL. SPADARO WAITED ON SCENE FOR THE TOW TO ARRIVE. DUE TO THE ACCIDENT THE VEHICLE WAS BROUGHT BACK TO MIDLAND TOWING YARD.

4. AT THE STATION: or wherever taken, i.e., doctor's office, hospital, etc.;

AT HEADQUARTERS, THIS OFFICER HELPED MR. DALY OUT OF THE REAR SEAT OF 454 AND

INTO BEACHWOOD HEADQUARTERS. ONCE INSIDE HEADQUARTERS, THIS OFFICER INSTRUCTED MR. DALY TO SIT IN THE HALLWAY UNTIL THIS OFFICER WAS READY TO CONDUCT THE TESTING. SPEAKING WITH MR. DALY I COULD STILL DETECT AN ODOR OF ALCOHOLIC BEVERAGE EMANATING FROM HIS BREATH. AS I STARTED THE 20 MINUTE OBSERVATION PERIOD (17:43) I READ MR. DALY THE STANDARD STATEMENT FORM AND HIS RIGHTS. MR. DALY STATED HE UNDERSTOOD AND SIGNED THE PAPERWORK. AT THIS TIME THE 20 MINUTE OBSERVATION PERIOD (18:05) WAS OVER AND THIS OFFICER WAS READY TO CONDUCT THE ALCO TEST MACHINE. MR. DALY DID SUBMIT SAMPLES OF HIS BREATH. MR. DALY'S B.A.C. READING WAS .14%. MR. DALY WAS ISSUED MULTIPLE MOTOR VEHICLE SUMMONS (SEE BELOW). MR. DALY WAS RELEASED TO HIS WIFE KATHLEEN DALY IN ACCORDANCE TO JOHN'S LAW.

5. List other TRAFFIC OFFENSES by summons number and statute number. (Use continuation page S.P. 317-1 if more space is needed).

39:4-50
39:4-97
39:4-96
39:3-4
39:4-51B

Standardized Field Sobriety Checklist:

Estimated B. A. C.

[X] Above .08%

[] Below .08%

Actual B. A. C. :

.14%

Horizontal Gaze Nystagmus Test:

[X] Smooth pursuit: Left Eye [X] Maximum deviation: Right Eye
[X] Smooth pursuit: Right Eye [X] Left Eye onset before 45 degrees
[X] Maximum deviation: Left Eye [X] Right eye onset before 45 degrees
[X] Total Score (Decision point 4)

Walk and Turn Test:

[] Can't keep balance while listening to instructions
[] Starts before instructions are finished
[X] Stops walking to steady self
[X] Does not touch heel-to-toe
[X] Loses balance while walking (steps off the line)
[X] Uses arms for balance (raises arms over six inches)
[] Loses balance while turning, turns incorrectly
[] Incorrect number of steps
[] Cannot do test (steps off line three or more times)
[X] Total Score (Decision point 2)

One Leg Stand Test:

[X] Sways while balancing
[X] Uses arms to balance (raises arms over six inches)
[] Hopping
[X] Puts foot down
[] Cannot do test (puts foot down three times) (4 points)
[X] Total Score (Decision point 2)

Drinking Driver Questionnaire :

Questions:

Questions were asked on:

Date: 12-08-2018

Time: 18:30

Occupation? CONSTRUCTION

Are you sick? If yes, Explain. NO

Are you under the care of a doctor? If so, provide name & address:

Last Visit? NO

Date: N/A

Time: N/A

Are you taking medication? If so, What and What for?

NO

Last Dose?

Date N/A

Time: N/A

Do you have Diabetes? NO

Are you taking insulin?

NO

Last Dose?

Date: N/A

Time: N/A

You are injured? If so, where? RIGHT KNEE

Are your injuries affecting you now? If so, What and how? NO

Note any physical injuries or deformities observed: NO

ADVISE SUBJECT OF MIRANDA WARNING: YES

What kind of alcohol drink have you had? VODKA

How many? A COUPLE

Where? HOME

What was the time between each drink? HALF HR

When did you have your first drink?

Date: 12-08-2018

Time: NOON

When did you finish you last drink?

Date: 12-08-2018

Time: 15:30

What time did you finish eating? 11:30

What did you eat? DOES NOT REMEMBER

Remarks: DEFENDANT WAS COOPERATIVE

Copy given to subject? NO

Officer's Name: PTL. GINA BRUNO

Sentryx Booking Information:

Sentryx Booking Number: 18BW00236

Name Number: 69528

Name: DALY, KEITH E

Address: 1616 4TH AVE

Phone:

MANCHESTER, NJ 08759

DOB: 07/19/67

Dr Lic: D03324296507675

Assigned Bed: "

Current Location: "

Booking Date: 12/08/18

Sentryx Arrest #18BW00234

Time/Date: 16:54:06

Agency: P04

12/08/18

Age at Arrest: 51

Location: RT 9 & OCEAN AVE

Officer:

G Bruno

Arrest Type: SUMM

Area:

Reference:

Disposition:

Sentryx Offense # 12909

Statute: 39:4-50

NCIC:

Offense: DUI

Crime Class: MV

Offense Reference:

Offense Type: NJS

Offense Area:

Related Incident: 18BW23818

Law Jurisdiction: NJS

Entry Code:

Offense Location:

Court Code:

Offense Time/Date: 16:54:06 12/08/18

Offense Disposition:

Disposition Date: **/**/**

Vehicles

Vehicle Number: 29400

License Plate: B45JCR

State: NJ

Vehicle Year: 1997

License Type:

Expires: 10/31/18

VIN: 1FMDU35P6VZB0513

6

Make: FORD Ford

Model: EXP

Color: DGR /

Doors: 0

Vehicle Type: PCAR Passenger Car

Value: \$0.00

Owner:

Last: DALY

First: KEITH

Mid: E

DOB: 07/19/67

Dr Lic: D03324296507

Address: 1616 4TH AVE

675

Race: W

Sex: M

Phone:

City: MANCHESTER, NJ 08759

Agency: P04 Beachwood Police Department

Date Recov/Rcvd: **/**/**

Officer: G Bruno

Area:

UCR Status:

Wrecker Service:

Local Status:

Storage Location:

Status Date: **/**/**

Release Date: **/**/**

Comments:

7322403374

Name Involvements:

Complainant : 29552

Last: BRUNO

DOB: **/**/**

First: PTL. GINA

Dr Lic:

Mid:

Address: 1600 PINEWALD RD # PD;
BEACHWOOD PD

Race:

Sex:

Phone: (732)286-6000

City: BEACHWOOD, NJ 08722

Arrestee : 69528

Last: DALY

DOB: 07/19/67

First: KEITH

Dr Lic: D03324296507
675

Mid: E

Address: 1616 4TH AVE

Race: W

Sex: M

Phone:

City: MANCHESTER, NJ 08759